

AMENDED IN ASSEMBLY JUNE 24, 2009

**SENATE BILL**

**No. 62**

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**Introduced by Committee on Budget and Fiscal Review**

January 20, 2009

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~~An act relating to the Budget Act of 2009.~~ *An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items* 0250-001-0001, 0250-001-0159, 0250-001-0932, 0250-001-3037, 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0250-301-0660, 0250-301-3037, 0502-001-0001, 0502-001-9740, 0510-001-0001, 0510-001-9740, 0520-001-0001, 0520-001-0044, 0530-001-9732, 0540-001-0140, 0540-001-6031, 0540-001-6051, 0540-490, 0555-001-0028, 0555-001-0044, 0555-001-0235, 0559-001-0001, 0559-001-3078, 0650-001-0001, 0650-001-0890, 0690-001-0001, 0690-001-0890, 0690-001-6061, 0690-101-0890, 0690-102-0214, 0690-102-0890, 0820-001-0001, 0820-001-0378, 0820-001-0890, 0820-001-3086, 0840-001-0001, 0840-001-0061, 0840-001-0062, 0840-001-0330, 0840-001-0890, 0840-001-0903, 0840-001-0970, 0840-001-0988, 0840-001-6057, 0840-001-9740, 0840-011-0494, 0840-011-0797, 0840-011-0988, 0855-111-0367, 0860-001-0001, 0860-001-0022, 0860-001-0061, 0860-001-0623, 0860-001-3015, 0950-001-0001, 0950-001-9740, 0968-001-0457, 1111-002-0582, 1730-001-0001, 1730-001-0044, 1730-001-0064, 1730-001-0242, 1760-001-0666, 1760-101-0022, 1870-001-0001, 1870-001-0890, 1870-101-0890, 1880-001-0001, 1900-015-0815, 1900-015-0820, 1900-015-0830, 1900-015-0833, 1900-015-0884, 2240-001-0648, 2240-101-0001, 2240-101-0890, 2320-001-0317, 2660-001-0042, 2660-001-0890, 2660-001-6801, 2660-002-3007, 2660-002-3008, 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6064, 2660-004-6072,

2660-102-0890, 2660-302-0042, 2660-302-0890, 2660-303-0042,  
 2660-491, 2665-004-6043, 2670-001-0290, 2720-001-0044,  
 2720-001-0840, 2720-001-0890, 2720-301-0044, 2740-001-0042,  
 2740-001-0044, 2740-001-0064, 3340-001-0001, 3340-001-0318,  
 3340-001-6051, 3360-001-0381, 3360-001-0465, 3360-001-0890,  
 3360-001-3117, 3480-001-0001, 3480-001-0133, 3480-001-0141,  
 3480-001-0336, 3480-001-3046, 3480-101-0005, 3540-001-0001,  
 3540-001-0140, 3540-001-0235, 3540-001-0890, 3540-001-3120,  
 3600-001-0001, 3600-001-0005, 3600-001-0200, 3600-001-0235,  
 3600-001-0320, 3600-001-6051, 3600-101-0320, 3680-101-0516,  
 3680-101-0890, 3680-101-3001, 3760-001-0140, 3760-001-0565,  
 3760-301-0262, 3760-301-0371, 3760-301-0593, 3760-301-6051,  
 3760-301-6076, 3790-001-0001, 3790-001-0235, 3790-001-0263,  
 3790-001-0392, 3790-301-6051, 3790-490, 3790-497, 3810-001-0140,  
 3810-301-6031, 3855-001-0140, 3860-001-0001, 3860-001-0140,  
 3860-001-0404, 3860-001-0890, 3860-001-3057, 3860-001-6052,  
 3860-101-6052, 3860-301-6052, 3910-001-0387, 3910-001-0890,  
 3930-001-0106, 3940-001-0235, 3940-001-0439, 3940-001-0890,  
 3940-101-0001, 3960-001-0001, 3960-001-0014, 3960-001-0557,  
 3980-001-0001, 3980-001-0044, 3980-001-0106, 3980-001-0557,  
 3980-001-3056, 4120-101-0001, 4170-001-0001, 4170-001-0890,  
 4170-101-0890, 4200-001-0367, 4200-001-0890, 4200-001-3113,  
 4200-001-3146, 4200-101-3146, 4200-102-3146, 4200-103-3146,  
 4260-001-0001, 4260-001-0236, 4260-001-0890, 4260-101-0080,  
 4260-101-0232, 4260-101-0890, 4260-102-0001, 4260-102-0890,  
 4260-106-0890, 4260-111-0080, 4260-111-0236, 4260-111-0890,  
 4260-113-0890, 4260-117-0001, 4260-117-0890, 4265-001-0070,  
 4265-001-0099, 4265-001-0203, 4265-001-0234, 4265-001-0890,  
 4265-001-3098, 4265-111-0009, 4265-111-0231, 4265-111-0236,  
 4265-111-0890, 4265-111-6031, 4265-115-0890, 4265-115-6031,  
 4265-116-0890, 4265-401, 4270-001-0001, 4280-101-0890,  
 4280-102-0890, 4280-103-0890, 4280-103-3055, 4280-111-0233,  
 4280-111-0236, 4280-112-0232, 4280-112-0233, 4280-112-3133,  
 4300-003-0001, 4300-004-0001, 4300-101-0172, 4300-101-0890,  
 4300-103-0001, 4300-301-0001, 4440-001-0890, 4440-001-3085,  
 4440-011-0001, 4440-101-0001, 4440-101-0890, 4440-101-3085,  
 4700-001-0890, 4700-101-0890, 5160-001-0001, 5160-001-0890,  
 5160-101-0890, 5175-001-0001, 5175-001-0890, 5175-101-0001,  
 5175-101-0890, 5180-101-0890, 5180-141-0001, 5180-141-0890,  
 5180-151-0001, 5180-151-0890, 5180-153-0890, 5225-001-0001,

5225-001-0917, 5225-002-0001, 5225-011-0001, 5225-101-0001,  
5225-301-0001, 5225-301-0660, 5225-301-0747, 6110-001-0001,  
6110-001-0231, 6110-001-0890, 6110-102-0231, 6110-102-0890,  
6110-104-0001, 6110-108-0001, 6110-113-0001, 6110-119-0001,  
6110-119-0890, 6110-122-0001, 6110-124-0001, 6110-125-0001,  
6110-125-0890, 6110-126-0890, 6110-134-0890, 6110-136-0890,  
6110-140-0001, 6110-140-0349, 6110-156-0890, 6110-161-0001,  
6110-161-0890, 6110-166-0001, 6110-166-0890, 6110-167-0001,  
6110-170-0001, 6110-181-0001, 6110-181-0140, 6110-182-0001,  
6110-183-0890, 6110-189-0001, 6110-193-0001, 6110-193-0890,  
6110-195-0890, 6110-196-0001, 6110-196-0890, 6110-197-0890,  
6110-198-0001, 6110-201-0890, 6110-202-0001, 6110-203-0001,  
6110-211-0001, 6110-220-0001, 6110-228-0001, 6110-240-0001,  
6110-240-0890, 6110-243-0001, 6110-244-0001, 6110-245-0001,  
6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-268-0001,  
6440-001-0001, 6440-001-0234, 6600-001-0001, 6610-001-0001,  
6870-001-0001, 6870-002-0890, 6870-101-0001, 6870-103-0001,  
6870-111-0001, 6870-295-0001, 6870-301-6041, 6870-301-6049,  
7100-001-0001, 7100-001-0185, 7100-001-0514, 7100-001-0588,  
7100-001-0869, 7100-001-0870, 7100-011-0185, 7100-011-0890,  
7100-021-0890, 7100-101-0588, 7100-101-0869, 7100-101-0871,  
7100-101-0890, 7100-101-0908, 7100-111-0890, 7120-001-0890,  
7350-001-0001, 7350-001-3121, 7980-001-0001, 8260-001-0001,  
8260-001-0890, 8260-101-0890, 8380-001-0001, 8380-004-0001,  
8570-001-0001, 8570-001-0111, 8570-001-0890, 8660-001-0462,  
8860-001-0001, 8885-295-0001, 8940-001-0001, 8955-001-0001,  
9100-101-0001, 9620-001-0001, 9655-001-0001, 9655-001-0494,  
9800-001-0001, 9800-001-0494, 9800-001-0988, and 9840-001-0001  
of; by adding Items 0250-001-3138, 0250-111-0159, 0250-111-0556,  
0250-111-3138, 0250-301-3138, 0250-490, 0502-001-0022,  
0502-001-0666, 0502-001-9730, 0502-101-0022, 0502-301-0001,  
0502-301-0042, 0502-301-0044, 0502-301-0200, 0502-301-0768,  
0530-001-3151, 0540-491, 0540-493, 0559-011-3078, 0650-102-0890,  
0650-490, 0690-001-0214, 0690-001-1014, 0690-301-0890,  
0820-001-3136, 0820-011-0317, 0911-001-0001, 0968-101-0890,  
1100-011-0267, 1111-002-3122, 1760-490, 2240-490, 2660-002-0890,  
2660-011-0042, 2740-001-3154, 2740-011-0044, 2740-491, 3125-490,  
3125-491, 3340-001-0140, 3340-101-6051, 3340-490, 3340-491,  
3480-001-0867, 3540-001-1014, 3540-001-3063, 3540-001-3117,  
3540-301-0660, 3540-490, 3540-493, 3600-001-3117, 3600-101-0516,

3600-497, 3640-491, 3640-492, 3640-495, 3760-495, 3790-001-3117, 3790-001-3154, 3790-101-0005, 3790-491, 3790-492, 3790-494, 3810-491, 3850-301-0005, 3850-301-6029, 3850-301-6051, 3855-490, 3860-101-6025, 3860-490, 3860-491, 3860-492, 3860-493, 3860-495, 3900-101-6051, 3900-490, 3930-001-0140, 3940-011-0439, 3940-012-0439, 3940-101-3134, 3940-101-3145, 3940-496, 3980-001-0115, 3980-001-0200, 4140-490, 4260-495, 4265-495, 4265-496, 4265-497, 4280-112-0236, 4300-101-0496, 5225-490, 5225-491, 5225-496, 6110-008-0001, 6110-109-0001, 6110-198-0890, 6110-488, 6110-490, 6110-492, 6360-011-0407, 6360-011-0408, 6440-402, 6440-491, 6440-492, 6610-490, 6610-491, 6610-492, 6610-494, 6870-490, 6870-491, 6870-492, 6870-493, 6870-497, 7100-001-0871, 7350-001-3150, 7350-001-3152, 7350-011-0001, 7350-012-0001, 7980-101-0784, 7980-490, 8550-001-3153, 8550-011-3153, 8855-011-0001, 8940-001-3085, and 9350-104-6065 to, and by repealing Items 0558-001-0001, 0650-001-0214, 0650-011-0001, 0650-101-0214, 1760-001-0001, 1760-001-0022, 1760-301-0001, 1760-301-0042, 1760-301-0044, 1760-301-0200, 1760-301-0768, 1955-001-9730, 3480-101-0867, 3600-001-0404, 3860-101-0544, 4200-001-3019, 4200-101-3019, 4200-105-0001, 4260-101-0236, 4260-111-0233, 4265-111-0232, 4265-111-0233, 4265-111-6051, 4265-301-0001, 4280-101-0236, 4280-104-0236, 4280-104-0890, 4280-111-0232, 4300-101-3148, 6110-008-0046, 6110-111-0046, 6110-111-3116, 6870-301-6028, 8550-001-0191, 8550-001-0942, and 8550-011-0942 of, Section 2.00 of that act, and by amending Sections 3.60, 3.90, 4.01, 4.12, 12.00, 12.32, 12.42, 17.00, 25.50, and 35.50 of, by adding Sections 3.55, 4.85, 8.55, 12.45, 12.50, 12.55, 13.10, 13.25, 13.50, 15.30, 17.50, 17.80, 18.00, 18.10, 18.20, 18.30, 18.40, 18.50, 24.60, and 25.25 to, and by repealing Section 24.65 of, that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 62, as amended, Committee on Budget and Fiscal Review. Budget Act of 2009: *revisions*.

This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2009.

The Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) made appropriations for the support of state government for the 2009–10 fiscal year.

This bill would make revisions in those appropriations for the 2009–10 fiscal year. The bill would make specified reductions in certain appropriations.

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

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

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

1 SECTION 1. ~~It is the intent of the Legislature to enact statutory~~  
2 ~~changes relating to the Budget Act of 2009.~~

3 SECTION 1. For purposes of this act, the “Budget Act of 2009”  
4 means Chapter 1 of the 2009–10 Third Extraordinary Session, as  
5 amended by Chapter 3 of the 2009–10 Third Extraordinary Session.

6 SEC. 2. Item 0250-001-0001 of Section 2.00 of the Budget Act  
7 of 2009 is amended to read:

8  
9 0250-001-0001—For support of Judicial Branch..... 354,945,000  
10 354,711,000

11	Schedule:	
12	(1) 10-Supreme Court.....	47,299,000
13		47,283,000
14	(2) 20-Courts of Appeal.....	208,912,000
15		208,694,000
16	(3) 30-Judicial Council.....	119,412,000
17	(4) 35-Judicial Branch Facility Program.....	2,217,000
18	(5) 50-California Habeas Corpus Resource	
19	Center.....	15,064,000
20	(5.5) 97.20.001-Unallocated Reduction.....	-21,286,000
21	(6) Reimbursements.....	-7,572,000
22	(7) Amount payable from the Motor Vehicle	
23	Account, State Transportation Fund	
24	(Item 0250-001-0044).....	-184,000
25	(8) Amount payable from the Court Inter-	
26	preters’ Fund (Item 0250-001-0327).....	-161,000

- 1 (9) Amount payable from the Federal Trust
- 2 Fund (Item 0250-001-0890)..... -4,475,000
- 3 (10) Amount payable from the Appellate
- 4 Court Trust Fund (Item 0250-001-
- 5 3060)..... -4,281,000
- 6 Provisions:
- 7 1. Notwithstanding Section 26.00, the funds appropriated
- 8 or scheduled in this item may be allocated or reallocat-
- 9 ed among categories by order of the Judicial Council.
- 10 2. Of the funds appropriated in this item, \$200,000 is
- 11 available for reimbursement to the Attorney General,
- 12 or for hiring outside counsel, for prelitigation and liti-
- 13 gation fees and costs, including any judgment, stipu-
- 14 lated judgment, offer of judgment, or settlement. This
- 15 amount is for use in connection with (a) matters arising
- 16 from the actions of appellate courts, appellate court
- 17 bench officers, or appellate court employees, (b) mat-
- 18 ters arising from the actions of the Judicial Council,
- 19 council members, or council employees or agents, (c)
- 20 matters arising from the actions of the Administrative
- 21 Office of the Courts or its employees, or (d) employ-
- 22 ment litigation arising from the actions of trial courts,
- 23 trial court bench officers, or trial court employees.
- 24 Either the state or the Judicial Council must be named
- 25 as a defendant or alleged to be the responsible party.
- 26 Any funds not used for this purpose shall revert to the
- 27 General Fund.
- 28 3. The funds appropriated in Schedule (5) shall be
- 29 available for costs associated directly or indirectly
- 30 with the California Habeas Corpus Resource Center
- 31 (CHCRC). The CHCRC shall report to the Legislature
- 32 and the ~~Department~~ *Director* of Finance on September
- 33 1, 2009, and April 1, 2010, on expenditures, specifical-
- 34 ly detailing personal services expenditures, operating
- 35 expenses, and equipment expenditures.
- 36 4. Notwithstanding any other provision of law, upon ap-
- 37 proval and order of the ~~Department~~ *Director* of Fi-
- 38 nance, the amount appropriated in this item shall be
- 39 reduced by the amount transferred in Item 0250-011-
- 40 0001 to provide adequate resources to the Judicial

1 Branch Workers' Compensation Fund to pay workers'  
 2 compensation claims for judicial branch employees  
 3 and justices, and administrative costs pursuant to  
 4 Section 68114.10 of the Government Code.

5  
 6 *SEC. 3. Item 0250-001-0159 of Section 2.00 of the Budget Act*  
 7 *of 2009 is amended to read:*

8  
 9 0250-001-0159—For support of Judicial Branch, payable from  
 10 the Trial Court Improvement Fund..... 9,574,000

11 Provisions:

- 12 1. Notwithstanding any other provision of law, upon  
 13 approval by the Administrative Director of the Courts,  
 14 ~~and notification to the Department of Finance, the~~  
 15 ~~chairpersons of the committees in each house of the~~  
 16 ~~Legislature that consider appropriations and the State~~  
 17 ~~Budget, and the Chairperson of the Joint Legislative~~  
 18 ~~Budget Committee, the Controller shall increase this~~  
 19 ~~item by no more than \$2,847,000 up to \$18,673,000~~  
 20 for recovery of costs for administrative services pro-  
 21 vided to the trial courts by the Administrative Office  
 22 of the Courts. ~~Any augmentation shall be authorized~~  
 23 ~~no sooner than 30 days after notification in writing to~~  
 24 ~~the chairpersons of the committees in each house of~~  
 25 ~~the Legislature that consider appropriations, the~~  
 26 ~~chairpersons of the committees and appropriate sub-~~  
 27 ~~committees that consider the State Budget, and the~~  
 28 ~~Chairperson of the Joint Legislative Budget Commit-~~  
 29 ~~tee, or not sooner than whatever lesser time the chair-~~  
 30 ~~person of the joint committee or his or her designee~~  
 31 ~~may determine.~~

32  
 33 *SEC. 4. Item 0250-001-0932 of Section 2.00 of the Budget Act*  
 34 *of 2009 is amended to read:*

35  
 36 0250-001-0932—For support of Judicial Branch, payable from  
 37 the Trial Court Trust Fund..... 7,057,000

38 Schedule:

- 39 (1) 30-Judicial Council..... 7,057,000

- 1 Provisions:
- 2 1. Upon approval of the Administrative Director of the
- 3 Courts, the Controller shall increase this item by an
- 4 amount sufficient to allow for the expenditure of any
- 5 transfer to this item made pursuant to Provision 8 of
- 6 Item 0250-101-0932.
- 7 2. *Upon approval of the Administrative Office of the*
- 8 *Courts, the Controller shall increase this item by an*
- 9 *amount sufficient to allow for the expenditure of any*
- 10 *transfers to this item made pursuant to Provision 13*
- 11 *of Item 0250-101-0932.*

12

13 *SEC. 5. Item 0250-001-3037 of Section 2.00 of the Budget Act*

14 *of 2009 is amended to read:*

15

16 0250-001-3037—For support of Judicial Branch, payable from

17 the State Court Facilities Construction Fund..... ~~73,267,000~~

18 ~~66,159,000~~

19 Schedule:

20 (1) 30-Judicial Council..... 7,933,000

21 (2) 35-Judicial Branch Facility Program..... ~~75,334,000~~

22 ~~68,226,000~~

23 (3) Reimbursements..... -10,000,000

- 24 Provisions:
- 25 1. The Director of Finance may augment this item by an
- 26 amount not to exceed available funding in the State
- 27 Court Facilities Construction Fund, after review of a
- 28 request submitted by the Administrative Office of the
- 29 Courts that demonstrates a need for additional re-
- 30 sources associated with and including, but not limited
- 31 to, the transfer, acquisition, rehabilitation, construction,
- 32 or financing of court facilities. This request shall be
- 33 submitted no later than 60 days prior to the effective
- 34 date of the augmentation. Any augmentation shall be
- 35 authorized no sooner than 30 days after notification
- 36 in writing to the chairpersons of the committees in
- 37 each house of the Legislature that consider appropri-
- 38 ations, the chairpersons of the committees and appropri-
- 39 ate subcommittees that consider the State Budget, and
- 40 the Chairperson of the Joint Legislative Budget Com-

- 1 mittee, or not sooner than whatever lesser time the
- 2 chairperson of the joint committee or his or her de-
- 3 signee may determine.
- 4 2. Notwithstanding any other provision of law, upon ap-
- 5 proval and order of the ~~Department~~ *Director* of Fi-
- 6 nance, the amount appropriated in this item shall be
- 7 reduced by the amount transferred in Item 0250-011-
- 8 0001 to provide adequate resources to the Judicial
- 9 Branch ~~Worker's~~ *Workers'* Compensation Fund to
- 10 pay workers compensation claims for judicial branch
- 11 employees and administrative costs in accordance with
- 12 Section 68114.10 of the Government Code.
- 13 3. *Notwithstanding Section 70374 of the Government*
- 14 *Code, \$1,155,000 of the funds appropriated in this*
- 15 *item shall be available for the Office of Court Construc-*
- 16 *tion and Management, within the Administrative Office*
- 17 *of the Courts, to manage and oversee existing facilities*
- 18 *for the trial courts, courts of appeal, Administrative*
- 19 *Office of the Courts, and the Habeas Corpus Resource*
- 20 *Center.*
- 21

22 *SEC. 6. Item 0250-001-3066 of Section 2.00 of the Budget Act*  
 23 *of 2009 is amended to read:*  
 24

0250-001-3066—For support of Judicial Branch, payable from	
the Court Facilities Trust Fund.....	24,899,000
	89,581,000

28 Schedule:

(1) 35-Judicial Branch Facility Program.....	26,423,000
	91,105,000
(2) Reimbursements.....	-1,524,000

32 Provisions:

- 33 1. Notwithstanding any other provision of law, the Direc-
- 34 tor of Finance may authorize expenditures in excess
- 35 of this item for the operation, repair, and maintenance
- 36 of court facilities pursuant to Section 70352 of the
- 37 Government Code.
- 38

39 *SEC. 7. Item 0250-001-3138 is added to Section 2.00 of the*  
 40 *Budget Act of 2009, to read:*

1 0250-001-3138—For support of Judicial Branch, payable from  
 2 the Immediate and Critical Needs Account, State Court  
 3 Facilities Construction Fund..... 10,000,000

4 Schedule:

5 (1) 35-Judicial Branch Facility Program.... 10,000,000

6  
7 SEC. 8. Item 0250-012-0001 of Section 2.00 of the Budget Act  
8 of 2009 is amended to read:

9  
10 0250-012-0001—For transfer by the Controller to the Court  
11 Facilities Trust Fund..... 5,887,000  
12 5,785,000

13  
14 SEC. 9. Item 0250-101-0001 of Section 2.00 of the Budget Act  
15 of 2009 is amended to read:

16  
17 0250-101-0001—For local assistance, Judicial Branch..... 19,224,000  
18 18,409,000

19 Schedule:

20 (1) 45.10-Support for Operation of Trial  
21 Courts..... 7,101,000  
22 6,430,000

23 (2) 45.55.010-Child Support Commission-  
24 ers Program (Article 4 (commencing  
25 with Section 4250) of Chapter 2 of Part  
26 2 of Division 9 of the Family Code).... 54,332,000

27 (3) 45.55.020-California Collaborative and  
28 Drug Court Projects..... 5,806,000  
29 5,791,000

30 (4) 45.55.030-Federal Child Access and  
31 Visitation Grant Program..... 800,000

32 (5) 45.55.050-Federal Court Improvement  
33 Grant Program..... 700,000

34 (6) 45.55.070-Grants—Other..... 745,000

35 (7) 45.55.080-Federal Grants—Other..... 775,000

36 (8) 45.55.090-Equal Access Fund Pro-  
37 gram..... 10,905,000  
38 10,776,000

39 (9) Reimbursements..... -59,665,000

- 1 (10) Amount payable from Federal Trust
- 2 Fund (Item 0250-101-0890)..... -2,275,000
- 3 Provisions:
- 4 1. In order to improve equal access and the fair adminis-
- 5 tration of justice, the funds appropriated in Schedule
- 6 (8) are to be distributed by the Judicial Council through
- 7 the Legal Services Trust Fund Commission to qualified
- 8 legal services projects and support centers as defined
- 9 in Sections 6213 to 6215, inclusive, of the Business
- 10 and Professions Code, to be used for legal services in
- 11 civil matters for indigent persons. The Judicial Council
- 12 shall approve awards made by the commission if the
- 13 council determines that the awards comply with
- 14 statutory and other relevant guidelines. Ten percent
- 15 of the funds in Schedule (8) shall be for joint projects
- 16 of courts and legal services programs to make legal
- 17 assistance available to pro per litigants and 90 percent
- 18 of the funds in Schedule (8) shall be distributed con-
- 19 sistent with Sections 6216 to 6223, inclusive, of the
- 20 Business and Professions Code. The Judicial Council
- 21 may establish additional reporting or quality control
- 22 requirements consistent with Sections 6213 to 6223,
- 23 inclusive, of the Business and Professions Code.
- 24 2. The amount appropriated in Schedule (1) is available
- 25 for reimbursement of court costs related to the follow-
- 26 ing activities: (a) payment of service of process fees
- 27 billed to the trial courts pursuant to the provisions of
- 28 Chapter 1009 of the Statutes of 2002;; (b) payment of
- 29 the court costs payable under Sections 4750 to 4755,
- 30 inclusive, and Section 6005 of the Penal Code;; and
- 31 (c) payment of court costs of extraordinary homicide
- 32 trials.

33

34 *SEC. 10. Item 0250-101-0932 of Section 2.00 of the Budget*

35 *Act of 2009 is amended to read:*

36

37 0250-101-0932—For local assistance, Judicial Branch,

38 payable from the Trial Court Trust Fund..... 2,926,185,000

39 2,943,158,000

1	Schedule:	
2	(1) 45.10-Support for Operation of the	
3	Trial Courts.....	2,721,342,000
4		2,517,940,000
5	(2) 45.25-Compensation of Superior Court	
6	Judges.....	299,046,000
7		296,205,000
8	(3) 45.35-Assigned Judges.....	26,326,000
9		26,047,000
10	(4) 45.45-Court Interpreters.....	93,908,000
11		92,794,000
12	(5) 45.55.060-Court Appointed Special	
13	Advocate (CASA) Program.....	2,320,000
14		2,292,000
15	(6) 45.55.065-Model Self-Help Program....	1,003,000
16		991,000
17	(7) 45.55.090-Equal Access Fund Pro-	
18	gram.....	5,753,000
19		5,685,000
20	(8) 45.55.095-Family Law Information	
21	Centers.....	361,000
22		357,000
23	(9) 45.55.100-Civil Case Coordination.....	858,000
24		848,000
25	(10) 97.20.001-Unallocated Reduction....	-224,732,000
26		0
27	(11) Reimbursements.....	-1,000
28	Provisions:	
29	1. Notwithstanding Section 26.00, the funds appropriated	
30	or scheduled in this item may be allocated or reallocat-	
31	ed among categories by the Judicial Council.	
32	2. The funds appropriated in Schedule (2) shall be made	
33	available for costs of the workers' compensation pro-	
34	gram for trial court judges.	
35	3. The amount appropriated in Schedule (3) shall be made	
36	available for all judicial assignments. Schedule (3)	
37	expenditures for necessary support staff may not ex-	
38	ceed the staffing level that is necessary to support the	
39	equivalent of three judicial officers sitting on assign-	
40	ments.	

1 4. The funds appropriated in Schedule (4) shall be for  
2 payments for services of contractual court interpreters,  
3 and certified and registered court interpreters employed  
4 by the courts, and the following court interpreter coord-  
5 inators: 1.0 each in counties of the 1st through the  
6 15th classes, 0.5 each in counties of the 16th through  
7 the 31st classes, and 0.25 each in counties of the 32nd  
8 through the 58th classes. For the purposes of this pro-  
9 vision, “court interpreter coordinators” may be full-  
10 or part-time court employees, or those contracted by  
11 the court to perform these services.

12 The Judicial Council shall set statewide or regional  
13 rates and policies for payment of court interpreters,  
14 not to exceed the rate paid to certified interpreters in  
15 the federal court system.

16 The Judicial Council shall adopt appropriate rules  
17 and procedures for the administration of these funds.  
18 The Judicial Council shall report to the Legislature  
19 and Director of Finance annually regarding expendi-  
20 tures from this schedule.

21 5. Upon order of the Director of Finance, the amount  
22 available for expenditure in this item may be augment-  
23 ed by the amount of any additional resources available  
24 in the Trial Court Trust Fund, which is in addition to  
25 the amount appropriated in this item. Any augmenta-  
26 tion shall be authorized no sooner than 30 days after  
27 notification in writing to the chairpersons of the com-  
28 mittees in each house of the Legislature that consider  
29 appropriations, the ~~chairperson~~ *chairpersons* of the  
30 ~~committee~~ *committees* and appropriate subcommittees  
31 that consider the State Budget, and the Chairperson  
32 of the Joint Legislative Budget Committee, or not  
33 sooner than whatever lesser time the chairperson of  
34 the joint committee or his or her designee may deter-  
35 mine.

36 6. Notwithstanding any other provision of law, upon ap-  
37 proval and order of the ~~Department~~ *Director* of Fi-  
38 nance, the amount appropriated in this item shall be  
39 reduced by the amount transferred in Item 0250-115-  
40 0932 to provide adequate resources to the Judicial

- 1           Branch Workers' Compensation Fund to pay workers'
- 2           compensation claims for judicial branch employees
- 3           and judges, and administrative costs pursuant to Sec-
- 4           tion 68114.10 of the Government Code.
- 5       7.    Of the funds appropriated in Schedule (1), which will
- 6           be transferred to the Trial Court Improvement Fund
- 7           in accordance with subdivision (b) of Section 77209
- 8           of the Government Code, up to \$5,000,000 shall be
- 9           available for support of services for self-represented
- 10          litigants.
- 11       8.    Upon approval by the Administrative Director of the
- 12           Courts, ~~and notification to the Department of Finance,~~
- 13           ~~the chairpersons of the committees in each house of~~
- 14           ~~the Legislature that consider appropriations and the~~
- 15           ~~State Budget, and the Chairperson of the Joint Legisla-~~
- 16           ~~tive Budget Committee, the Controller shall transfer~~
- 17           ~~by no more than \$3,953,000 up to \$11,274,000 to Item~~
- 18           ~~0250-001-0932 for recovery of costs for administrative~~
- 19           ~~services provided to the trial courts by the Administra-~~
- 20           ~~tive Office of the Courts. Any augmentations shall be~~
- 21           ~~authorized no sooner than 30 days after notification~~
- 22           ~~in writing to the chairpersons of the committees in~~
- 23           ~~each house of the Legislature that consider appropri-~~
- 24           ~~ations, the chairpersons of the committees and appropri-~~
- 25           ~~ate subcommittees that consider the State Budget, and~~
- 26           ~~the Chairperson of the Joint Legislative Budget Com-~~
- 27           ~~mittee, or not sooner than whatever lesser time the~~
- 28           ~~chairperson of the joint committee or his or her de-~~
- 29           ~~signee may determine.~~
- 30       9.    In order to improve equal access and the fair adminis-
- 31           tration of justice, the funds appropriated in Schedule
- 32           (7) are available for distribution by the Judicial
- 33           Council through the Legal Services Trust Fund Com-
- 34           mission to qualified legal services projects and support
- 35           centers as defined in Sections 6213 to 6215, inclusive,
- 36           of the Business and Professions Code, to be used for
- 37           legal services in civil matters for indigent persons. The
- 38           Judicial Council shall approve awards made by the
- 39           commission if the council determines that the awards
- 40           comply with statutory and other relevant guidelines.

- 1 Upon approval by the Administrative Director of the  
2 Courts, the Controller shall transfer up to 5 percent of  
3 the funding appropriated in Schedule (7) to Item 0250-  
4 001-0932 for administrative expenses. Ten percent of  
5 the funds remaining after administrative costs shall be  
6 for joint projects of courts and legal services programs  
7 to make legal assistance available to pro per litigants  
8 and 90 percent of the funds remaining after adminis-  
9 trative costs shall be distributed consistent with Sec-  
10 tions 6216 to 6223, inclusive, of the Business and  
11 Professions Code. The Judicial Council may establish  
12 additional reporting or quality control requirements  
13 consistent with Sections 6213 to 6223, inclusive, of  
14 the Business and Professions Code.
- 15 10. Funds available for expenditure in Schedule (7) may  
16 be augmented by order of the Director of Finance by  
17 the amount of any additional resources deposited for  
18 distribution to the Equal Access Fund Program in ac-  
19 cordance with Sections 68085.3 and 68085.4 of the  
20 Government Code. Any augmentation under this pro-  
21 vision shall be authorized not sooner than 30 days after  
22 notification in writing to the chairpersons of the com-  
23 mittees in each house of the Legislature that consider  
24 appropriations, the chairpersons of the committees and  
25 appropriate subcommittees that consider the State  
26 Budget, and the Chairperson of the Joint Legislative  
27 Budget Committee, or not sooner than whatever lesser  
28 time the chairperson of the joint committee, or his or  
29 her designee, may determine.
- 30 11. Sixteen (16.0) subordinate judicial officer positions  
31 are authorized to be converted to judgeships in the  
32 2009–10 fiscal year in the manner and pursuant to the  
33 authority described in subparagraph (B) of paragraph  
34 (1) of subdivision (b) of Section 69615 of the Govern-  
35 ment Code, as described in the notice filed by the Ju-  
36 dicial Council under subdivision (b) of paragraph (3)  
37 of Section 69615.
- 38 12. *Notwithstanding any other provision of law, and upon*  
39 *approval of the Director of Finance, reimbursements*  
40 *in Schedule (11) may be increased by the amount of*

1 any additional resources collected for the recovery of  
 2 costs for court-appointed dependency counsel services.  
 3 13. Upon approval of the Administrative Director of the  
 4 Courts, the Controller shall transfer up to \$556,000  
 5 of the funding identified in Provision 12 of this item  
 6 to Item 0250-001-0932 for administrative services  
 7 provided to the trial courts in support of the  
 8 court-appointed dependency counsel program.  
 9 14. This item includes a one-time augmentation of  
 10 \$130,000,000 to offset the reductions in trial court  
 11 funding in the 2009–10 fiscal year. The Judicial  
 12 Council shall identify these funds from the uncommit-  
 13 ted fund balance in the Trial Court Trust Fund, which  
 14 may be augmented through transfers from the Judicial  
 15 Administration Efficiency and Modernization Fund,  
 16 the Trial Court Improvement Fund, and the Immediate  
 17 and Critical Needs Account of the State Court Facili-  
 18 ties Construction Fund, with specific amounts to be  
 19 determined by the Judicial Council. The transfer of  
 20 funds from the Immediate and Critical Needs Account  
 21 of the State Court Facilities Construction Fund shall  
 22 not exceed \$25,000,000.

23  
 24 *SEC. 11. Item 0250-102-0556 of Section 2.00 of the Budget*  
 25 *Act of 2009 is amended to read:*

26  
 27 0250-102-0556—For local assistance, Judicial Branch, payable  
 28 from the Judicial Administration Efficiency and Modern-  
 29 ization Fund..... 39,173,000  
 30 38,709,000

31 Provisions:  
 32 1. Upon approval of the Director of Finance, the amount  
 33 available for expenditure in this item may be augment-  
 34 ed by the amount of any additional resources available  
 35 in the Judicial Administration Efficiency and Modern-  
 36 ization Fund, which is in addition to the amount appro-  
 37 priated in this item. Any augmentation shall be autho-  
 38 rized no sooner than 30 days after notification in  
 39 writing to the chairpersons of the committees in each  
 40 house of the Legislature that consider appropriations,

1 the chairpersons of the committees and appropriate  
 2 subcommittees that consider the State Budget, and the  
 3 ~~chairperson of the joint committee~~ *Chairperson of the*  
 4 *Joint Legislative Budget Committee*, or not sooner than  
 5 whatever lesser time the ~~Chairperson of the Joint~~  
 6 ~~Legislative Budget Committee~~ *chairperson of the joint*  
 7 *committee* or his or her designee may determine.

8  
 9 *SEC. 12. Item 0250-111-0001 of Section 2.00 of the Budget*  
 10 *Act of 2009 is amended to read:*

11  
 12 0250-111-0001—For transfer by the Controller to the Trial  
 13 Court Trust Fund..... 1,689,529,000  
 14 1,518,502,000

15  
 16 *SEC. 13. Item 0250-111-0159 is added to Section 2.00 of the*  
 17 *Budget Act of 2009, to read:*

18  
 19 0250-111-0159—For transfer by the Controller to the Trial  
 20 Court Trust Fund..... 1,000

21 *Provisions:*  
 22 1. *The amount of funds available in this item may be*  
 23 *augmented in the 2009–10 fiscal year pursuant to*  
 24 *Provision 14 of Item 0250-101-0932.*

25  
 26 *SEC. 14. Item 0250-111-0556 is added to Section 2.00 of the*  
 27 *Budget Act of 2009, to read:*

28  
 29 0250-111-0556—For transfer by the Controller to the Trial  
 30 Court Trust Fund..... 1,000

31 *Provisions:*  
 32 1. *The amount of funds available in this item may be*  
 33 *augmented in the 2009–10 fiscal year pursuant to*  
 34 *Provision 14 of Item 0250-101-0932.*

35  
 36 *SEC. 15. Item 0250-111-3138 is added to Section 2.00 of the*  
 37 *Budget Act of 2009, to read:*

1 0250-111-3138—For transfer by the Controller to the Trial  
 2 Court Trust Fund..... 1,000  
 3 Provisions:

4 1. The amount of funds available in this item may be  
 5 augmented in the 2009–10 fiscal year pursuant to  
 6 Provision 14 of Item 0250-101-0932.  
 7

8 *SEC. 16. Item 0250-112-0001 of Section 2.00 of the Budget*  
 9 *Act of 2009 is amended to read:*

10 0250-112-0001—For transfer by the Controller to the Judicial  
 11 Administration Efficiency and Modernization Fund..... 39,173,000  
 12 38,709,000  
 13  
 14

15 *SEC. 17. Item 0250-301-0660 of Section 2.00 of the Budget*  
 16 *Act of 2009 is amended to read:*

17  
 18 0250-301-0660—For capital outlay, Judicial Branch, payable  
 19 from the Public-Utilities Buildings Construction Fund..... 33,919,000  
 20 Schedule:

21 (1) 91.18.001-Lassen County: New Su-  
 22 sanville Courthouse—Construction..... 33,919,000  
 23 Provisions:

- 24 1. The State Public Works Board may issue ~~lease-revenue~~  
 25 *lease-revenue* bonds, notes, or bond anticipation notes  
 26 pursuant to Chapter 5 (commencing with Section  
 27 15830) of Part 10b of Division 3 of Title 2 of the  
 28 Government Code to finance the design and construc-  
 29 tion of the project authorized by this item.
- 30 2. The Judicial Branch and the State Public Works Board  
 31 are authorized and directed to execute and deliver any  
 32 and all leases, contracts, agreements, or other docu-  
 33 ments necessary or advisable to consummate the sale  
 34 of bonds or otherwise effectuate the financing of the  
 35 scheduled projects.
- 36 3. The State Public Works Board shall not be deemed a  
 37 lead or responsible agency for purposes of the Califor-  
 38 nia Environmental Quality Act (Division 13 (commenc-  
 39 ing with Section ~~2100~~ 21000) of the Public Resources  
 40 Code) for any activities under the State Building

1 Construction Act of 1955 (Part 10b (commencing with  
 2 Section 15800) of Division 3 of Title 2 of the Govern-  
 3 ment Code). This provision does not exempt the Judi-  
 4 cial Council from the requirements of the California  
 5 Environmental Quality Act. This ~~section~~ *provision* is  
 6 intended to be declarative of existing law.

7  
 8 *SEC. 18. Item 0250-301-3037 of Section 2.00 of the Budget*  
 9 *Act of 2009 is amended to read:*

11	0250-301-3037—For capital outlay, Judicial Branch, payable	
12	from the State Court Facilities Construction Fund.....	140,970,000
13		43,100,000
14	Schedule:	
15	(1) <del>91.04.001-Butte County: New North</del>	
16	<del>County Courthouse—Acquisition.....</del>	14,475,000
17	(2) <del>91.13.001-Imperial County: New El</del>	
18	<del>Centro Courthouse Family Court-</del>	
19	<del>house—Acquisition.....</del>	2,683,000
20	(3) <del>91.17.001-Lake County: New Lakeport</del>	
21	<del>Courthouse—Acquisition.....</del>	2,610,000
22	(4) <del>91.19.002-Los Angeles County: New</del>	
23	<del>Southeast Los Angeles Courthouse—</del>	
24	<del>Acquisition.....</del>	22,726,000
25	(5) <del>91.20.001-Madera County: New Madera</del>	
26	<del>Courthouse—Working drawings.....</del>	4,863,000
27	(6) <del>91.27.001-Monterey County: New South</del>	
28	<del>Monterey County Courthouse—Acqui-</del>	
29	<del>sition.....</del>	686,000
30	(7) <del>91.33.001-Riverside County: New</del>	
31	<del>Riverside Mid-County Courthouse—</del>	
32	<del>Working drawings.....</del>	3,101,000
33	(8) <del>91.33.002-Riverside County: New Indio</del>	
34	<del>Juvenile and Family Courthouse—Ac-</del>	
35	<del>quisition.....</del>	4,419,000
36	(9) <del>91.34.001-Sacramento County: New</del>	
37	<del>Sacramento Criminal Courthouse—Ac-</del>	
38	<del>quisition.....</del>	3,096,000

1	(10) 91.36.001-San Bernardino County: New	
2	San Bernardino Courthouse—Working	
3	drawings.....	17,331,000
4	(11) 91.39.001-San Joaquin County: New	
5	Stockton Courthouse—Working draw-	
6	ings.....	13,186,000
7	<del>(12) 91.45.001-Shasta County: New Redding</del>	
8	<del>Courthouse—Acquisition.....</del>	<del>6,996,000</del>
9	(13) 91.49.001-Sonoma County: New Santa	
10	Rosa Criminal Courthouse-Acquisi-	
11	tion.....	14,737,000
12	<del>(14) 91.51.001-Sutter County: New Yuba</del>	
13	<del>City Courthouse—Acquisition.....</del>	<del>1,059,000</del>
14	(15) 91.52.001-Tehama County: New Red	
15	Bluff Courthouse—Acquisition.....	16,289,000
16	(16) 91.54.001-Tulare County: New Porter-	
17	ville Courthouse—Working draw-	
18	ings.....	4,619,000
19	<del>(17) 91.57.001-Yolo County: New Wood-</del>	
20	<del>land Courthouse—Acquisition.....</del>	<del>8,094,000</del>

21 Provisions:

- 22 1. Notwithstanding any other provision of law, each
- 23 county listed in this item shall transfer responsibility
- 24 or responsibility and title to the state prior to the re-
- 25 lease of funds for all acquisition projects.
- 26 2. Notwithstanding any other provision of law, the Judi-
- 27 cial Council and each county listed in this item shall
- 28 have a ~~county approved~~ *county-approved* final plan
- 29 in place regarding disposition of space in shared-use
- 30 facilities prior to the State Public Works Board autho-
- 31 rizing acquisition for that project.
- 32 3. ~~The Judicial Branch may enter into a lease-purchase~~
- 33 ~~agreement with the County of Alameda for the New~~
- 34 ~~East County Courthouse project that will provide lease~~
- 35 ~~payments to the county subject to Department of Fi-~~
- 36 ~~nance approval. The County of Alameda shall transfer~~
- 37 ~~responsibility, or responsibility and title of the existing~~
- 38 ~~court facilities in the County of Alameda prior to the~~
- 39 ~~approval of a lease-purchase agreement. At least 30~~
- 40 ~~days prior to entering into any agreement, the Judicial~~

1 Council shall notify the chairpersons of the committees  
 2 in each house of the Legislature that consider appro-  
 3 priations and the Joint Legislative Budget Committee  
 4 of the terms and conditions of the agreement. If the  
 5 Joint Legislative Budget Committee does not express  
 6 any opposition, the Judicial Council may proceed with  
 7 the agreement after 30 days from when the Judicial  
 8 Branch gave notice to the chairpersons.  
 9

10 SEC. 19. Item 0250-301-3138 is added to Section 2.00 of the  
 11 Budget Act of 2009, to read:

12

13 0250-301-3138—For capital outlay, Judicial Branch, payable  
 14 from the Immediate and Critical Needs Account..... 99,609,000  
 15 Schedule:

16 (1) 91.04.001-Butte County: New North  
 17 County Courthouse—Acquisition..... 14,475,000  
 18 (2) 91.13.001-Imperial County: New El  
 19 Centro Courthouse—Acquisition..... 2,683,000  
 20 (3) 91.17.001-Lake County: New Lakeport  
 21 Courthouse—Acquisition..... 2,610,000  
 22 (4) 91.19.002-Los Angeles County: New  
 23 Southeast Los Angeles Courthouse—Ac-  
 24 quisition..... 22,726,000  
 25 (5) 91.27.001-Monterey County: New South  
 26 Monterey County Courthouse—Acquisi-  
 27 tion..... 686,000  
 28 (6) 91.33.002-Riverside County: New Indio  
 29 Juvenile and Family Courthouse—Acqui-  
 30 sition..... 4,419,000  
 31 (7) 91.34.001-Sacramento County: New  
 32 Sacramento Criminal Courthouse—Ac-  
 33 quisition..... 3,096,000  
 34 (8) 91.45.001-Shasta County: New Redding  
 35 Courthouse—Acquisition..... 6,996,000  
 36 (9) 91.49.001-Sonoma County: New Santa  
 37 Rose Criminal Courthouse—Acquisi-  
 38 tion..... 14,737,000  
 39 (10) 91.51.001-Sutter County: New Yuba  
 40 City Courthouse—Acquisition..... 1,059,000

1	(11) 91.52.001-Tehama County: New Red	
2	Bluff Courthouse—Acquisition.....	16,289,000
3	(12) 91.57.001-Yolo County: New Woodland	
4	Courthouse—Acquisition.....	8,094,000
5	(13) 91.48.001-Solano County: Renovation	
6	to the Fairfield Old Solano Court-	
7	house—Acquisition and preliminary	
8	plans.....	1,739,000

- 9 Provisions:
- 10 1. Notwithstanding any other provision of law, each
  - 11 county listed in this item shall transfer responsibility
  - 12 or responsibility and title to the state prior to the re-
  - 13 lease of funds for all acquisition projects.
  - 14 2. Notwithstanding any other provision of law, the Judi-
  - 15 cial Council and each county listed in this item shall
  - 16 have a county-approved final plan in place regarding
  - 17 disposition of space in shared-use facilities prior to
  - 18 the State Public Works Board authorizing acquisition
  - 19 for that project.
  - 20 3. The Judicial Branch may enter into a lease-purchase
  - 21 agreement with the County of Alameda for the New
  - 22 East County Courthouse project that will provide lease
  - 23 payments to the county subject to approval by the Di-
  - 24 rector of Finance. The County of Alameda shall
  - 25 transfer responsibility, or responsibility and title, of
  - 26 the existing court facilities in the County of Alameda
  - 27 prior to the approval of a lease-purchase agreement.
  - 28 At least 30 days prior to entering into any agreement,
  - 29 the Judicial Council shall notify the chairpersons of
  - 30 the committees in each house of the Legislature that
  - 31 consider appropriations and the Joint Legislative
  - 32 Budget Committee of the terms and conditions of the
  - 33 agreement. If the Joint Legislative Budget Committee
  - 34 does not express any opposition, the Judicial Council
  - 35 may proceed with the agreement after 30 days from
  - 36 when the Judicial Branch gave notice to the chairper-
  - 37 sons.
  - 38 4. The Judicial Branch may enter into a lease-purchase
  - 39 agreement with the County of Santa Clara for the New
  - 40 Family Justice Center Courthouse project that will

1 provide lease payments to the county subject to ap-  
2 proval by the Director of Finance. The County of  
3 Santa Clara shall transfer responsibility, or responsi-  
4 bility and title, of the existing court facilities in the  
5 County of Santa Clara prior to the approval of a lease-  
6 purchase agreement. At least 30 days prior to entering  
7 into any agreement, the Judicial Council shall notify  
8 the chairpersons of the committees in each house of  
9 the Legislature that consider appropriations and the  
10 Joint Legislative Budget Committee of the terms and  
11 conditions of the agreement. If the Joint Legislative  
12 Budget Committee does not express any opposition,  
13 the Judicial Council may proceed with the agreement  
14 after 30 days from when the Judicial Branch gave  
15 notice to the chairpersons.

16  
17 **SEC. 20.** *Item 0250-490 is added to Section 2.00 of the Budget*  
18 *Act of 2009, to read:*

19  
20 *0250-490—Reappropriation, Judicial Branch. The balances of*  
21 *the appropriations provided for in the following citations*  
22 *are reappropriated for the purposes and subject to the*  
23 *limitations, unless otherwise specified, provided for in the*  
24 *appropriations:*

25 *3037—State Court Facilities Construction Fund*

26 *(1) Item 0250-301-3037, Budget Act of 2008 (Chs. 268*  
27 *and 269, Stats. 2008)*

28 *(0.5) 91.05.001-Calaveras County: New San Andreas*  
29 *Courthouse—Working drawings*

30 *(1.5) 91.18.001-Lassen County: New Susanville*  
31 *Courthouse—Working drawings*

32 *(2) 91.20.001-Madera County: New Madera Court-*  
33 *house—Preliminary plans*

34 *(3) 91.26.001-Mono County: New Mammoth Lakes*  
35 *Courthouse—Construction*

36 *(5.5) 91.35.001-San Benito County: New Hollister*  
37 *Courthouse—Preliminary plans and working*  
38 *drawings*

39 *(7) 91.39.001-San Joaquin County: New Stockton*  
40 *Courthouse—Preliminary plans*

1  
 2 *SEC. 21. Item 0502-001-0001 of Section 2.00 of the Budget*  
 3 *Act of 2009 is amended to read:*

4

5	0502-001-0001—For support of the Office of the State Chief	
6	Information Officer.....	<del>4,253,000</del>
7		4,721,000
8	Schedule:	
9	(1) <del>Office-10-Office of the State Chief In-</del>	
10	formation Officer.....	7,685,000
11		251,454,000
12	(1.2) 20-Project Review and Oversight.....	74,124,000
13	(2) Reimbursements.....	<del>-900,000</del>
14		-1,368,000
15	(2.1) Amount payable from the State Emer-	
16	gency Telephone Number Account	
17	(Item 0502-001-0022).....	-2,269,000
18	(2.2) Amount payable from the Service Re-	
19	volving Fund (Item 0502-001-	
20	0666).....	-74,972,000
21	(2.3) Amount payable from the Depart-	
22	ment of Technology Services Revolv-	
23	ing Fund (Item 0502-001-9730).....	-239,283,000
24	(3) Amount payable from the Central Ser-	
25	vice Cost Recovery Fund (Item 0502-	
26	001-9740).....	<del>-2,532,000</del>
27		-2,965,000

28 *Provisions:*

29 *1. Notwithstanding any other provision of law, funds*  
 30 *appropriated in this item may be transferred to Item*  
 31 *1760-001-0666 if the Director of Finance determines*  
 32 *the transfer to be necessary to carry out Governor’s*  
 33 *Reorganization Plan No. 1 of 2009. These transfers*  
 34 *may be made upon the order of the Director of Finance*  
 35 *not sooner than 30 days after notification in writing*  
 36 *of the necessity therefor is provided to the chairper-*  
 37 *sons of the committees in each house of the Legislature*  
 38 *that consider appropriations and the Chairperson of*  
 39 *the Joint Legislative Budget Committee, or not sooner*  
 40 *than whatever lesser time the chairperson of the joint*

1 committee, or his or her designee, may in each in-  
2 stance determine.

3  
4 SEC. 22. Item 0502-001-0022 is added to Section 2.00 of the  
5 Budget Act of 2009, to read:

6  
7 0502-001-0022—For support of the Office of the State Chief  
8 Information Officer, for payment to Item 0502-001-0001,  
9 payable from the State Emergency Telephone Number Ac-  
10 count..... 2,269,000

11  
12 SEC. 23. Item 0502-001-0666 is added to Section 2.00 of the  
13 Budget Act of 2009, to read:

14  
15 0502-001-0666—For support of the Office of the State Chief  
16 Information Officer, for payment to Item 0502-001-0001,  
17 payable from the Service Revolving Fund..... 74,972,000

18  
19 SEC. 24. Item 0502-001-9730 is added to Section 2.00 of the  
20 Budget Act of 2009, to read:

21  
22 0502-001-9730—For support of the Office of the State Chief  
23 Information Officer, for payment to Item 0502-001-0001,  
24 payable from the Department of Technology Services Re-  
25 volving Fund..... 239,283,000

26  
27 SEC. 25. Item 0502-001-9740 of Section 2.00 of the Budget  
28 Act of 2009 is amended to read:

29  
30 0502-001-9740—For support of the Office of the State Chief  
31 Information Officer, for payment to Item 0502-001-0001,  
32 payable from the Central Service Cost Recovery Fund..... ~~2,532,000~~  
33 2,965,000

34  
35 SEC. 26. Item 0502-101-0022 is added to Section 2.00 of the  
36 Budget Act of 2009, to read:

1 0502-101-0022—For local assistance, Office of the State Chief  
 2 Information Officer, for payment to the Department of  
 3 General Services, for reimbursement of local agencies,  
 4 service suppliers, and communication equipment companies  
 5 for costs incurred pursuant to Sections 41137, 41137.1,  
 6 41138, and 41140 of the Revenue and Taxation Code,  
 7 payable from the State Emergency Telephone Number Ac-  
 8 count..... 120,604,000  
 9 Schedule:  
 10 (1) 911 Emergency Telephone Number  
 11 System..... 104,523,000  
 12 (2) Enhanced Wireless Services..... 16,081,000  
 13

14 SEC. 27. Item 0502-301-0001 is added to Section 2.00 of the  
 15 Budget Act of 2009, to read:

16  
 17 0502-301-0001—For capital outlay, Office of the Chief Infor-  
 18 mation Officer..... 0  
 19 Schedule:  
 20 (1) 50.10.250-Sacramento Public Safety  
 21 Communications Decentralization, Re-  
 22 sources—Working drawings..... 95,000  
 23 (2) Reimbursements..... -95,000  
 24 Provisions:  
 25 1. Notwithstanding any other provision of law, the funds  
 26 appropriated in this item shall be reimbursed from the  
 27 Department of Water Resources.  
 28

29 SEC. 28. Item 0502-301-0042 is added to Section 2.00 of the  
 30 Budget Act of 2009, to read:

31  
 32 0502-301-0042—For capital outlay, Office of the Chief Infor-  
 33 mation Officer, payable from the State Highway Account,  
 34 State Transportation Fund ..... 555,000  
 35 Schedule:  
 36 (1) 50.10.250-Sacramento Public Safety  
 37 Communications Decentralization, Re-  
 38 sources—Working drawings..... 555,000  
 39

1 SEC. 29. Item 0502-301-0044 is added to Section 2.00 of the  
2 Budget Act of 2009, to read:

3

4 0502-301-0044—For capital outlay, Office of the Chief Infor-  
5 mation Officer, payable from the Motor Vehicle Account,  
6 State Transportation Fund..... 1,406,000  
7 Schedule:  
8 (1) 50.10.250-Sacramento Public Safety  
9 Communications Decentralization, Re-  
10 sources—Working drawings..... 1,406,000  
11

12 SEC. 30. Item 0502-301-0200 is added to Section 2.00 of the  
13 Budget Act of 2009, to read:

14

15 0502-301-0200—For capital outlay, Office of the Chief Infor-  
16 mation Officer, payable from the Fish and Game Preserva-  
17 tion Fund..... 126,000  
18 Schedule:  
19 (1) 50.10.250-Sacramento Public Safety  
20 Communications Decentralization, Re-  
21 sources—Working drawings..... 126,000  
22

23 SEC. 31. Item 0502-301-0768 is added to Section 2.00 of the  
24 Budget Act of 2009, to read:

25

26 0502-301-0768—For capital outlay, Office of the Chief Infor-  
27 mation Officer, payable from the Earthquake Safety and  
28 Public Buildings Rehabilitation Fund of 1990..... 1,028,000  
29 Schedule:  
30 (1) 50.10.250-Sacramento Public Safety  
31 Communications Decentralization, Re-  
32 sources—Working drawings..... 1,028,000  
33

34 SEC. 32. Item 0510-001-0001 of Section 2.00 of the Budget  
35 Act of 2009 is amended to read:

36

37 0510-001-0001—For support of Secretary of State and Con-  
38 sumer Services..... 1,439,000  
39 971,000

1	Schedule:	
2	(1) Support.....	3,415,000
3		2,514,000
4	(2) Reimbursements.....	-644,000
5	(3) Amount payable from the Central Ser-	
6	vice Cost Recovery Fund (Item 0510-	
7	001-9740).....	-1,332,000
8		-899,000
9		

10 *SEC. 33. Item 0510-001-9740 of Section 2.00 of the Budget*  
 11 *Act of 2009 is amended to read:*

12		
13	0510-001-9740—For support of Secretary of State and Con-	
14	sumer Services, for payment to Item 0510-001-0001,	
15	payable from the Central Service Cost Recovery Fund.....	1,332,000
16		899,000
17		

18 *SEC. 34. Item 0520-001-0001 of Section 2.00 of the Budget*  
 19 *Act of 2009 is amended to read:*

20		
21	0520-001-0001—For support of Secretary of Business, Trans-	
22	portation and Housing, for payment to Item 0520-001-	
23	0044.....	2,036,000
24		2,428,000

25 Provisions:  
 26 1. Of the amount appropriated in this item, \$939,000  
 27 shall be available for use by the California Travel and  
 28 Tourism Commission for use in promoting California  
 29 tourism to potential visitors.  
 30

31 *SEC. 35. Item 0520-001-0044 of Section 2.00 of the Budget*  
 32 *Act of 2009 is amended to read:*

33		
34	0520-001-0044—For support of Secretary of Business, Trans-	
35	portation and Housing, payable from the Motor Vehicle	
36	Account, State Transportation Fund.....	1,580,000

37	Schedule:	
38	(1) 10-Administration of Business, Trans-	
39	portation and Housing Agency.....	3,607,000

1	(2) 25-Infrastructure Finance and Economic	
2	Development Program.....	8,118,000
3		8,510,000
4	(3) Reimbursements.....	-3,208,000
5	(4) Amount payable from the General Fund	
6	(Item 0520-001-0001).....	-2,036,000
7		-2,428,000
8	(5) Amount payable from the California	
9	Infrastructure and Economic Develop-	
10	ment Bank Fund (Item 0520-001-	
11	0649).....	-3,932,000
12	(6) Amount payable from the California	
13	Small Business Expansion Fund (Item	
14	0520-001-0918).....	-570,000
15	(7) Amount payable from the Welcome	
16	Center Fund (Item 0520-001-3083).....	-77,000
17	(8) Amount payable from the Film Promo-	
18	tion and Marketing Fund (Item 0520-	
19	001-3095).....	-10,000
20	(9) Amount payable from the Chrome Plat-	
21	ing Pollution Prevention Fund (Item	
22	0520-001-9329).....	-312,000

Provisions:

1. Of the amount appropriated in Schedule (2), \$85,000 is for reimbursement of the Department of Toxic Substances Control for expansion of the Model Shop Program pursuant to Chapter 2 (commencing with Section 42100) of Part 3 of Division 30 of the Public Resources Code.

SEC. 36. Item 0530-001-3151 is added to Section 2.00 of the Budget Act of 2009, to read:

0530-001-3151—For support of Secretary of California Health and Human Services..... 0

Provisions:

1. The Director of Finance may authorize an increase in this appropriation, up to the total amount collected from administrative fines assessed by the Office of Health Information Integrity pursuant to Section 56.36

1 of the Civil Code. Any such approval shall be accom-  
 2 panied by the approval of an amended spending plan  
 3 submitted by the Office of Health Information Integrity  
 4 providing detailed justification for the increased ex-  
 5 penses. An approval of an augmentation or spending  
 6 plan may be authorized not sooner than 30 days after  
 7 notification is provided to the Chairperson of the Joint  
 8 Legislative Budget Committee in writing, or not  
 9 sooner than whatever lesser time the chairperson of  
 10 the joint committee, or his or her designee, may deter-  
 11 mine.  
 12

13 SEC. 37. Item 0530-001-9732 of Section 2.00 of the Budget  
 14 Act of 2009 is amended to read:  
 15

16 0530-001-9732—For support of Secretary of California Health  
 17 and Human Services, payable from the Office of Systems  
 18 Integration Fund..... 236,058,000  
 19 239,123,000  
 20 Schedule:  
 21 (1) 30-Office of Systems Integration..... 236,058,000  
 22 239,123,000  
 23

24 SEC. 38. Item 0540-001-0140 of Section 2.00 of the Budget  
 25 Act of 2009 is amended to read:  
 26

27 0540-001-0140—For support of Secretary of the Natural Re-  
 28 sources Agency, payable from the California Environmen-  
 29 tal License Plate Fund..... 3,326,000  
 30 3,376,000  
 31 Schedule:  
 32 (1) 10-Administration of Natural Resources  
 33 Agency..... 41,399,000  
 34 41,449,000  
 35 (2) 20-CALFED Bay-Delta Program..... 17,814,000  
 36 20,713,000  
 37 (3) Reimbursements..... -8,904,000  
 38 (4) Amount payable from the General Fund  
 39 (Item 0540-001-0001)..... -5,736,000

1	(5) Amount payable from the Safe Neighbor-	
2	hood Parks, Clean Water, Clean Air,	
3	and Coastal Protection Bond Fund (Item	
4	0540-001-0005).....	-274,000
5	(6) Amount payable from the Environmen-	
6	tal Enhancement and Mitigation Pro-	
7	gram Fund (Item 0540-001-0183).....	-141,000
8	(7) Amount payable from the Federal Trust	
9	Fund (Item 0540-001-0890).....	-8,471,000
10	(8) Amount payable from the California	
11	Clean Water, Clean Air, Safe Neighbor-	
12	hood Parks, and Coastal Protection Fund	
13	(Item 0540-001-6029).....	-2,072,000
14	(9) Amount payable from the Water Securi-	
15	ty, Clean Drinking Water, Coastal and	
16	Beach Protection Fund of 2002 (Item	
17	0540-001-6031).....	<del>-3,976,000</del>
18		-6,875,000
19	(10) Amount payable from the Safe Drink-	
20	ing Water, Water Quality and Supply,	
21	Flood Control, River and Coastal Pro-	
22	tection Fund of 2006 (Item 0540-001-	
23	6051).....	-26,046,000
24	(11) Amount payable from the Disaster Pre-	
25	paredness and Flood Prevention Bond	
26	Fund of 2006 (Item 0540-001-6052)....	-267,000

27  
28 *SEC. 39. Item 0540-001-6031 of Section 2.00 of the Budget*  
29 *Act of 2009 is amended to read:*

30		
31	0540-001-6031—For support of Secretary of the <i>Natural Re-</i>	
32	sources Agency, for payment to Item 0540-001-0140,	
33	payable from the Water Security, Clean Drinking Water,	
34	Coastal and Beach Protection Fund of 2002.....	3,976,000
35		6,875,000

- 36 Provisions:
- 37 1. The funds appropriated in this item for purposes of
- 38 CALFED Science Program grants shall be available
- 39 for encumbrance or expenditure until June 30, 2012.

1       2. *If legislation is enacted that establishes new policy*  
 2       *priorities for the Sacramento-San Joaquin Delta and*  
 3       *a new governance structure for the Delta, the funding*  
 4       *provided in this item for the CALFED Science Pro-*  
 5       *gram shall continue to be available if it is consistent*  
 6       *with the newly established priorities and governance*  
 7       *structure.*

8  
 9       *SEC. 40. Item 0540-001-6051 of Section 2.00 of the Budget*  
 10      *Act of 2009 is amended to read:*

11  
 12      0540-001-6051—For support of Secretary of the *Natural Re-*  
 13      *sources Agency, for payment to Item 0540-001-0140,*  
 14      *payable from the Safe Drinking Water, Water Quality and*  
 15      *Supply, Flood Control, River and Coastal Protection Fund*  
 16      *of 2006..... 26,046,000*

17      Provisions:

- 18      1. The funds appropriated in this item for purposes of  
 19      subdivision (n) of Section 75050 of the Public Re-  
 20      sources Code shall be available for encumbrance or  
 21      expenditure until June 30, 2012, for purposes of sup-  
 22      port, local assistance, or capital outlay.
- 23      2. The funds appropriated in this item for purposes of  
 24      subdivision (n) of Section 75050 of the Public Re-  
 25      sources Code shall continue only so long as the United  
 26      States Bureau of Reclamation continues to provide  
 27      federal funds and continues to carry out federal actions  
 28      to implement the settlement agreement in *Natural Re-*  
 29      *sources Defense Council v. Rodgers (2005) 381*  
 30      *F.Supp.2d 1212.*
- 31      3. *Of the funds appropriated in this item, \$800,000 shall*  
 32      *be for the City of Calexico for environmental review,*  
 33      *engineering design, and associated planning necessary*  
 34      *to develop a river parkway plan and river improvement*  
 35      *project for the New River. These funds are hereby*  
 36      *appropriated in order to secure and serve as matching*  
 37      *funds for the \$4,000,000 appropriation from the 2005*  
 38      *Safe, Accountable, Flexible, Efficient Transportation*  
 39      *Equity Act: A Legacy for Users (P.L. 109-59) to the*

1 *City of Calexico for the development of bicycle paths*  
2 *and public park space adjacent to the New River.*

3  
4 *SEC. 41. Item 0540-490 of Section 2.00 of the Budget Act of*  
5 *2009 is amended to read:*

6  
7 0540-490—Reappropriation, Secretary of the *Natural Resources*  
8 *Agency. The balances of the appropriations provided for*  
9 *in the following citations are reappropriated for the purpos-*  
10 *es provided for in those appropriations and shall be avail-*  
11 *able for encumbrance or expenditure until June 30, 2012:*

12 *0140—California Environmental License Plate Fund*  
13 *(1) Reimbursements, Item 0540-001-0140, Budget Act of*  
14 *2008 (Chs. 268 and 269, Stats. 2008), for the purposes*  
15 *of the CALFED Science Program*

16 *6029—California Clean Water, Clean Air, Safe Neighbor-*  
17 *hood Parks, and Coastal Protection Fund*  
18 *(1) Item 0540-001-6029, Budget Act of 2003 (Ch. 157,*  
19 *Stats. 2003), as reappropriated by Item 0540-490,*  
20 *Budget Act of 2004 (Ch. 208, Stats. 2004)*

21 *6031—Water Security, Clean Drinking Water, Coastal and*  
22 *Beach Protection Fund of 2002*  
23 *(1) Item 0540-001-6031, Budget Act of 2008 (Chs. 268*  
24 *and 269, Stats. 2008), for the purposes of the CALFED*  
25 *Science Program*

26  
27 *SEC. 42. Item 0540-491 is added to Section 2.00 of the Budget*  
28 *Act of 2009, to read:*

29  
30 *0540-491—Reappropriation, Secretary for Natural Resources.*  
31 *Notwithstanding any other provision of law, the period to*  
32 *liquidate encumbrances of the appropriations in the follow-*  
33 *ing citations is extended to June 30, 2011:*

34 *6031—Water Security, Clean Drinking Water, Coastal and*  
35 *Beach Protection Fund of 2002*  
36 *(1) 0540-101-6031, Budget Act of 2005 (Chs. 38 and 39,*  
37 *Stats. 2005), for the River Parkways Program and the*  
38 *Sierra Nevada Cascade Conservation Program*  
39

1 SEC. 43. Item 0540-493 is added to Section 2.00 of the Budget  
2 Act of 2009, to read:

3  
4 0540-493—Reappropriation, Secretary for Natural Resources.  
5 The balances provided for in the following citations are  
6 reappropriated for the purposes provided for in those ap-  
7 propriations and shall be available for encumbrance or  
8 expenditure until June 30, 2010:  
9 0890—Federal Trust Fund  
10 (1) Item 0540-001-0890, Budget Act of 2008 (Chs. 268  
11 and 269, Stats. 2008), for the Coastal Assistance  
12 Program

13  
14 SEC. 44. Item 0555-001-0028 of Section 2.00 of the Budget  
15 Act of 2009 is amended to read:

16  
17 0555-001-0028—For support of Secretary for Environmental  
18 Protection, for payment to Item 0555-001-0044, payable  
19 from the Unified Program Account..... 1,487,000  
20 4,219,000  
21

22 SEC. 45. Item 0555-001-0044 of Section 2.00 of the Budget  
23 Act of 2009 is amended to read:

24  
25 0555-001-0044—For support of Secretary for Environmental  
26 Protection, payable from the Motor Vehicle Account, State  
27 Transportation Fund..... 1,965,000  
28 Schedule:  
29 (1) 30-Support..... 15,161,000  
30 17,885,000  
31 (2) Reimbursements..... -2,004,000  
32 (3) Amount payable from the General Fund  
33 (Item 0555-001-0001)..... -1,070,000  
34 (4) Amount payable from the Hazardous  
35 Waste Control Account (Item 0555-001-  
36 0014)..... -327,000  
37 (5) Amount payable from the Unified Pro-  
38 gram Account (Item 0555-001-0028).... -1,487,000  
39 -4,219,000

1	(6) Amount payable from the California	
2	Used Oil Recycling Fund (Item 0555-	
3	001-0100).....	-30,000
4	(7) Amount payable from the Department	
5	of Pesticide Regulation Fund (Item	
6	0555-001-0106).....	-842,000
7	(8) Amount payable from the Air Pollution	
8	Control Fund (Item 0555-001-0115)....	-1,462,000
9	(9) Amount payable from the Waste Dis-	
10	charge Permit Fund (Item 0555-001-	
11	0193).....	-318,000
12	(10) Amount payable from the Public Re-	
13	sources Account, Cigarette and Tobacco	
14	Products Surtax Fund (Item 0555-001-	
15	0235).....	-64,000
16		-56,000
17	(11) Amount payable from the Recycling	
18	Market Development Revolving Loan	
19	Subaccount, Integrated Waste Manage-	
20	ment Fund (Item 0555-001-0281).....	-150,000
21	(12) Amount payable from the Integrated	
22	Waste Management Account, Integrated	
23	Waste Management Fund (Item 0555-	
24	001-0387).....	-768,000
25	(13) Amount payable from the Underground	
26	Storage Tank Cleanup Fund (Item	
27	0555-001-0439).....	-875,000
28	(14) Amount payable from the State Water	
29	Quality Control Fund (Item 0555-001-	
30	0679).....	-188,000
31	(15) Amount payable from the Rural CUPA	
32	Reimbursement Account (Item 0555-	
33	001-1006).....	-862,000
34	(16) Amount payable from the Water Rights	
35	Fund (Item 0555-001-3058).....	-40,000
36	(17) Amount payable from the Environmen-	
37	tal Enforcement and Training Account	
38	(Item 0555-001-8013).....	-2,132,000

1 (18) Amount payable from the Environmen-  
 2 tal Education Account (Item 0555-001-  
 3 8020)..... -577,000

4 Provisions:

- 5 1. Notwithstanding Section 48653 of the Public Re-  
 6 sources Code, funds appropriated in this item from the  
 7 California Used Oil Recycling Fund shall be available  
 8 for purposes of administration.  
 9 2. Funds appropriated in this item from the Environmen-  
 10 tal Education Account are available for appropriation  
 11 only to the extent that funding is received in the Envi-  
 12 ronmental Education Account established by Section  
 13 71305 of the Public Resources Code.

14  
 15 *SEC. 46. Item 0555-001-0235 of Section 2.00 of the Budget*  
 16 *Act of 2009 is amended to read:*

17  
 18 0555-001-0235—For support of Secretary for Environmental  
 19 Protection, for payment to Item 0555-001-0044, payable  
 20 from the Public Resources Account, Cigarette and Tobacco  
 21 Products Surtax Fund..... 64,000  
 22 56,000

23  
 24 *SEC. 47. Item 0558-001-0001 of Section 2.00 of the Budget*  
 25 *Act of 2009 is repealed.*

26  
 27 0558-001-0001—For support of the Office of the Secretary for  
 28 Education..... 977,000

29 Schedule:

- 30 (1) Secretary for Education..... 1,084,000  
 31 (2) Reimbursements..... -107,000

32 Provisions:

- 33 1. The amount appropriated in this item is intended for  
 34 support of the Education Agency. The appropriation  
 35 is an estimate of the funding needs from January 1,  
 36 2010, to June 30, 2010, inclusive. Legislation estab-  
 37 lishing the agency will be introduced and, if enacted,  
 38 would be effective on or before January 1, 2010. In  
 39 the event that legislation creating the agency is not  
 40 effective on or before January 1, 2010, or the funds

1 are needed prior to January 1, 2010, the unexpended  
2 balance of the funds appropriated in this item shall be  
3 available for expenditure pursuant to Item 0650-011-  
4 0001, as authorized by the Director of Finance.

5  
6 *SEC. 48. Item 0559-001-0001 of Section 2.00 of the Budget*  
7 *Act of 2009 is amended to read:*

8		
9	0559-001-0001—For support of the Labor and Workforce De-	
10	velopment Agency.....	0
11	Schedule:	
12	(1) 10-Office of the Secretary of Labor and	
13	Workforce Development.....	4,668,000
14		3,138,000
15	(2) Reimbursements.....	-2,712,000
16	(3) Amount payable from the Labor and	
17	Workforce Development Fund (Item	
18	0559-001-3078).....	-1,956,000
19		-426,000
20		

21 *SEC. 49. Item 0559-001-3078 of Section 2.00 of the Budget*  
22 *Act of 2009 is amended to read:*

23		
24	0559-001-3078—For support of the Labor and Workforce	
25	Development Agency, for payment to Item 0559-001-	
26	0001, payable from the Labor and Workforce Devel-	
27	opment Fund.....	1,956,000
28		426,000

29 Provisions:

- 30 1. The amount appropriated in this item includes revenues
- 31 derived from the assessment of fines and penalties
- 32 imposed as specified in Section 13332.18 of the Gov-
- 33 ernment Code.

34  
35 *SEC. 50. Item 0559-011-3078 is added to Section 2.00 of the*  
36 *Budget Act of 2009, to read:*

37		
38	0559-011-3078—For transfer by the Controller, upon order of	
39	the Director of Finance, from the Labor and Workforce	
40	Development Fund, to the General Fund.....	(5,500,000)

1 Provisions:  
 2 1. In addition to the amount specified in this item, the  
 3 Controller shall transfer to the General Fund the un-  
 4 encumbered balance in the Labor and Workforce De-  
 5 velopment Fund as of June 30, 2010, as determined  
 6 by the Director of Finance.  
 7

8 SEC. 51. Item 0650-001-0001 of Section 2.00 of the Budget  
 9 Act of 2009 is amended to read:

10

11	0650-001-0001—For support of Office of Planning and Re-	
12	search.....	5,990,000
13		4,236,000
14	Schedule:	
15	(1) 11-State Planning and Policy Devel-	
16	opment.....	5,954,000
17		1,025,487,000
18	(2) 21-California Volunteers.....	6,732,000
19		6,160,000
20	(3) Reimbursements.....	-3,588,000
21	(4) <del>Amount payable from the Restitution</del>	
22	<del>Fund (Item 0650-001-0214).....</del>	<del>-285,000</del>
23	(5) Amount payable from the Federal	
24	Trust Fund (Item 0650-001-	
25	0890).....	-2,119,000
26		-1,023,119,000
27	(6) Amount payable from the Central Ser-	
28	vice Cost Recovery Fund (Item 0650-	
29	001-9740).....	-704,000

30

31 SEC. 52. Item 0650-001-0214 of Section 2.00 of the Budget  
 32 Act of 2009 is repealed.

33

34	<del>0650-001-0214—For support of the Office of Planning and</del>	
35	<del>Research, for payment to Item 0650-001-0001, payable</del>	
36	<del>from the Restitution Fund.....</del>	<del>285,000</del>

37

38 SEC. 53. Item 0650-001-0890 of Section 2.00 of the Budget  
 39 Act of 2009 is amended to read:

1 0650-001-0890—For support of Office of Planning and Re-  
 2 search, for payment to Item 0650-001-0001, payable  
 3 from the Federal Trust Fund..... 2,119,000  
 4 1,023,119,000

5  
 6 *SEC. 54. Item 0650-011-0001 of Section 2.00 of the Budget*  
 7 *Act of 2009 is repealed.*

8  
 9 ~~0650-011-0001—For support of Office of Planning and Re-~~  
 10 ~~search..... 978,000~~

11 ~~Schedule:~~  
 12 ~~(1) Office of the Secretary for Education.... 1,090,000~~  
 13 ~~(2) Reimbursements..... -112,000~~

14 ~~Provisions:~~  
 15 ~~1. The funds appropriated in this item are intended for~~  
 16 ~~support of the Education Agency. The appropriation~~  
 17 ~~is an estimate of the funding needs from July 1, 2009,~~  
 18 ~~to December 31, 2009, inclusive. Legislation establish-~~  
 19 ~~ing the agency will be introduced and, if enacted,~~  
 20 ~~would be effective on or before January 1, 2010. After~~  
 21 ~~the effective date of that legislation, and upon the de-~~  
 22 ~~termination that all obligations of the agency in the~~  
 23 ~~Office of Planning and Research have been met, the~~  
 24 ~~unexpended balance of the funds appropriated in this~~  
 25 ~~item shall be available for expenditure pursuant to~~  
 26 ~~Item 0558-001-0001, as authorized by the Director of~~  
 27 ~~Finance.~~

28  
 29 *SEC. 55. Item 0650-101-0214 of Section 2.00 of the Budget*  
 30 *Act of 2009 is repealed.*

31  
 32 ~~0650-101-0214—For local assistance, Office of Planning and~~  
 33 ~~Research, Program 11, State Planning and Policy Develop-~~  
 34 ~~ment, payable from the Restitution Fund..... 9,215,000~~

35 ~~Schedule:~~  
 36 ~~(1) 11-State Planning and Policy Develop-~~  
 37 ~~ment..... 9,215,000~~  
 38 ~~(a) Grants to the City of Los Ange-~~  
 39 ~~les..... (1,000,000)~~

1 (b) ~~Competitive grants to all other~~  
2 ~~cities.....~~ (8,215,000)

3 Provisions:

- 4 1. ~~All grantees must provide a dollar-for-dollar match to~~  
5 ~~state grant funds awarded from Schedules (1) and (2).~~
- 6 2. ~~The Office of Planning and Research shall submit a~~  
7 ~~report and evaluation of the grants awarded pursuant~~  
8 ~~to Schedules (1) and (2) to the fiscal committees of~~  
9 ~~the Legislature not later than April 1, 2013.~~
- 10 3. ~~The amount appropriated in Schedule (2) shall be~~  
11 ~~competitive grants to cities. No grant shall exceed~~  
12 ~~\$500,000, and at least two grants shall be awarded to~~  
13 ~~cities with populations of 200,000 or less. In awarding~~  
14 ~~grants, the Office of Planning and Research shall give~~  
15 ~~preference to applicants that incorporate regional ap-~~  
16 ~~proaches to anti-gang activities.~~
- 17 5. ~~Each city that receives a grant from Schedule (1) or~~  
18 ~~(2) shall collaborate and coordinate with area jurisdic-~~  
19 ~~tions and agencies, including the existing county juve-~~  
20 ~~nile justice coordination council, with the goal of re-~~  
21 ~~ducing gang activity in the city and adjacent areas.~~  
22 ~~Each grantee shall establish a coordinating and adviso-~~  
23 ~~ry council to prioritize the use of the funds. Member-~~  
24 ~~ship shall include city officials, local law enforcement,~~  
25 ~~including the county sheriff, chief probation officer,~~  
26 ~~and district attorney, local educational agencies, includ-~~  
27 ~~ing school districts and the county office of education,~~  
28 ~~and community-based organizations.~~
- 29 6. ~~Each city that receives a grant from Schedule (1) or~~  
30 ~~(2) shall distribute at least 20 percent of the grant funds~~  
31 ~~it receives to one or more community-based organiza-~~  
32 ~~tions pursuant to the city's application.~~

33  
34 *SEC. 56. Item 0650-102-0890 is added to Section 2.00 of the*  
35 *Budget Act of 2009, to read:*

36  
37 *0650-102-0890—For local assistance, Office of Planning and*  
38 *Research, Program 11-State Planning and Policy Devel-*  
39 *opment, payable from the Federal Trust Fund..... 1,110,000,000*  
40

1 SEC. 57. Item 0650-490 is added to Section 2.00 of the Budget  
2 Act of 2009, to read:

3  
4 0650-490—Reappropriation, Office of Planning and Research.  
5 The balances of the appropriations provided in the follow-  
6 ing citations are reappropriated for the purposes provided  
7 for in those appropriations and shall be available for en-  
8 cumbrance or expenditure until June 30, 2010:  
9 0001—General Fund  
10 (1) Item 0650-001-0001, Budget Act of 2008 (Chs. 268  
11 and 269, Stats. 2008), \$777,000 for the 2010 Census  
12 Program

13  
14 SEC. 58. Item 0690-001-0001 of Section 2.00 of the Budget  
15 Act of 2009 is amended to read:

16	0690-001-0001—For support of the California Emergency		
17	Management Agency.....		44,813,000
18			45,995,000
19	Schedule:		
20	(1) 20-Emergency Management Services....	68,171,000	
21		68,821,000	
22	(2) 40-Special Programs and Grant Manage-		
23	ment.....	71,498,000	
24		78,678,000	
25	(3) 65.01-Administration and Executive		
26	Program.....	14,851,000	
27		15,257,000	
28	(4) 65.02-Distributed Administration and		
29	Executive.....	-14,851,000	
30		-15,257,000	
31	(5) Reimbursements.....	-4,284,000	
32	(6) Amount payable from the Unified Pro-		
33	gram Account (Item 0690-001-0028)....	-824,000	
34	(7) Amount payable from the Nuclear		
35	Planning Assessment Special Account		
36	(Item 0690-001-0029).....	-1,089,000	
37	(7.5) Amount payable from the Restitution		
38	Fund (Item 0690-001-0214).....	-285,000	
39			

1	(8) Amount payable from the Emergency	
2	Response Fund (Item 0690-001-1014)....	-650,000
3	(9) Amount payable from the Federal Trust	
4	Fund (Item 0690-001-0890).....	-85,396,000
5		-89,964,000
6	(10) Amount payable from the Local Public	
7	Prosecutors and Public Defender	
8	Training Fund (Item 0690-002-0241)....	-80,000
9	(11) Amount payable from the <del>Victim Wit-</del>	
10	<del>ness</del> Victim-Witness Assistance Fund	
11	(Item 0690-002-0425).....	-1,290,000
12	(12) Amount payable from the Equality in	
13	Prevention and Services for Domestic	
14	Abuse Fund (Item 0690-001-3112)....	-60,000
15	(13) Amount payable from the Transit Sys-	
16	tem Safety, Security, and Disaster Re-	
17	sponse Account, Highway Safety,	
18	Traffic Reduction, Air Quality, and Port	
19	Security Fund of 2006 (Item 0690-001-	
20	6061).....	-1,509,000
21		-2,654,000
22	(15) Amount payable from the Antiterrorism	
23	Fund (Item 0690-010-3034).....	-324,000
24	Provisions:	
25	1. Funds appropriated in this item may be reduced by the	
26	Director of Finance, after giving notice to the Chair-	
27	person of the Joint Legislative Budget Committee, by	
28	the amount of federal funds made available for the	
29	purposes of this item in excess of the federal funds	
30	scheduled in Item 0690-001-0890.	
31	2. The California Emergency Management Agency shall	
32	charge tuition for all training offered through the Cal-	
33	ifornia Specialized Training Institute.	
34	3. Upon approval by the Department of Finance, the	
35	Controller shall transfer such funds as are necessary	
36	between this item and Item 0690-101-0890.	
37	4. Notwithstanding Section 8581.5 of the Government	
38	Code, the California Emergency Council shall not be	
39	required to publish a biennial report on the state of	

1 emergency preparedness for catastrophic disasters, as  
2 specified, during the 2009–10 fiscal year.

3  
4 *SEC. 59. Item 0690-001-0214 is added to Section 2.00 of the*  
5 *Budget Act of 2009, to read:*

6  
7 *0690-001-0214—For support of the California Emergency*  
8 *Management Agency, for payment to Item 0690-001-0001,*  
9 *payable from the Restitution Fund..... 285,000*

10  
11 *SEC. 60. Item 0690-001-0890 of Section 2.00 of the Budget*  
12 *Act of 2009 is amended to read:*

13  
14 *0690-001-0890—For support of the California Emergency*  
15 *Management Agency, for payment to Item 0690-001-0001,*  
16 *payable from the Federal Trust Fund..... 85,396,000*  
17 *89,964,000*

18 Provisions:

- 19 1. Any funds that may become available, in addition to  
20 the funds appropriated in this item, for disaster re-  
21 sponse and recovery may be allocated by the Depart-  
22 ment of Finance subject to the conditions of Section  
23 28.00, except that, notwithstanding subdivision (d) of  
24 that section, the allocations may be made 30 days or  
25 less after notification of the Legislature.  
26 2. Notwithstanding any other provision of law, the funds  
27 appropriated in this item may be expended without  
28 regard to the fiscal year in which the application for  
29 reimbursement was submitted to the Federal Emergen-  
30 cy Management Agency.

31  
32 *SEC. 61. Item 0690-001-1014 is added to Section 2.00 of the*  
33 *Budget Act of 2009, to read:*

34  
35 *0690-001-1014—For support of the California Emergency*  
36 *Management Agency, for payment to Item 0690-001-0001,*  
37 *payable from the Emergency Response Fund..... 650,000*  
38

39 *SEC. 62. Item 0690-001-6061 of Section 2.00 of the Budget*  
40 *Act of 2009 is amended to read:*

1 0690-001-6061—For support of the California Emergency  
 2 Management Agency, for payment to Item 0690-001-  
 3 0001, payable from the Transit System Safety, Secu-  
 4 rity, and Disaster Response Account, Highway Safety,  
 5 Traffic Reduction, Air Quality, and Port Security Fund  
 6 of 2006 ..... 1,509,000  
 7 2,654,000

- 8 Provisions:  
 9 1. Upon approval of the Director of Finance, expenditure  
 10 authority for this item may be increased by up to  
 11 \$200,000 to reimburse the Department of Finance for  
 12 bond audit costs related to the implementation of  
 13 Proposition 1B. Any augmentation shall be authorized  
 14 no sooner than 30 days after notification in writing to  
 15 the Chairperson of the Joint Legislative Budget Com-  
 16 mittee, or not sooner than whatever lesser time the  
 17 chairperson of the joint committee, or his or her de-  
 18 signee, may determine.  
 19

20 *SEC. 63. Item 0690-101-0890 of Section 2.00 of the Budget*  
 21 *Act of 2009 is amended to read:*  
 22

23 0690-101-0890—For local assistance, California Emergency  
 24 Management Agency, payable from the Federal Trust  
 25 Fund..... 878,826,000  
 26 893,581,000

- 27 Schedule:  
 28 (1) 20-Emergency Management Services.... 16,100,000  
 29 30,855,000  
 30 (2) 40-Special Programs and Grant Man-  
 31 agement..... 862,726,000

- 32 Provisions:  
 33 1. Any federal funds that may become available in addi-  
 34 tion to the funds appropriated in this item for Program  
 35 40-Disaster Assistance are exempt from Section 28.00.  
 36

37 *SEC. 64. Item 0690-102-0214 of Section 2.00 of the Budget*  
 38 *Act of 2009 is amended to read:*

1	0690-102-0214—For local assistance, California Emergency	
2	Management Agency, payable from the Restitution Fund....	500,000
3		9,715,000

4 Schedule:

- |    |                                           |             |
|----|-------------------------------------------|-------------|
| 5  | (1) Internet Crimes Against Children Task |             |
| 6  | Force funding.....                        | 500,000     |
| 7  | (2) 40.30-Public Safety.....              | 9,215,000   |
| 8  | (a) Grants to the City of                 |             |
| 9  | Los Angeles.....                          | (1,000,000) |
| 10 | (b) Competitive grants                    |             |
| 11 | to all other cities.....                  | (8,215,000) |

12 Provisions:

- 13 1. All grantees must provide a dollar-for-dollar match to
- 14 state grant funds awarded from Schedule (2).
- 15 2. The California Emergency Management Agency shall
- 16 submit a report and evaluation of the grants awarded
- 17 pursuant to Schedule (2) to the fiscal committees of the
- 18 Legislature not later than April 1, 2013.
- 19 3. The amount appropriated in Schedule (2)(b) shall be
- 20 competitive grants to cities. No grant shall exceed
- 21 \$500,000, and at least two grants shall be awarded to
- 22 cities with populations of 200,000 or less. In awarding
- 23 grants, the California Emergency Management Agency
- 24 shall give preference to applicants that incorporate re-
- 25 gional approaches to antigang activities.
- 26 4. Each city that receives a grant from Schedule (2) shall
- 27 collaborate and coordinate with area jurisdictions and
- 28 agencies, including the existing county juvenile justice
- 29 coordination council, with the goal of reducing gang
- 30 activity in the city and adjacent areas. Each grantee
- 31 shall establish a coordinating and advisory council to
- 32 prioritize the use of the funds. Membership shall include
- 33 city officials, local law enforcement, including the
- 34 county sheriff, chief probation officer, and district attor-
- 35 ney, local educational agencies, including school dis-
- 36 tricts and the county office of education, and communi-
- 37 ty-based organizations.
- 38 5. Each city that receives a grant from Schedule (2) shall
- 39 distribute at least 20 percent of the grant funds it re-

1 ceives to one or more community-based organizations  
2 pursuant to the city’s application.

3  
4 SEC. 65. Item 0690-102-0890 of Section 2.00 of the Budget  
5 Act of 2009 is amended to read:

6  
7 0690-102-0890—For local assistance, California Emergency  
8 Management Agency, payable from the Federal Trust  
9 Fund..... ~~111,209,000~~  
10 251,259,000

11 Schedule:  
12 (1) 40.20-Victim Services..... 66,516,000  
13 (2) 40.30-Public Safety..... ~~44,693,000~~  
14 184,743,000

- 15 Provisions:
- 16 1. Notwithstanding any other provision of law, the Cali-  
17 fornia Emergency Management Agency may provide  
18 advance payment of up to 25 percent of grant funds  
19 awarded to community-based, nonprofit organizations,  
20 cities, school districts, counties, and other units of local  
21 government that have demonstrated cashflow problems  
22 according to the criteria set forth by the California  
23 Emergency Management Agency.
  - 24 2. *This item includes \$135,050,000 in funds for the pur-  
25 pose of administering federal Edward Byrne Memorial  
26 Justice Assistance Grant program funding provided  
27 by the American Recovery and Reinvestment Act of  
28 2009. The California Emergency Management Agency  
29 (Cal EMA) shall distribute these one-time funds in the  
30 2009–10 fiscal year consistent with the following re-  
31 quirements.*
    - 32 (a) *Of the total provided, \$50,000,000 shall be used  
33 to provide substance abuse treatment for criminal  
34 offenders convicted of nonviolent drug offenses  
35 in the Offender Treatment Program or a similar  
36 program funded through the Department of Alco-  
37 hol and Drug Programs (DADP). Of this amount,  
38 \$600,000 shall be for Cal EMA to enter into an  
39 interagency agreement with DADP to distribute  
40 and administer these funds according to program*

1            *requirements. The remaining \$49,400,000 provid-*  
2            *ed for these programs shall be passed through to*  
3            *counties as local assistance.*

4            (b) *Of the total provided, \$45,000,000 shall be used*  
5            *to provide grants to county probation departments*  
6            *for the purpose of providing evidence-based su-*  
7            *perVISION, programs, or services to adult felon*  
8            *probationers with the purpose of reducing the*  
9            *likelihood that these probationers will commit*  
10           *new crimes or other violations and be sent to*  
11           *prison. In order to receive funding, applicants*  
12           *seeking these funds shall be required to demon-*  
13           *strate that the programs for which they are seek-*  
14           *ing funds are evidence-based and targeted to-*  
15           *wards adults on felony. Applicants shall also be*  
16           *required to demonstrate how these programs*  
17           *create jobs. Cal EMA shall seek to distribute these*  
18           *funds proportionately to all county probation de-*  
19           *partments that submit qualifying applications*  
20           *based on each county's population of adults 18*  
21           *to 25 years of age, inclusive, provided that each*  
22           *county receiving funding shall receive a minimum*  
23           *of \$25,000. An evidence-based program for adult*  
24           *probationers is one for which the applicant can*  
25           *identify empirical evidence that the program has*  
26           *been shown to reduce rates of reoffending, rear-*  
27           *rest, reconviction, or reincarceration for program*  
28           *participants or that the program is considered a*  
29           *best practice in the criminal justice literature.*  
30           *Evidence-based programs for adult offenders in-*  
31           *clude, but are not limited to, risk and needs assess-*  
32           *ments, graduated sanctions for probation viola-*  
33           *tors, substance abuse and mental health treat-*  
34           *ment, employment and training assistance, case*  
35           *management, intensive supervision for high-risk*  
36           *offenders coupled with treatment services, and*  
37           *program evaluation. Applicants must demonstrate*  
38           *how specified outcome-based measures consistent*  
39           *with the goals of this program will be identified*  
40           *and tracked. A total of \$424,000 of the*

- 1           \$45,000,000 funded for this program shall be  
2           awarded to the Administrative Office of the Courts  
3           for the purpose of providing technical assistance  
4           to recipient counties in implementing these grants,  
5           including, but not limited to, developing, tracking,  
6           and reporting on outcome-based measurements  
7           to evaluate the program.
- 8           (c) Of the total provided, \$20,000,000 shall be used  
9           for the Anti-Drug Abuse Enforcement Program  
10          to support multi-jurisdictional drug task forces  
11          that combat street to mid-level drug sales, manu-  
12          facturing, and distribution at the local level.
- 13          (d) Of the total provided, \$10,000,000 shall be pro-  
14          vided to the Department of Corrections and Reha-  
15          bilitation to create, in partnership with state trial  
16          courts, reentry courts designed to divert parole  
17          violators from prison through use of collaborative  
18          courts that provide enhanced supervision and  
19          services for inmates with mental health and sub-  
20          stance abuse problems.
- 21          (e) Of the total provided, \$3,750,000 shall be used  
22          for human trafficking task forces for purposes of  
23          increasing coordination among law enforcement  
24          agencies, district attorneys, victim services  
25          groups, and others to improve or increase training  
26          in human trafficking cases and the investigation  
27          and prosecution of those cases.
- 28          (f) Of the total provided, \$3,300,000 shall be used  
29          for firearm trafficking programs designed to in-  
30          crease coordination among state, federal, and  
31          local law enforcement agencies for the purpose  
32          of increasing antfirearms trafficking efforts in  
33          California's border region.
- 34          (g) Of the total provided, \$3,000,000 shall be provid-  
35          ed to the Corrections Standards Authority for the  
36          purpose of improving the state's collection of  
37          criminal justice information from both state and  
38          local agencies.
- 39          (h) Applicants receiving funding shall have up to  
40          three years to expend the funds.

1  
 2 *SEC. 66. Item 0690-301-0890 is added to Section 2.00 of the*  
 3 *Budget Act of 2009, to read:*

4  
 5 0690-301-0890—For capital outlay, California Emergency  
 6 Management Agency, payable from the Federal Trust  
 7 Fund..... 1,857,000

8 Schedule:

9 (1) 80.10.006-Southern Region Facili-  
 10 ty—Preliminary plans..... 1,857,000

11 Provisions:

12 1. Notwithstanding any other provision of law, the Cali-  
 13 fornia Emergency Management Agency may negotiate  
 14 a long-term lease with the United States Army Corps  
 15 of Engineers for the Southern Region replacement fa-  
 16 cility. Prior to entering into any agreement or lease,  
 17 the California Emergency Management Agency shall  
 18 obtain the approval of the Department of Finance.  
 19 Additionally, at least 30 days prior to entering into  
 20 any agreement or lease, the California Emergency  
 21 Management Agency shall notify the chairpersons of  
 22 the committees in each house of the Legislature that  
 23 consider appropriations and the Joint Legislative  
 24 Budget Committee of the terms and conditions of the  
 25 agreement. If the Joint Legislative Budget Committee  
 26 does not express any opposition, the California  
 27 Emergency Management Agency may proceed with  
 28 the agreement after 30 days from when the California  
 29 Emergency Management Agency gave notice to the  
 30 chairpersons.

31  
 32 *SEC. 67. Item 0820-001-0001 of Section 2.00 of the Budget*  
 33 *Act of 2009 is amended to read:*

34  
 35 0820-001-0001—For support of Department of Justice..... 345,933,000  
 36 305,933,000

37 Schedule:

38 (1) 11.01-Directorate—Administration..... 95,254,000  
 39 95,487,000

1	(2) 11.02-Distributed Directorate— Admin-	
2	istration.....	<del>-95,254,000</del>
3		<del>-95,487,000</del>
4	(3) 20-Division of Legal Services.....	<del>362,011,000</del>
5		<del>365,630,000</del>
6	(4) 50-Law Enforcement.....	<del>253,387,000</del>
7		<del>235,808,000</del>
8	(5) 60-California Justice Information Ser-	
9	vices.....	<del>165,875,000</del>
10	(6) Reimbursements.....	<del>-40,005,000</del>
11		<del>-60,005,000</del>
12	(6.5) Unallocated Reduction.....	<del>-47,896,000</del>
13	(7) Amount payable from the Attorney	
14	General Antitrust Account (Item 0820-	
15	001-0012).....	<del>-1,342,000</del>
16	(8) Amount payable from the Fingerprint	
17	Fees Account (Item 0820-001-0017)....	<del>-66,615,000</del>
18	(9) Amount payable from the Firearm	
19	Safety Account (Item 0820-001-	
20	0032).....	<del>-331,000</del>
21	(10) Amount payable from the Motor Vehi-	
22	cle Account, State Transportation Fund	
23	(Item 0820-001-0044).....	<del>-23,834,000</del>
24	(11) Amount payable from the Department	
25	of Justice Sexual Habitual Offender	
26	Fund (Item 0820-001-0142).....	<del>-2,218,000</del>
27	(12) Amount payable from the Travel Seller	
28	Fund (Item 0820-001-0158).....	<del>-1,346,000</del>
29	(13) Amount payable from the Restitution	
30	Fund (Item 0820-001-0214).....	<del>-351,000</del>
31	(14) Amount payable from the Sexual	
32	Predator Public Information Account	
33	(Item 0820-001-0256).....	<del>-171,000</del>
34	(15) Amount payable from the Indian	
35	Gaming Special Distribution Fund	
36	(Item 0820-001-0367).....	<del>-14,080,000</del>
37	(16) Amount payable from the False Claims	
38	Act Fund (Item 0820-001-0378).....	<del>-10,090,000</del>
39		<del>-10,870,000</del>

1	(17) Amount payable from the Dealers’	
2	Record of Sale Special Account (Item	
3	0820-001-0460).....	-9,907,000
4	(18) Amount payable from the Department	
5	of Justice Child Abuse Fund (Item	
6	0820-001-0566).....	-361,000
7	(19) Amount payable from the Gambling	
8	Control Fund (Item 0820-001-0567)....	-7,271,000
9	(20) Amount payable from the Gambling	
10	Control Fines and Penalties Account	
11	(Item 0820-001-0569).....	-45,000
12	(21) Amount payable from the Federal	
13	Trust Fund (Item 0820-001-0890).....	<del>-37,914,000</del>
14		-40,253,000
15	(22) Amount payable from the Federal Asset	
16	Forfeiture Account, Special Deposit	
17	Fund (Item 0820-001-0942).....	-1,551,000
18	(23) Amount payable from the State Asset	
19	Forfeiture Account, Special Deposit	
20	Fund (Item 0820-011-0942).....	-595,000
21	(24) Amount payable from the Firearms	
22	Safety and Enforcement Special Fund	
23	(Item 0820-001-1008).....	-3,252,000
24	(25) Amount payable from the Missing Per-	
25	sons DNA Data Base Fund (Item 0820-	
26	001-3016).....	-3,376,000
27	(26) Amount payable from the Public Rights	
28	Law Enforcement Special Fund (Item	
29	0820-001-3053).....	-5,615,000
30	(27) Amount payable from the Ratepayer	
31	Relief Fund (Item 0820-001-3061).....	-4,896,000
32	(28) Amount payable from the DNA Iden-	
33	tification Fund (Item 0820-001-	
34	3086).....	<del>-29,267,000</del>
35		-31,688,000
36	(29) Amount payable from the Unfair Com-	
37	petition Law Fund (Item 0820-001-	
38	3087).....	-3,247,000

1	(30) Amount payable from the Registry of	
2	Charitable Trusts Fund (Item 0820-001-	
3	3088).....	-2,830,000
4	(31) Amount payable from the Legal	
5	Services Revolving Fund (Item 0820-	
6	001-9731).....	-114,653,000
7	(31.5) Amount payable from the Foreclosure	
8	Consultant Regulation Fund (Item	
9	0820-001-3136).....	-500,000
10	(32) Amount payable from the Central Ser-	
11	vice Cost Recovery Fund (Item 0820-	
12	001-9740).....	-2,281,000

- 13 Provisions:
- 14 1. The Attorney General shall submit to the Legislature,
  - 15 the ~~Department~~ Director of Finance, and the Governor
  - 16 the quarterly and annual reports that he or she submits
  - 17 to the federal government on the activities of the Medi-
  - 18 Cal Fraud Unit.
  - 19 2. Notwithstanding any other provision of law, the De-
  - 20 partment of Justice may purchase or lease vehicles of
  - 21 any type or class that, in the judgment of the Attorney
  - 22 General or his or her designee, are necessary to the
  - 23 performance of the investigatory and enforcement re-
  - 24 sponsibilities of the Department of Justice, from the
  - 25 funds appropriated for that purpose in this item.
  - 26 3. Of the amount included in Schedule (3), \$2,233,000
  - 27 is available for costs related to the Lloyd's of London
  - 28 (Stringfellow) litigation. Any funds not expended for
  - 29 this specific purpose as of June 30, 2010, shall revert
  - 30 immediately to the General Fund.
  - 31 4. Of the funds appropriated in this item, \$19,047,000 is
  - 32 available solely for the Correctional Law Section that
  - 33 handles only workload related to Department of Cor-
  - 34 rections and Rehabilitation cases.

35  
36 *SEC. 68. Item 0820-001-0378 of Section 2.00 of the Budget*  
37 *Act of 2009 is amended to read:*

1 0820-001-0378—For support of Department of Justice, for  
 2 payment to Item 0820-001-0001, payable from the False  
 3 Claims Act Fund..... ~~10,090,000~~  
 4 ~~10,870,000~~

5  
 6 *SEC. 69. Item 0820-001-0890 of Section 2.00 of the Budget*  
 7 *Act of 2009 is amended to read:*

8  
 9 0820-001-0890—For support of Department of Justice, for  
 10 payment to Item 0820-001-0001, payable from the Federal  
 11 Trust Fund..... ~~37,914,000~~  
 12 ~~40,253,000~~

13  
 14 *SEC. 70. Item 0820-001-3086 of Section 2.00 of the Budget*  
 15 *Act of 2009 is amended to read:*

16  
 17 0820-001-3086—For support of Department of Justice, for  
 18 payment to Item 0820-001-0001, payable from the DNA  
 19 Identification Fund..... ~~29,267,000~~  
 20 ~~31,688,000~~

21  
 22 *SEC. 71. Item 0820-001-3136 is added to Section 2.00 of the*  
 23 *Budget Act of 2009, to read:*

24  
 25 0820-001-3136—For support of Department of Justice, for  
 26 payment to Item 0820-001-0001, payable from the Foreclo-  
 27 sure Consultant Regulation Fund..... 500,000

28  
 29 *SEC. 72. Item 0820-011-0317 is added to Section 2.00 of the*  
 30 *Budget Act of 2009, to read:*

31  
 32 0820-011-0317—For transfer by the Controller to the Foreclo-  
 33 sure Consultant Regulation Fund..... (500,000)

34 *Provisions:*

- 35 1. *Notwithstanding any other provision of law, a loan of*  
 36 *\$500,000 is hereby authorized from the Real Estate*  
 37 *Fund to the Foreclosure Consultant Regulation Fund.*  
 38 *This loan shall be repaid with interest no later than*  
 39 *June 30, 2013.*

40

1 SEC. 73. Item 0840-001-0001 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 0840-001-0001—For support of the Controller..... 51,268,000  
5 59,414,000

6 Schedule:

7 (1) 100000-Personal Services..... 99,968,000  
8 101,133,000

9 (2) 300000-Operating Expenses and  
10 Equipment..... 54,556,000  
11 76,340,000

12 (3) Reimbursements..... -48,353,000  
13 -50,209,000

14 (3.5) Amount payable from various special  
15 and nongovernmental cost funds  
16 (Section 25.25)..... -14,206,000

17 (4) Amount payable from the Motor Vehicle  
18 Fuel Account, Transportation Tax Fund  
19 (Item 0840-001-0061)..... -3,907,000  
20 -3,817,000

21 (5) Amount payable from the Highway  
22 Users Tax Account, Transportation Tax  
23 Fund (Item 0840-001-0062)..... -1,115,000  
24 -1,085,000

25 (6) Amount payable from the Local Rev-  
26 enue Fund (Item 0840-001-0330)..... =565,000  
27 -549,000

28 (7) Amount payable from the Federal Trust  
29 Fund (Item 0840-001-0890)..... -766,000  
30 -745,000

31 (8) Amount payable from the State Penalty  
32 Fund (Item 0840-001-0903)..... =1,254,000  
33 -1,221,000

34 (9) Amount payable from the Unclaimed  
35 Property Fund (Item 0840-001-  
36 0970)..... -26,602,000  
37 -25,882,000

1	(10) Amount payable from various other	
2	unallocated nongovernmental cost funds	
3	(Retail Sales Tax Fund) (Item 0840-	
4	001-0988).....	-228,000
5		-222,000
6	(11) Amount payable from the 2006 State	
7	School Facilities Fund (Item 0840-001-	
8	6057).....	-921,000
9		-896,000
10	(12) Amount payable from the Central	
11	Service Cost Recovery Fund (Item	
12	0840-001-9740).....	-17,984,000
13		-17,709,000
14	(13) Amount payable from other unallocated	
15	special funds (Item 0840-011-0494).....	-90,000
16		-88,000
17	(14) Amount payable from unallocated bond	
18	funds (Item 0840-011-0797).....	-594,000
19		-578,000
20	(15) Amount payable from various other	
21	unallocated nongovernmental cost funds	
22	(Item 0840-011-0988).....	-85,000
23		-82,000
24	(16) Amount payable from the Public	
25	Transportation Account, State Trans-	
26	portation Fund (Section 25.50).....	-17,000
27		-16,000
28	(17) Amount payable from the Highway	
29	Users Tax Account, Transportation Tax	
30	Fund (Section 25.50).....	-272,000
31		-265,000
32	(18) Amount payable from the Motor Vehi-	
33	cle License Fee Account, Transporta-	
34	tion Tax Fund (Section 25.50).....	-15,000
35	(19) Amount payable from the DMV Local	
36	Agency Collection Fund (Section	
37	25.50).....	-2,000
38	(20) Amount payable from the Trial Court	
39	Trust Fund (Section 25.50).....	-155,000
40		-151,000

1	(21) Amount payable from the Timber Tax	
2	Fund (Section 25.50).....	-1,000
3	(22) Amount payable from the Public Safety	
4	Account, Local Public Safety Fund	
5	(Section 25.50).....	<del>-240,000</del>
6		-233,000
7	(23) Amount payable from the Local Rev-	
8	enue Fund (Section 25.50).....	<del>-90,000</del>
9		-87,000

10 Provisions:

- 11 1. The funding provided in Item 0840-001-0970 shall be
- 12 in lieu of the appropriation in Section 1564 of the Code
- 13 of Civil Procedure for all costs, expenses, or obliga-
- 14 tions connected with the administration of the Un-
- 15 claimed Property Law, with the exception of payment
- 16 of owners' or holders' claims pursuant to Section 1540,
- 17 1542, 1560, or 1561 of the Code of Civil Procedure,
- 18 or of payment of the costs of compensating contractors
- 19 for locating and recovering unclaimed property due
- 20 the state.
- 21 2. Of the claims received for reimbursement of court-
- 22 ordered or voluntary desegregation programs pursuant
- 23 to Article 6 (commencing with Section 41540) of
- 24 Chapter 3.2 of Part 24 of Division 3 of Title 2 of the
- 25 Education Code, the Controller shall pay only those
- 26 claims that have been subjected to audit by school
- 27 districts in accordance with the Controller's procedures
- 28 manual for conducting audits of education desegrega-
- 29 tion claims. Furthermore, the Controller shall pay only
- 30 those past-year actual claims for desegregation pro-
- 31 gram costs that are accompanied by all reports issued
- 32 by the auditing entity, unless the auditing entity was
- 33 the Controller.
- 34 3. The Controller may, with the concurrence of the Direc-
- 35 tor of Finance and the Chairperson of the Joint Legisla-
- 36 tive Budget Committee, bill affected state departments
- 37 for activities required by Section 20050 of the State
- 38 Administrative Manual, relating to the administration
- 39 of federal pass-through funds.

1 No billing may be sent to affected departments  
2 sooner than 30 days after the Chairperson of the Joint  
3 Legislative Budget Committee has been notified by  
4 the Director of Finance that he or she concurs with the  
5 amounts specified in the billings.

- 6 4. (a) Notwithstanding subdivision (b) of Section 1531  
7 of the Code of Civil Procedure, the Controller  
8 may publish notice in any manner that the Con-  
9 troller determines reasonable, provided that (1)  
10 none of the moneys used for this purpose is redi-  
11 rected from funding for the Controller's audit ac-  
12 tivities, (2) no photograph is used in the publica-  
13 tion of notice, and (3) no elected official's name  
14 is used in the publication of notice.
- 15 (b) No funds appropriated in this act may be expend-  
16 ed by the Controller to provide general informa-  
17 tion to the public, other than holders (as defined  
18 in subdivision (e) of Section 1501 of the Code of  
19 Civil Procedure) of unclaimed property, concern-  
20 ing the unclaimed property program or possible  
21 existence of unclaimed property held by the  
22 Controller's office, except for informational an-  
23 nouncements to the news media, through the ex-  
24 change of information on electronic bulletin  
25 boards, or no more than \$50,000 per year to in-  
26 form the public about this program in activities  
27 already organized by the Controller for other  
28 purposes. This restriction does not apply to send-  
29 ing individual notices to property owners (as re-  
30 quired by the Code of Civil Procedure).
- 31 5. Of the moneys appropriated to the Controller in this  
32 act, the Controller shall not expend more than  
33 \$500,000 to conduct posteligibility fraud audits of the  
34 Supplemental Security Income/State Supplementary  
35 Payment Program.
- 36 6. The Commission on State Mandates shall provide, in  
37 applicable parameters and guidelines, as follows:
- 38 (a) If a local agency or school district contracts with  
39 an independent contractor for the preparation and  
40 submission of reimbursement claims, the costs

- 1 reimbursable by the state for that purpose shall
- 2 not exceed the lesser of (1) 10 percent of the
- 3 amount of the claims prepared and submitted by
- 4 the independent contractor, or (2) the actual costs
- 5 that would necessarily have been incurred for that
- 6 purpose if performed by employees of the local
- 7 agency or school district.
- 8 (b) The maximum amount of reimbursement provided
- 9 in subdivision (a) may be exceeded only if the
- 10 local agency or school district establishes, by ap-
- 11 propriate documentation, that the preparation and
- 12 submission of these claims could not have been
- 13 accomplished without incurring the additional
- 14 costs claimed by the local agency or school dis-
- 15 trict.
- 16 7. The funds appropriated to the Controller in this item
- 17 may not be expended for any performance review or
- 18 performance audit except pursuant to specific statutory
- 19 authority. It is the intent of the Legislature that audits
- 20 conducted by the Controller, or under the direction of
- 21 the Controller, shall be fiscal audits that focus on
- 22 claims and disbursements, as provided for in Section
- 23 12410 of the Government Code. Any report, audit,
- 24 analysis, or evaluation issued by the Controller for the
- 25 2009–10 fiscal year shall cite the specific statutory or
- 26 constitutional provision authorizing the preparation
- 27 and release of the report, audit, analysis, or evaluation.
- 28 8. The Controller shall deliver his or her monthly report
- 29 on General Fund cash receipts and disbursements
- 30 within 10 days after the close of each month to the
- 31 Joint Legislative Budget Committee, the fiscal com-
- 32 mittees of the Legislature, the Department of Finance,
- 33 the Treasurer’s office, and the Legislative Analyst’s
- 34 Office.
- 35 9. For purposes of the review and payment of any claim
- 36 for reimbursement by local government submitted
- 37 pursuant to Section 54954.4 of the Government Code,
- 38 the Controller shall use the procedures that were in
- 39 effect at the time the claim was submitted.

- 1 10. Pursuant to subdivision (c) of Section 1564 of the Code  
2 of Civil Procedure, the Controller shall transfer all  
3 moneys in the Abandoned Property Account in excess  
4 of \$50,000 to the General Fund no less frequently than  
5 at the end of each month. This transfer shall include  
6 unclaimed Proposition 103 insurance rebate moneys  
7 pursuant to Section 1861.01 of the Insurance Code  
8 and Section 1523 of the Code of Civil Procedure.
- 9 11. The Controller shall provide to the Department of Fi-  
10 nance, the Chairperson of the Joint Legislative Budget  
11 Committee, and the chairpersons of the fiscal commit-  
12 tees of each house of the Legislature a report that  
13 provides the following details by mandate: the level  
14 of claims requested; the amount reduced by the initial  
15 desk audit; the amount paid; the amount recouped;  
16 and the results of a final audit and subsequent funding  
17 adjustments. The report is due on June 30, 2010, and  
18 will cover the fourth quarter of the 2008–09 fiscal year  
19 and the first three quarters of the 2009–10 fiscal year.
- 20 12. To the extent authorized by existing law, the Controller  
21 shall recoup the amount of any unallowable mandate  
22 claim costs resulting from desk or field audits of such  
23 claims.
- 24 13. The Controller’s estimate of the state’s liability for  
25 postemployment benefits prepared to comply with  
26 Governmental Accounting Standards Board (GASB)  
27 Statement 45 shall include, in addition to all other  
28 items required under the accounting statement: (a) an  
29 identification and explanation of any significant differ-  
30 ences in actuarial assumptions or methodology from  
31 any relevant similar types of assumptions or method-  
32 ology used by the Public Employees’ Retirement  
33 System to estimate state pension obligations; and (b)  
34 alternative calculations of the state’s liability for other  
35 postemployment benefits using different long-term  
36 rates of investment return consistent with a hypotheti-  
37 cal assumption that the state will begin to deposit 100  
38 percent or a lesser percent, respectively, of its annual  
39 required contribution under GASB Statement 45 to a  
40 retiree health and dental benefits trust fund beginning

- 1 in the 2007–08 fiscal year. This provision shall not  
2 obligate the state to change the practice of funding  
3 health and dental benefits for annuitants currently re-  
4 quired under state law.
- 5 14. The funds appropriated to the Controller in this item  
6 may not be expended on additional actuarial valua-  
7 tions, beyond the annual actuarial valuation, for other  
8 postemployment benefits, prior to obtaining concu-  
9 rrence in writing from the Department of Finance. The  
10 additional actuarial valuations shall only be performed  
11 to the extent resources exist, or if funds are provided  
12 by the requesting agency.
- 13 15. The Controller shall provide the Chairperson of the  
14 Joint Legislative Budget Committee and the chairper-  
15 sons of the fiscal committees in each house of the  
16 Legislature a report on the Human Resources Manage-  
17 ment System specifying the dollars expended on the  
18 program in the previous fiscal year and over the life  
19 of the program and any known savings that have oc-  
20 curred in the prior fiscal year, to be submitted annually  
21 but no later than August 30 of each year. The report  
22 should compare the known savings with the most re-  
23 cent estimate of projected savings and explain the  
24 methodology by which the savings were calculated.
- 25 16. The Controller shall deliver yearend financial data as  
26 specified by the Department of Finance, for the fiscal  
27 year just ended, in hard copy and electronic format,  
28 by October 15 of each year and periodically as request-  
29 ed by the Department of Finance. This information is  
30 necessary for the Department of Finance to determine  
31 the proper beginning balance of the current fiscal year  
32 for budgetary purposes. To ensure timely completion  
33 of the yearend financial data, the Controller should  
34 enforce provisions in Section 12461.2 of the Govern-  
35 ment Code and emphasize in its regulation the deadline  
36 the yearend financial statements are due from the op-  
37 erating departments to the Controller.
- 38 17. In the event new postage rates by the United States  
39 Postal Service are adopted, but not in time for inclu-  
40 sion in the 2009–10 May Revision, and the State

1 Controller’s Office notifies the Department of Finance  
 2 with ~~their~~ *its* estimates of the increased postage costs  
 3 within 15 calendar days of the adoption of new rates,  
 4 the Director of Finance may authorize expenditures  
 5 in excess of the amount appropriated in this item by  
 6 an amount necessary to fund the postage increase. This  
 7 authorization shall occur not less than 15 days after  
 8 the Department of Finance notifies the Chairperson  
 9 of the Joint Legislative Budget Committee.

- 10 18. The \$345,000 loaned to the Local Agency Self Insur-  
 11 ance Authority (LASIA), pursuant to Chapter 1327;  
 12 *of the Statutes of 1986*, will not be required to be re-  
 13 paid.
- 14 19. It is the intent of the Legislature that this item contain  
 15 zero funds for the purchase of modular furniture for  
 16 the previously approved Cannery Business Park Lease  
 17 Renewal/Expansion Project.
- 18 20. *Notwithstanding the provisions of Items 9840-001-*  
 19 *0001 to 9840-001-0988, inclusive, the Department of*  
 20 *Finance may adjust the amounts authorized under*  
 21 *Item 0840-001-0001 and Section 25.25 of this act,*  
 22 *consistent with the funding schedule included in the*  
 23 *most recently approved Special Project Report for the*  
 24 *21st Century Project. No adjustments shall be made*  
 25 *pursuant to this provision prior to a 30-day notifica-*  
 26 *tion in writing to the Chairperson of the Joint Legisla-*  
 27 *tive Budget Committee and the chairpersons of the*  
 28 *committees of each house of the Legislature that con-*  
 29 *sider appropriations.*

30  
 31 *SEC. 74. Item 0840-001-0061 of Section 2.00 of the Budget*  
 32 *Act of 2009 is amended to read:*

33

34 0840-001-0061—For support of the Controller, for payment to	
35 Item 0840-001-0001, payable from the Motor Vehicle	
36 Fuel Account, Transportation Tax Fund.....	3,907,000
37	3,817,000

38  
 39 *SEC. 75. Item 0840-001-0062 of Section 2.00 of the Budget*  
 40 *Act of 2009 is amended to read:*

1 0840-001-0062—For support of the Controller, for payment to  
 2 Item 0840-001-0001, payable from the Highway Users  
 3 Tax Account, Transportation Tax Fund..... 1,115,000  
 4 1,085,000  
 5

6 *SEC. 76. Item 0840-001-0330 of Section 2.00 of the Budget*  
 7 *Act of 2009 is amended to read:*  
 8

9 0840-001-0330—For support of the Controller, for payment to  
 10 Item 0840-001-0001, payable from the Local Revenue  
 11 Fund..... 565,000  
 12 549,000  
 13

14 *SEC. 77. Item 0840-001-0890 of Section 2.00 of the Budget*  
 15 *Act of 2009 is amended to read:*  
 16

17 0840-001-0890—For support of the Controller, for payment to  
 18 Item 0840-001-0001, payable from the Federal Trust  
 19 Fund..... 766,000  
 20 745,000  
 21

22 *SEC. 78. Item 0840-001-0903 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*  
 24

25 0840-001-0903—For support of the Controller, for payment to  
 26 Item 0840-001-0001, payable from the State Penalty  
 27 Fund..... 1,254,000  
 28 1,221,000  
 29

30 *SEC. 79. Item 0840-001-0970 of Section 2.00 of the Budget*  
 31 *Act of 2009 is amended to read:*  
 32

33 0840-001-0970—For support of the Controller, for payment to  
 34 Item 0840-001-0001, payable from the Unclaimed Property  
 35 Fund..... 26,602,000  
 36 25,882,000  
 37

38 *SEC. 80. Item 0840-001-0988 of Section 2.00 of the Budget*  
 39 *Act of 2009 is amended to read:*

1 0840-001-0988—For support of the Controller, for payment to  
 2 Item 0840-001-0001, payable from various other unallo-  
 3 cated nongovernmental cost funds (Retail Sales Tax  
 4 Fund)..... 228,000  
 5 222,000  
 6

7 *SEC. 81. Item 0840-001-6057 of Section 2.00 of the Budget*  
 8 *Act of 2009 is amended to read:*  
 9

10 0840-001-6057—For support of the Controller, for payment to  
 11 Item 0840-001-0001, payable from the 2006 State School  
 12 Facilities Fund..... 921,000  
 13 896,000  
 14

15 *SEC. 82. Item 0840-001-9740 of Section 2.00 of the Budget*  
 16 *Act of 2009 is amended to read:*  
 17

18 0840-001-9740—For support of the Controller, for payment to  
 19 Item 0840-001-0001, payable from the Central Service  
 20 Cost Recovery Fund..... 17,984,000  
 21 17,709,000  
 22

23 *SEC. 83. Item 0840-011-0494 of Section 2.00 of the Budget*  
 24 *Act of 2009 is amended to read:*  
 25

26 0840-011-0494—For support of the Controller, for payment to  
 27 Item 0840-001-0001, payable from other unallocated spe-  
 28 cial funds..... 90,000  
 29 88,000  
 30

30 Provisions:

- 31 1. Notwithstanding any other provision of law, the Direc-  
 32 tor of Finance may authorize expenditures in excess  
 33 of the amount appropriated in this item not sooner than  
 34 30 days after notification in writing of the necessity  
 35 therefor is provided to the chairpersons of the fiscal  
 36 committees of each house of the Legislature and the  
 37 Chairperson of the Joint Legislative Budget Commit-  
 38 tee, or not sooner than whatever lesser time the chair-  
 39 person of the joint committee, or his or her designee,  
 40 may in each instance determine.

1  
2 *SEC. 84. Item 0840-011-0797 of Section 2.00 of the Budget*  
3 *Act of 2009 is amended to read:*

4  
5 0840-011-0797—For support of the Controller, for payment to  
6 Item 0840-001-0001, payable from unallocated bond  
7 funds..... 594,000  
8 578,000

9 Provisions:  
10 1. Notwithstanding any other provision of law, the Direc-  
11 tor of Finance may authorize expenditures in excess  
12 of the amount appropriated in this item not sooner than  
13 30 days after notification in writing of the necessity  
14 therefor is provided to the chairpersons of the fiscal  
15 committees of each house of the Legislature and the  
16 Chairperson of the Joint Legislative Budget Commit-  
17 tee, or not sooner than whatever lesser time the chair-  
18 person of the joint committee, or his or her designee,  
19 may in each instance determine.

20  
21 *SEC. 85. Item 0840-011-0988 of Section 2.00 of the Budget*  
22 *Act of 2009 is amended to read:*

23  
24 0840-011-0988—For support of the Controller, for payment to  
25 Item 0840-001-0001, payable from various other unallo-  
26 cated nongovernmental cost funds..... 85,000  
27 82,000

28 Provisions:  
29 1. Notwithstanding any other provision of law, the Direc-  
30 tor of Finance may authorize expenditures in excess  
31 of the amount appropriated in this item not sooner than  
32 30 days after notification in writing of the necessity  
33 therefor is provided to the chairpersons of the fiscal  
34 committees of each house of the Legislature and the  
35 Chairperson of the Joint Legislative Budget Commit-  
36 tee, or not sooner than whatever lesser time the chair-  
37 person of the joint committee, or his or her designee,  
38 may in each instance determine.

39

1 SEC. 86. Item 0855-111-0367 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 0855-111-0367—For transfer by the Controller, upon order of  
5 the Director of Finance, from the Indian Gaming Special  
6 Distribution Fund, to the Indian Gaming Revenue Sharing  
7 Trust Fund..... (50,000,000)

8 Provisions:

- 9 1. The amount of any transfer ordered by the Director of  
10 Finance pursuant to this item shall be the minimum  
11 amount necessary to allow the Indian Gaming Revenue  
12 Sharing Trust Fund to distribute the quarterly payments  
13 described in Section 12012.90 of the Government  
14 Code and meet its other expenditure requirements.  
15 Any remaining portion of the amount authorized to be  
16 transferred pursuant to this item shall remain in the  
17 Indian Gaming Special Distribution Fund.
- 18 2. The Legislature finds and declares that the amount  
19 authorized in this item is expected to be sufficient to  
20 allow the Indian Gaming Revenue Sharing Trust Fund  
21 to distribute the quarterly payments described in Sec-  
22 tion 12012.90 of the Government Code during the  
23 ~~2008-09~~ 2009-10 fiscal year. Accordingly, the Cali-  
24 fornia Gambling Control Commission, acting for this  
25 purpose as the state gaming agency under various  
26 tribal-state compacts, shall not direct any funds to the  
27 Indian Gaming Revenue Sharing Trust Fund pursuant  
28 to Section 4.3.1(l) of the amended tribal-state compacts  
29 with the Morongo Band of Mission Indians, the  
30 Pechanga Band of Luiseño Indians, *and* the San  
31 Manuel Band of Mission Indians, ~~and the Syuan Band~~  
32 ~~of the Kumeyaay Nation Section 4.3.1(k) of the tribal-~~  
33 ~~state compact with the Shingle Springs Band of Miwok~~  
34 ~~Indians, and similar sections of any compacts or~~  
35 ~~amended compacts ratified by the Legislature in the~~  
36 ~~2008-09 fiscal year.~~
- 37 3. The Chairperson of the California Gambling Control  
38 Commission shall immediately submit a report to the  
39 Director of Finance, the Chairperson of the Joint  
40 Legislative Budget Committee, and the Legislative

1 Analyst if he or she determines that the Indian Gaming  
 2 Revenue Sharing Trust Fund will not have sufficient  
 3 funds to distribute the quarterly payments described  
 4 in Section 12012.90 of the Government Code during  
 5 the ~~2008-09~~ 2009-10 fiscal year after consideration  
 6 of the funds authorized for transfer by this item. No  
 7 earlier than 15 days after submission of that report,  
 8 the California Gambling Control Commission may  
 9 direct funds to the Indian Gaming Revenue Sharing  
 10 Trust Fund, notwithstanding the requirements of Pro-  
 11 vision 2.  
 12

13 *SEC. 87. Item 0860-001-0001 of Section 2.00 of the Budget*  
 14 *Act of 2009 is amended to read:*

16	0860-001-0001—For support of State Board of Equalization....	245,549,000
17		266,003,000
18	Schedule:	
19	(1) 100000-Personal Services.....	327,541,000
20		341,018,000
21	(2) 300000-Operating Expenses and	
22	Equipment.....	114,160,000
23		126,186,000
24	(3) Reimbursements.....	-135,652,000
25		-140,756,000
26	(4) Amount payable from the Breast Cancer	
27	Fund (Item 0860-001-0004).....	-662,000
28	(5) Amount payable from the State Emer-	
29	gency Telephone Number Account	
30	(Item 0860-001-0022).....	-1,459,000
31		-1,422,000
32	(6) Amount payable from the Motor Vehi-	
33	cle Fuel Account, Transportation Tax	
34	Fund (Item 0860-001-0061).....	-21,068,000
35		-21,066,000
36	(7) Amount payable from the Occupational	
37	Lead Poisoning Prevention Account	
38	(Item 0860-001-0070).....	-668,000

1	(8) Amount payable from the Childhood	
2	Lead Poisoning Prevention Fund (Item	
3	0860-001-0080).....	-479,000
4	(9) Amount payable from the Cigarette and	
5	Tobacco Products Surtax Fund (Item	
6	0860-001-0230).....	-8,385,000
7	(10) Amount payable from the Oil Spill	
8	Prevention and Administration Fund	
9	(Item 0860-001-0320).....	-230,000
10	(11) Amount payable from the Integrated	
11	Waste Management Account, Integrated	
12	Waste Management Fund (Item 0860-	
13	001-0387).....	-409,000
14	(12) Amount payable from the Underground	
15	Storage Tank Cleanup Fund (Item	
16	0860-001-0439).....	-3,133,000
17	(13) Amount payable from the Energy Re-	
18	sources Programs Account (Item 0860-	
19	001-0465).....	-256,000
20	(14) Amount payable from the California	
21	Children and Families First Trust Fund	
22	(Item 0860-001-0623).....	<del>-14,523,000</del>
23		<del>-14,522,000</del>
24	(15) Amount payable from the Federal Trust	
25	Fund (Item 0860-001-0890).....	-825,000
26	(16) Amount payable from the Timber Tax	
27	Fund (Item 0860-001-0965).....	-2,321,000
28	(17) Amount payable from the Gas Consump-	
29	tion Surcharge Fund (Item 0860-001-	
30	3015).....	<del>-636,000</del>
31		<del>-621,000</del>
32	(18) Amount payable from the Water Rights	
33	Fund (Item 0860-001-3058).....	-397,000
34	(19) Amount payable from the Electronic	
35	Waste Recovery and Recycling Account	
36	(Item 0860-001-3065).....	-4,401,000
37	(20) Amount payable from the Cigarette and	
38	Tobacco Products Compliance Fund	
39	(Item 0860-001-3067).....	-648,000

1 Provisions:  
 2 1. It is the intent of the Legislature that all funds appro-  
 3 priated to the State Board of Equalization for process-  
 4 ing tax returns, auditing, and collecting owed tax  
 5 amounts shall be used in a manner consistent with both  
 6 its authorized budget and with the documents that were  
 7 presented to the Legislature for its review in support  
 8 of that budget. The State Board of Equalization shall  
 9 not reduce expenditures or redirect either funding or  
 10 personnel resources away from direct auditing or col-  
 11 lection activities without prior approval of the Director  
 12 of Finance. The director shall not approve any such  
 13 reduction or redirection sooner than 30 days after  
 14 providing notification to the Joint Legislative Budget  
 15 Committee. No such position may be transferred from  
 16 the organizational unit to which it was assigned in the  
 17 2009–10 Governor’s Budget and the Salaries and  
 18 Wages Supplement as revised by legislative actions  
 19 without the approval of the ~~Department~~ Director of  
 20 Finance. Furthermore, the board shall expeditiously  
 21 fill budgeted positions consistent with the funding  
 22 provided in this act.

23  
 24 *SEC. 88. Item 0860-001-0022 of Section 2.00 of the Budget*  
 25 *Act of 2009 is amended to read:*

26  
 27 0860-001-0022—For support of State Board of Equalization,  
 28 for payment to Item 0860-001-0001, payable from the  
 29 State Emergency Telephone Number Account..... 1,459,000  
 30 1,422,000

31  
 32 *SEC. 89. Item 0860-001-0061 of Section 2.00 of the Budget*  
 33 *Act of 2009 is amended to read:*

34  
 35 0860-001-0061—For support of State Board of Equalization,  
 36 for payment to Item 0860-001-0001, payable from the  
 37 Motor Vehicle Fuel Account, Transportation Tax Fund..... 21,068,000  
 38 21,066,000  
 39

1 SEC. 90. Item 0860-001-0623 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	0860-001-0623—For support of State Board of Equalization,	
5	for payment to Item 0860-001-0001, payable from the	
6	California Children and Families Trust Fund.....	14,523,000
7		14,522,000

8  
9 SEC. 91. Item 0860-001-3015 of Section 2.00 of the Budget  
10 Act of 2009 is amended to read:

11		
12	0860-001-3015—For support of State Board of Equalization,	
13	for payment to Item 0860-001-0001, payable from the Gas	
14	Consumption Surcharge Fund.....	636,000
15		621,000

16  
17 SEC. 92. Item 0911-001-0001 is added to Section 2.00 of the  
18 Budget Act of 2009, to read:

19		
20	0911-001-0001—For support of the Citizens Redistricting Ini-	
21	tiative.....	3,000,000

22 Provisions:

23 1. The funds appropriated in this item shall be available  
24 for a three-year period. The Director of Finance shall  
25 allocate the funds in this item among the Citizens Re-  
26 districting Commission, the Secretary of State, and  
27 the Bureau of State Audits. In order to receive an allo-  
28 cation of funds under this provision, the Bureau of  
29 State Audits shall submit a request with a detailed cost  
30 estimate to the Chairperson of the Joint Legislative  
31 Budget Committee and the Director of Finance. If the  
32 chairperson of the joint committee provides a written  
33 notification to the director that the requested alloca-  
34 tion, or a lesser amount, is needed to carry out expens-  
35 es of the Bureau of State Audits as set forth in the de-  
36 tailed cost estimate, the director shall make an alloca-  
37 tion of funds as identified in the written notification.

38  
39 SEC. 93. Item 0950-001-0001 of Section 2.00 of the Budget  
40 Act of 2009 is amended to read:

1	0950-001-0001—For support of the Treasurer.....	4,538,000
2		4,964,000
3	Schedule:	
4	(1) 100000-Personal Services.....	20,382,000
5	(2) 300000-Operating Expenses and	
6	Equipment.....	6,559,000
7	(3) Reimbursements.....	<del>-20,855,000</del>
8		-20,235,000
9	(5) Amount payable from the Central Ser-	
10	vice Cost Recovery Fund (Item 0950-	
11	001-9740).....	<del>-1,548,000</del>
12		-1,742,000
13	Provisions:	
14	1. The Director of Finance may authorize a loan from	
15	the General Fund, in an amount not to exceed the level	
16	of reimbursements appropriated in Schedule (3) to the	
17	Treasurer’s office, provided that:	
18	(a) The loan is to meet cash needs resulting from a	
19	delay in receipt of reimbursements.	
20	(b) The loan is short term, and shall be repaid within	
21	two months.	
22	(c) Interest charges may be waived pursuant to subdivi-	
23	sion (e) of Section 16314 of the Government	
24	Code.	
25	(d) The Director of Finance shall not approve the loan	
26	unless the approval is made in writing and filed	
27	with the Chairperson of the Joint Legislative	
28	Budget Committee and the chairpersons of the	
29	committees in each house of the Legislature that	
30	consider appropriations not later than 30 days	
31	prior to the effective date of the approval, or not	
32	sooner than whatever lesser time the chairperson	
33	of the joint committee, or his or her designee, may	
34	determine.	
35	(e) At the end of the two-month term of the loan, the	
36	Treasurer’s office shall notify the Chairperson of	
37	the Joint Legislative Budget Committee whether	
38	the Treasurer’s office has repaid the loan pursuant	
39	to subdivision (b).	
40		

1 SEC. 94. Item 0950-001-9740 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	0950-001-9740—For support of the Treasurer, for payment to	
5	Item 0950-001-0001, payable from the Central Service	
6	Cost Recovery Fund.....	1,548,000
7		1,742,000

8  
9 SEC. 95. Item 0968-001-0457 of Section 2.00 of the Budget  
10 Act of 2009 is amended to read:

11		
12	0968-001-0457—For support of California Tax Credit Allocation	
13	Committee, payable from the Tax Credit Allocation	
14	Fee Account.....	1,858,000
15		2,358,000

16 Schedule:

17	(1) 10-California Tax Credit Allocation	
18	Committee.....	1,888,000
19		2,388,000
20	(2) Reimbursements.....	-30,000

21 Provisions:

22 1. Notwithstanding any other provision of law, the Director  
23 of Finance may authorize expenditures for the  
24 California Tax Credit Allocation Committee in excess  
25 of the amount appropriated not sooner than 30 days  
26 after notification in writing of the necessity therefor  
27 is provided to the chairpersons of the fiscal committees  
28 and the Chairperson of the Joint Legislative Budget  
29 Committee, or not sooner than whatever lesser time  
30 the chairperson of the *joint* committee, or his or her  
31 designee, may in each instance determine.

32  
33 SEC. 96. Item 0968-101-0890 is added to Section 2.00 of the  
34 Budget Act of 2009, to read:

35		
36	0968-101-0890—For local assistance, California Tax Credit	
37	Allocation Committee, payable from the Federal Trust	
38	Fund.....	517,000,000

39

1 SEC. 97. Item 1100-011-0267 is added to Section 2.00 of the  
2 Budget Act of 2009, to read:

3  
4 1100-011-0267—For transfer by the Controller from the Expo-  
5 sition Park Improvement Fund to the General Fund..... (2,771,000)

6  
7 SEC. 98. Item 1111-002-0582 of Section 2.00 of the Budget  
8 Act of 2009 is amended to read:

9  
10 1111-002-0582—For support of Bureau of Automotive Repair,  
11 Department of Consumer Affairs, payable from the High  
12 Polluter Repair or Removal Account..... ~~67,997,000~~  
13 65,997,000

- 14 Schedule:
- 15 (1) 31.20.016-Vehicle Repair Assistance.... ~~17,034,000~~
  - 16 19,009,000
  - 17 (2) 31.20.030-Vehicle Retirement..... ~~37,989,000~~
  - 18 34,014,000
  - 19 (3) 31.20.040-Program Administration..... 12,974,000

- 20 Provisions:
- 21 1. The amount appropriated in this item may include
  - 22 revenues derived from the assessment of fines and
  - 23 penalties imposed as specified in Section 13332.18 of
  - 24 the Government Code.
  - 25 2. Notwithstanding Section 26.00, the Department of
  - 26 Finance may authorize transfers among and between
  - 27 Schedules (1) and (2). Any transfer made pursuant to
  - 28 this provision shall be reported in writing to the
  - 29 chairpersons of the fiscal committees of each house
  - 30 of the Legislature and the Chairperson of the Joint
  - 31 Legislative Budget Committee within 30 days of the
  - 32 date of the transfer.

33  
34 SEC. 99. Item 1111-002-3122 is added to Section 2.00 of the  
35 Budget Act of 2009, to read:

36  
37 1111-002-3122—For support of Bureau of Automotive Repair,  
38 Department of Consumer Affairs, payable from the En-  
39 hanced Fleet Modernization Subaccount in the High Pol-  
40 luter Removal and Repair Account..... 4,127,000

1	<i>Schedule:</i>	
2	(1) 31.30.010-Off-Cycle Vehicle Retirement.....	3,300,000
3		
4	(2) 31.30.030-Enhanced Program Administration.....	827,000
5		

6 *Provisions:*  
7 1. Notwithstanding any other provision of law, upon re-  
8 quest of the Department of Consumer Affairs, the De-  
9 partment of Finance may augment the amount avail-  
10 able for expenditure to pay for additional off-cycle  
11 retirements. The augmentation may only be made no  
12 sooner than 30 days after notification in writing to the  
13 chairpersons of the committees in each house of the  
14 Legislature that consider appropriations and the  
15 Chairperson of the Joint Legislative Budget Commit-  
16 tee, or no sooner than whatever lesser time the chair-  
17 person of the joint committee may in each instance  
18 determine. The amount of funds augmented shall be  
19 consistent with actual program participation and  
20 available revenues in the Enhanced Fleet Moderniza-  
21 tion Account.

22  
23 *SEC. 100. Item 1730-001-0001 of Section 2.00 of the Budget*  
24 *Act of 2009 is amended to read:*

25		
26	1730-001-0001—For support of Franchise Tax Board.....	517,020,000
27		547,656,000

28	<i>Schedule:</i>	
29	(1) 10-Tax Programs.....	512,084,000
30		548,632,000
31	(2) 20-Homeowners and Renters Assis-	
32	tance.....	6,469,000
33		1,650,000
34	(3) 30-Political Reform Audit	
35	(1,597,000).....	0
36	(4) 50-DMV Collections.....	8,381,000
37	(5) 60-Court Collections.....	12,141,000
38	(6) 70-Contract Work.....	14,211,000
39	(7) 80.01-Administration.....	28,846,000
40	(8) 80.02-Distributed Administration.....	-28,846,000

1	(9) Reimbursements.....	-15,209,000
2	(10) Amount payable from the Motor Vehicle Account, State Transportation Fund	
3	(Item 1730-001-0044).....	-2,913,000
4		-3,063,000
5		
6	(11) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 1730-001-0064)....	-5,468,000
7		-5,746,000
8		
9		
10	(12) Amount payable from the Emergency Food Assistance Program Fund (Item 1730-001-0122).....	-6,000
11		
12	(13) Amount payable from the Delinquent Tax Collection Fund (Section 19378 of the Revenue and Taxation Code).....	-404,000
13		
14	(14) Amount payable from the Fish and Game Preservation Fund (Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account) (Item 1730-001-0200).....	-13,000
15		
16	(15) Amount payable from the Court Collection Account (Item 1730-001-0242).....	-12,141,000
17		-12,806,000
18		
19	(16) Amount payable from the State Children's Trust Fund (Item 1730-001-0803).....	-11,000
20		
21	(17) Amount payable from the California Alzheimer's Disease and Related Disorders Research Fund (Item 1730-001-0823).....	-11,000
22		
23	(18) Amount payable from the California Seniors Special Fund (Item 1730-001-0886).....	-4,000
24		
25	(19) Amount payable from the California Breast Cancer Research Fund (Item 1730-001-0945).....	-7,000
26		
27	(20) Amount payable from the California Peace Officer Memorial Foundation Fund (Item 1730-001-0974).....	-5,000
28		
29		
30		
31		
32		
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35		
36		
37		
38		
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40		

1	(21) Amount payable from the California	
2	Firefighters' Memorial Fund (Item	
3	1730-001-0979).....	-7,000
4	(22) Amount payable from the California	
5	Fund for Senior Citizens (Item 1730-	
6	001-0983).....	-7,000
7	(23) Amount payable from the California	
8	Military Family Relief Fund (Item	
9	1730-001-8022).....	-6,000
10	(24) Amount payable from the California	
11	Prostate Cancer Research Fund (Item	
12	1730-001-8025).....	-6,000
13	(25) Amount payable from the California	
14	Sexual Violence Victim Services Fund	
15	(Item 1730-001-8035).....	-6,000
16	(26) Amount payable from the California	
17	Colorectal Cancer Prevention Fund	
18	(Item 1730-001-8036).....	-6,000
19	(27) Amount payable from the Veterans'	
20	Quality of Life Fund (Item 1730-001-	
21	8037).....	-6,000
22	(28) Amount payable from the California	
23	Sea Otter Fund (Item 1730-001-	
24	8047).....	-6,000
25	(29) Amount payable from the ALS/Lou	
26	Gehrig's Disease Research Fund (Item	
27	1730-001-8053).....	-6,000
28	(30) Amount payable from the California	
29	Cancer Research Fund (Item 1730-001-	
30	8054).....	-6,000
31	(31) Amount payable from the Municipal	
32	Shelter Spay-Neuter Fund (Item 1730-	
33	001-8055).....	-6,000
34	(32) Amount payable from the California	
35	Ovarian Cancer Research Fund (Item	
36	1730-001-8056).....	-6,000

37 Provisions:

- 38 1. It is the intent of the Legislature that all funds appro-
- 39 priated to the Franchise Tax Board for processing tax
- 40 returns, auditing, and collecting owed tax amounts

1 shall be used in a manner consistent with both its au-  
 2 thorized budget and with the documents that were  
 3 presented to the Legislature for its review in support  
 4 of that budget. The Franchise Tax Board shall not re-  
 5 duce expenditures or redirect either funding or person-  
 6 nel resources away from direct auditing or collection  
 7 activities without prior approval of the Director of Fi-  
 8 nance. The director shall not approve any such reduc-  
 9 tion or redirection sooner than 30 days after providing  
 10 notification to the Joint Legislative Budget Committee.  
 11 No such position may be transferred from the organi-  
 12 zational unit to which it was assigned in the 2009–10  
 13 Governor’s Budget and the Salaries and Wages Sup-  
 14 plement as revised by legislative actions without the  
 15 approval of the Department of Finance. Furthermore,  
 16 the board shall expeditiously fill budgeted positions  
 17 consistent with the funding provided in this act.

18 2. It is the intent of the Legislature that the Franchise  
 19 Tax Board resolve tax controversies, without litigation,  
 20 on a basis that is fair to both the state and the taxpayer  
 21 and in a manner that will enhance voluntary compli-  
 22 ance and public confidence in the integrity and effi-  
 23 ciency of the board.

24 3. During the 2009–10 fiscal year, the collection cost  
 25 recovery fee for purposes of subparagraph (A) of  
 26 paragraph (1) of subdivision (a) of Section 19254 of  
 27 the Revenue and Taxation Code shall be \$217, and  
 28 the filing enforcement cost recovery fee for purposes  
 29 of subparagraph (A) of paragraph (2) of that subdivi-  
 30 sion shall be \$113.

31 4. During the 2009–10 fiscal year, the collection cost  
 32 recovery fee for purposes of subparagraph (B) of  
 33 paragraph (1) of subdivision (a) of Section 19254 of  
 34 the Revenue and Taxation Code shall be \$413, and  
 35 the filing enforcement cost recovery fee for purposes  
 36 of subparagraph (B) of paragraph (2) of that subdivi-  
 37 sion shall be \$188.

38 5. Notwithstanding subdivision (b) of Section 19282 of  
 39 the Revenue and Taxation Code, the combined costs  
 40 to administer the Court-Ordered Debt Collection Pro-

1           gram and to fund the Court-Ordered Debt Expansion  
2           Project may be funded from the Court Collection Ac-  
3           count in an amount that may exceed 15 percent of an-  
4           nual collections.

5       6. *The Franchise Tax Board (FTB) shall submit a written*  
6       *report to the Joint Legislative Budget Committee, the*  
7       *Assembly Committee on Budget, the Senate Committee*  
8       *on Budget and Fiscal Review, and the revenue and*  
9       *taxation policy committees of both houses of the Leg-*  
10       *islature on the Enterprise Data to Revenue (EDR)*  
11       *project within 21 days of the following circumstances:*

12       (a) *The project scope has changed and results in a*  
13       *10-percent or more variance to schedule, cost, or*  
14       *revenue generation when compared to the most*  
15       *recent project document approved by the Office*  
16       *of the State Chief Information Officer (OSCIO).*  
17       *This includes, but is not limited to, any cumulative*  
18       *changes in system functionality and deployment*  
19       *plans that would trigger a special project report*  
20       *(SPR).*

21       (b) *The project schedule has changed by 10 percent*  
22       *or more when compared to the most recent OS-*  
23       *CIO-approved project document. This includes,*  
24       *but is not limited to, any cumulative changes in*  
25       *milestones or deliverables that would trigger an*  
26       *SPR.*

27       (c) *The project costs has changed by 10 percent or*  
28       *more when compared to the most recent OSCIO-*  
29       *approved project document stating the total cost*  
30       *of system development. This includes, but is not*  
31       *limited to, any cumulative changes in contract,*  
32       *hardware/software, and staff expenses that would*  
33       *trigger an SPR.*

34       (d) *The realized revenues generated for a given fiscal*  
35       *year by the developed EDR system (net of rev-*  
36       *enues generated by addressing FTB's backlog*  
37       *issue) vary by 10 percent or more above or below*  
38       *projected revenues in the most recent OSCIO-*  
39       *approved project document.*



1 SEC. 105. Item 1760-001-0022 of Section 2.00 of the Budget  
2 Act of 2009 is repealed.

3  
4 ~~1760-001-0022—For support of Department of General Services,  
5 for payment to Item 1760-001-0666, payable from the State  
6 Emergency Telephone Number Account..... 2,269,000~~

7  
8 SEC. 106. Item 1760-001-0666 of Section 2.00 of the Budget  
9 Act of 2009 is amended to read:

10  
11 1760-001-0666—For support of Department of General Ser-  
12 vices, payable from the Service Revolving Fund..... 513,652,000  
13 439,884,000

14 Schedule:  
15 (1) Program support..... 1,112,462,000  
16 1,107,083,000  
17 (2) Distributed services..... -11,145,000  
18 (2.5) Reimbursements..... -77,241,000  
19 (3) Reimbursements—Lease revenue..... -12,276,000  
20 (4) Reimbursements—FI\$Cal..... -4,143,000  
21 (5) Amount payable from the General Fund  
22 (Item 1760-001-0001)..... -6,583,000  
23 (6) Amount payable from the General Fund  
24 (Item 1760-002-0001)..... -347,000  
25 (7) Amount payable from the Property Ac-  
26 quisition Law Money Account (Item  
27 1760-001-0002)..... -3,276,000  
28 (8) Amount payable from the Motor Vehicle  
29 Parking Facilities Moneys Account  
30 (Item 1760-001-0003)..... -2,328,000  
31 (9) Amount payable from the State Emer-  
32 gency Telephone Number Account  
33 (Item 1760-001-0022)..... -2,269,000  
34 (10) Amount payable from the State Motor  
35 Vehicle Insurance Account (Item 1760-  
36 001-0026)..... -4,917,000  
37 (11) Amount payable from the Energy Re-  
38 sources Programs Account (Item 1760-  
39 001-0465)..... -1,699,000

1	(12) Amount payable from the Architecture	
2	Revolving Fund (Item 1760-001-	
3	0602).....	-43,676,000
4	(13) Amount payable from the State School	
5	Building Aid Fund (Item 1760-001-	
6	0739).....	-300,000
7	(14) Amount payable from the State School	
8	Deferred Maintenance Fund (Item	
9	1760-001-0961).....	-160,000
10	(15) Amount payable from the Building	
11	Standards Administration Special Re-	
12	volving Fund (Item 1760-001-3144)....	-278,000
13	(16) Amount payable from the 2006 State	
14	School Facilities Fund (Item 1760-	
15	001-6057).....	-15,118,000
16	(17) Amount payable from the Motor Vehi-	
17	cle Parking Facilities Moneys Account	
18	(Item 1760-002-0003).....	-1,085,000
19	(18) Amount payable from the Service	
20	Revolving Fund (Item 1760-002-	
21	0666).....	-150,741,000
22	(19) Amount payable from the Service Re-	
23	volving Fund (Item 1760-003-	
24	0666).....	-14,490,000
25	(20) Amount payable from the Service	
26	Revolving Fund (Item 1760-004-	
27	0666).....	-323,979,000
28	Provisions:	
29	1. Notwithstanding any other provision of law, revenues	
30	from the sale of legislative bills and publications re-	
31	ceived by the Legislative Bill Room shall be deposited	
32	in the Service Revolving Fund.	
33	2. Notwithstanding any other provision of law, if the	
34	Director of General Services determines in writing	
35	that there is insufficient cash in a special fund under	
36	his or her authority to make one or more payments	
37	currently due and payable, he or she may order the	
38	transfer of moneys to that special fund in the amount	
39	necessary to make payment or payments, as a loan	

- 1 from the Service Revolving Fund. That loan shall be  
2 subject to all of the following conditions:
- 3 (a) No loan shall be made that would interfere with  
4 carrying out the object for which the Service Re-  
5 volving Fund was created.
  - 6 (b) The loan shall be repaid as soon as there are suf-  
7 ficient moneys in the recipient fund to repay the  
8 amount loaned, but no later than 18 months after  
9 the date of the loan. The amount loaned shall not  
10 exceed the amount that the fund or program is  
11 authorized at the time of the loan to expend during  
12 the 2009–10 fiscal year from the recipient fund  
13 except as otherwise provided in Provisions 4, 5,  
14 and 6.
  - 15 (c) The terms and conditions of the loan are approved,  
16 prior to the transfer of funds, by the Department  
17 of Finance pursuant to appropriate fiscal stan-  
18 dards.
- 19 3. The Director of General Services may augment this  
20 item or any of Items 1760-001-0002, 1760-001-0003,  
21 1760-001-0026, and 1760-001-0602, by up to an ag-  
22 gregate of 10 percent in cases where (a) the Legislature  
23 has approved funds for a customer for the purchase of  
24 services or equipment through the Department of  
25 General Services (DGS) and the corresponding expen-  
26 diture authority has not been provided in this item or  
27 (b) a local government entity or the federal government  
28 has requested services from the DGS. Any augmenta-  
29 tion that is deemed to be necessary on a permanent  
30 basis shall be submitted for review as part of the nor-  
31 mal budget development process. If the Director of  
32 General Services augments this item or Item 1760-  
33 001-0002, 1760-001-0003, 1760-001-0026, or 1760-  
34 001-0602, the DGS shall notify the Department of Fi-  
35 nance within 30 days after that augmentation is made  
36 as to the amount, justification, and the program aug-  
37 mented. Any augmentation made in accordance with  
38 this provision shall not result in an increase in any rate  
39 charged to other departments for services or the pur-  
40 chase of goods without the prior written consent of

1 the Department of Finance. The Director of General  
 2 Services shall not use this provision to augment this  
 3 item or Item 1760-001-0002, 1760-001-0003, 1760-  
 4 001-0026, or 1760-001-0602 for costs that the Depart-  
 5 ment of General Services had knowledge of in time  
 6 to include in the May Revision.

7 4. If this item or Item 1760-001-0002, 1760-001-0003,  
 8 1760-001-0026, or 1760-001-0602 is augmented pur-  
 9 suant to Provision 3 by the maximum allowed under  
 10 that provision, the Director of Finance may further  
 11 augment the item or items in cases where (a) the Leg-  
 12 islation has approved funds for a customer for the  
 13 purchase of services or equipment through the Depart-  
 14 ment of General Services (DGS) and the corresponding  
 15 expenditure authority has not been provided in these  
 16 items, or (b) a local government entity or the federal  
 17 government has requested services from the DGS. Any  
 18 augmentation that is deemed to be necessary on a  
 19 permanent basis shall be submitted for review as part  
 20 of the normal budget development process. The Direc-  
 21 tor of Finance shall not use this provision to augment  
 22 this item or Item 1760-001-0002, 1760-001-0003,  
 23 1760-001-0026, or 1760-001-0602 for costs of which  
 24 the Departments of Finance or General Services had  
 25 knowledge in time to include in the May Revision.

26 5. The Director of General Services may augment this  
 27 item and Items 1760-001-0003 and 1760-001-0026 to  
 28 increase authorized expenditures by the Office of State  
 29 Publishing, the Office of Risk and Insurance Manage-  
 30 ment, the Office of Fleet Administration, and the Of-  
 31 fice of Public Safety Radio Services. The augmentation  
 32 shall be for the specific purpose of enabling the Office  
 33 of State Publishing, the Office of Risk and Insurance  
 34 Management, the Office of Fleet Administration, and  
 35 the Office of Public Safety Radio Services to provide  
 36 competitive services to their customers (including local  
 37 government entities or the federal government) and  
 38 may be made only if the office has sufficient operating  
 39 reserves available to fund the augmentation. If the  
 40 Director of General Services proposes to augment any

- 1 of the items in this provision, the director shall notify  
2 the Department of Finance, the chairpersons of the  
3 fiscal committees of each house of the Legislature,  
4 and the Chairperson of the Joint Legislative Budget  
5 Committee 30 days prior to making the augmentation,  
6 including the amount, justification, and the office  
7 augmented. Any augmentation that is deemed to be  
8 necessary on a permanent basis shall be submitted for  
9 review as part of the normal budget development  
10 process.
- 11 6. Any augmentation made pursuant to Provisions 3 and  
12 4 shall be reported in writing to the chairpersons of  
13 the fiscal committees of each house of the Legislature  
14 and the Chairperson of the Joint Legislative Budget  
15 Committee within 30 days of the date the augmentation  
16 is approved. This notification shall be provided in a  
17 format consistent with normal budget change requests,  
18 including identification of the amount of, and justifi-  
19 cation for, the augmentation, and the program that has  
20 been augmented. Copies of the notification shall be  
21 provided to the Department of Finance.
- 22 7. Notwithstanding any other provision of law, the Direc-  
23 tor of General Services or his or her designee, in lieu  
24 of the Director of Finance, is authorized to approve  
25 Budget Revision, Standard Form 26, subject to a copy  
26 being provided to the Department of Finance.
- 27 8. Notwithstanding any other provision of law, due to  
28 the inability to issue energy efficiency revenue bonds  
29 pursuant to Chapter 2.7 (commencing with Section  
30 15814.10) of Part 10b of Division 3 of Title 2 of the  
31 Government Code, in order to repay the General Fund  
32 for the cost of completing energy efficiency projects  
33 on specified buildings, the Department of General  
34 Services shall, within 10 fiscal years, recover an  
35 amount sufficient to repay the costs associated with  
36 completed energy efficiency projects plus 5-percent  
37 interest, through utility rates charged to tenants. On  
38 August 1 of each fiscal year beginning with the  
39 2005–06 fiscal year, the Department of General Ser-  
40 vices shall transfer that amount to the General Fund.

- 1           Once the General Fund has been fully repaid, the De-  
 2           partment of General Services shall adjust utility rates  
 3           for all tenants to accurately reflect the current rates.
- 4           9. The Director of Finance is authorized to increase this  
 5           item for purposes of funding tenant improvement  
 6           projects to facilitate the backfill of vacant space within  
 7           stand-alone Department of General Services (DGS)  
 8           bond-funded office buildings. This provision shall  
 9           only be used to augment expenditure authority for  
 10          DGS stand-alone individual rate office buildings where  
 11          a \$.03 tenant improvement surcharge has been ap-  
 12          proved by the Department of Finance and is included  
 13          in the monthly rental rate. Department of Finance ap-  
 14          proval is contingent upon justification for the proposed  
 15          tenant improvement projects to be provided by the  
 16          DGS including an analysis of cost impacts and how  
 17          the tenant improvements will improve the state’s uti-  
 18          lization of the facility. Any augmentation made in ac-  
 19          cordance with this provision shall not result in an in-  
 20          crease in any rate charged to other departments for  
 21          services without the prior written consent of the De-  
 22          partment of Finance. Any augmentation made pursuant  
 23          to this provision may be authorized not sooner than  
 24          30 days after notification in writing to the chairpersons  
 25          of the fiscal committees of each house of the Legisla-  
 26          ture and the Chairperson of the Joint Legislative  
 27          Budget Committee.
- 28          10. *Notwithstanding any other provision of law, funds*  
 29          *appropriated in this item may be transferred to Item*  
 30          *0502-001-0001 if the Director of Finance determines*  
 31          *the transfer to be necessary to carry out Governor’s*  
 32          *Reorganization Plan No. 1 of 2009. These transfers*  
 33          *may be made upon the order of the Director of Finance*  
 34          *not sooner than 30 days after notification in writing*  
 35          *of the necessity therefor is provided to the chairper-*  
 36          *sons of the committees in each house of the Legislature*  
 37          *that consider appropriations and the Chairperson of*  
 38          *the Joint Legislative Budget Committee, or not sooner*  
 39          *than whatever lesser time the chairperson of the joint*

committee, or his or her designee, may in each instance determine.

SEC. 107. Item 1760-101-0022 of Section 2.00 of the Budget Act of 2009 is amended to read:

1760-101-0022—For local assistance, Department of General Services, for reimbursement of local agencies and service suppliers or communications equipment companies for costs incurred pursuant to Sections 41137, 41137.1, 41138, and 41140 of the Revenue and Taxation Code, payable from the State Emergency Telephone Number Account.... 120,604,000

Schedule:

- (1) 911 Emergency Telephone Number System..... 104,523,000
(2) Enhanced Wireless Services..... 16,081,000
(3) Reimbursement..... -120,604,000

SEC. 108. Item 1760-301-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

1760-301-0001—For capital outlay, Department of General Services..... 0

Schedule:

- (2) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 95,000
(3) Reimbursements..... -95,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in Schedule (2) shall be reimbursed from the Department of Water Resources.

SEC. 109. Item 1760-301-0042 of Section 2.00 of the Budget Act of 2009 is repealed.

1760-301-0042—For capital outlay, Department of General Services, payable from the State Highway Account, State Transportation Fund..... 555,000

1 Schedule:  
 2 (1) 50.10.250-Sacramento Public Safety  
 3 Communications Decentralization, Re-  
 4 sources—Working drawings..... 555,000  
 5

6 *SEC. 110. Item 1760-301-0044 of Section 2.00 of the Budget*  
 7 *Act of 2009 is repealed.*  
 8

9 ~~1760-301-0044—For capital outlay, Department of General~~  
 10 ~~Services, payable from the Motor Vehicle Account, State~~  
 11 ~~Transportation Fund..... 1,406,000~~  
 12

12 Schedule:  
 13 (1) 50.10.250-Sacramento Public Safety  
 14 Communications Decentralization, Re-  
 15 sources—Working drawings..... 1,406,000  
 16

17 *SEC. 111. Item 1760-301-0200 of Section 2.00 of the Budget*  
 18 *Act of 2009 is repealed.*  
 19

20 ~~1760-301-0200—For capital outlay, Department of General~~  
 21 ~~Services, payable from the Fish and Game Preservation~~  
 22 ~~Fund..... 126,000~~  
 23

23 Schedule:  
 24 (1) 50.10.250-Sacramento Public Safety  
 25 Communications Decentralization, Re-  
 26 sources—Working drawings..... 126,000  
 27

28 *SEC. 112. Item 1760-301-0768 of Section 2.00 of the Budget*  
 29 *Act of 2009 is repealed.*  
 30

31 ~~1760-301-0768—For capital outlay, Department of General~~  
 32 ~~Services, payable from the Earthquake Safety and Public~~  
 33 ~~Buildings Rehabilitation Fund of 1990..... 4,065,000~~  
 34

34 Schedule:  
 35 (0.5) 50.10.250-Sacramento Public Safety  
 36 Communications—Decentralization,  
 37 Resources—Working drawings..... 1,028,000

1	(1) <del>50.99.428-Department of Corrections</del>	
2	<del>and Rehabilitation, California Institute</del>	
3	<del>for Women at Frontera, Corona: Walker</del>	
4	<del>Clinic and Infirmary, Structural Retro-</del>	
5	<del>fit—Construction.....</del>	3,037,000
6		

7     *SEC. 113. Item 1760-490 is added to Section 2.00 of the Budget*  
8 *Act of 2009, to read:*

9  
10     *1760-490—Reappropriation, Department of General Services.*

11     *The balances of the appropriations provided in the follow-*  
12 *ing citations are reappropriated for the purposes and*  
13 *subject to the limitations, unless otherwise specified, pro-*  
14 *vided for in the following appropriations:*

15     *0660—Public Buildings Construction Fund*

16     *(1) Item 1760-301-0660, Budget Act of 2005 (Chs. 38 and*  
17 *39, Stats. 2005), as reappropriated by Item 1760-490,*  
18 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

19         *(1) 50.10.151-Library and Courts Renovation—*  
20 *Construction*

21     *(2) Item 1760-301-0660, Budget Act of 2008 (Chs. 268*  
22 *and 269, Stats. 2008)*

23         *(1) 50.10.15-Library and Courts Building Renova-*  
24 *tion—Construction*

25     *0768—Earthquake Safety and Public Buildings Rehabilita-*  
26 *tion Fund of 1990*

27     *(1) Item 1760-301-0768, Budget Act of 2006 (Chs. 47 and*  
28 *48, Stats. 2006)*

29         *(2) 50.99.091-Department of Corrections and Reha-*  
30 *bilitation, DVI, Tracy, Hospital Building: Struc-*  
31 *tural Retrofit—Construction*

32     *(2) Item 1760-301-0768, Budget Act of 2007 (Chs. 171*  
33 *and 172, Stats. 2007)*

34         *(2.5) 50.99.09-California Department of Corrections*  
35 *and Rehabilitation, DVI, Tracy, Hospital Build-*  
36 *ing: Structural Retrofit—Construction*

37  
38     *SEC. 114. Item 1870-001-0001 of Section 2.00 of the Budget*  
39 *Act of 2009 is amended to read:*

1	1870-001-0001—For support of California Victim Compensation	
2	and Government Claims Board.....	0
3	Schedule:	
4	(1) 11-Citizens Indemnification.....	<del>26,923,000</del>
5		27,328,000
6	(2) 12-Quality Assurance and Revenue Re-	
7	covery Division.....	9,418,000
8	(3) 31-Civil Claims Against the State.....	1,410,000
9	(4) 51.01-Administration.....	10,566,000
10	(5) 51.02-Distributed Administration.....	-10,566,000
11	(6) Reimbursements.....	-1,410,000
12	(7) Amount payable from the Restitution	
13	Fund (Item 1870-001-0214).....	-34,728,000
14	(8) Amount payable from the Federal Trust	
15	Fund (Item 1870-001-0890).....	<del>-1,613,000</del>
16		-2,018,000

17 Provisions:

- 18 1. The California Victim Compensation and Government
- 19 Claims Board shall not routinely notify all local
- 20 agencies and school districts regarding its proceedings.
- 21 However, for each of its meetings, the board shall no-
- 22 tify all parties whose claims or proposals are scheduled
- 23 for consideration and any party requesting notice of
- 24 the proceedings.

25  
26 *SEC. 115. Item 1870-001-0890 of Section 2.00 of the Budget*  
27 *Act of 2009 is amended to read:*

28		
29	1870-001-0890—For support of California Victim Compensa-	
30	tion and Government Claims Board, for payment to Item	
31	1870-001-0001, payable from the Federal Trust Fund.....	<del>1,613,000</del>
32		2,018,000

33  
34 *SEC. 116. Item 1870-101-0890 of Section 2.00 of the Budget*  
35 *Act of 2009 is amended to read:*

1	1870-101-0890—For local assistance, California Victim Com-	
2	pensation and Government Claims Board, for Program	
3	11-Citizens Indemnification, payable from the Federal	
4	Trust Fund.....	30,650,000
5		38,355,000

7 *SEC. 117. Item 1880-001-0001 of Section 2.00 of the Budget*  
8 *Act of 2009 is amended to read:*

10	1880-001-0001—For support of State Personnel Board.....	3,107,000
11	Schedule:	
12	(1) 10-Merit System Administration.....	<del>22,349,000</del>
13		22,856,000
14	(2) 40-Local Government Services.....	2,973,000
15	(3) 50.01-Administration Services.....	3,296,000
16	(4) 50.02-Distributed Administration Ser-	
17	vices.....	-1,976,000
18	(5) Reimbursements.....	<del>-21,409,000</del>
19		-21,916,000
20	(6) Amount payable from the Central Ser-	
21	vice Cost Recovery Fund (Item 1880-	
22	001-9740).....	-2,126,000

23 Provisions:

- 24 1. Notwithstanding any other provision of law, the Direc-  
25 tor of Finance may authorize a loan from the General  
26 Fund, in an amount not to exceed 35 percent of reim-  
27 bursements appropriated in this item to the State Per-  
28 sonnel Board, provided that:
  - 29 (a) The loan is to meet cash needs resulting from the  
30 delay in receipt of reimbursements for services  
31 provided.
  - 32 (b) The loan is for a short term and shall be repaid  
33 by September 30, 2010.
  - 34 (c) Interest charges may be waived pursuant to subdivi-  
35 sion (e) of Section 16314 of the Government  
36 Code.
  - 37 (d) The Director of Finance may not approve the loan  
38 unless the approval is made in writing and filed  
39 with the Chairperson of the Joint Legislative  
40 Budget Committee and the chairpersons of the

1 committees in each house of the Legislature that  
 2 consider appropriations not later than 30 days  
 3 prior to the effective date of the approval, or not  
 4 sooner than whatever lesser time that the chairper-  
 5 son of the joint committee, or his or her designee,  
 6 may determine.

7 2. The Department of General Services, with the consent  
 8 of the Department of Personnel Administration and  
 9 the State Personnel Board, may enter into a lease,  
 10 lease-purchase agreement, or lease with an option to  
 11 purchase for a build-to-suit facility for the ~~co-location~~  
 12 *colocation* of the Department of Personnel Adminis-  
 13 tration and the State Personnel Board in the Sacramen-  
 14 to area, subject to Department of Finance approval of  
 15 the terms and conditions of the agreement. At least 30  
 16 days prior to entering into any agreement, the Depart-  
 17 ment of General Services shall notify the chairpersons  
 18 of the committees in each house of the Legislature that  
 19 consider appropriations and the Joint Legislative  
 20 Budget Committee of the terms and conditions of the  
 21 agreement. If the Joint Legislative Budget Committee  
 22 does not express any opposition, the Department of  
 23 General Services may proceed with the agreement after  
 24 30 days from when the Department of General Ser-  
 25 vices gave notice to the chairpersons.  
 26

27 *SEC. 118. Item 1900-015-0815 of Section 2.00 of the Budget*  
 28 *Act of 2009 is amended to read:*

29  
 30 1900-015-0815—For support of Board of Administration of  
 31 the Public Employees’ Retirement System, payable from  
 32 the Judges’ Retirement Fund..... (1,134,000)  
 33 (1,101,000)

34 Provisions:

35 1. Notwithstanding any other provision of law, the Board  
 36 of Administration of the Public Employees’ Retirement  
 37 System (PERS), in accordance with all applicable  
 38 provisions of the California Constitution, shall submit  
 39 to the Controller, the Department of Finance, the Joint  
 40 Legislative Budget Committee, and the fiscal commit-

- 1           tees of each house of the Legislature, all of the follow-
- 2           ing:
- 3           (a) Not later than May 15, 2010, a copy of the pro-
- 4           posed budget for PERS for the 2010–11 fiscal
- 5           year as approved by the Board of Administration.
- 6           (b) The revisions to the proposed budget for PERS
- 7           for the 2009–10 fiscal year, as recommended by
- 8           the PERS Finance Committee, at least 30 days
- 9           prior to the consideration of those revisions by
- 10          the Board of Administration.
- 11          (c) Commencing October 1, 2009, all expenditure
- 12          and performance workload data provided to the
- 13          Board of Administration, as updated on a quarter-
- 14          ly basis. This quarterly update information is to
- 15          be submitted to the Joint Legislative Budget
- 16          Committee and the fiscal committees of each
- 17          house of the Legislature, and shall be in sufficient
- 18          detail to be useful for legislative oversight purpos-
- 19          es and to sustain a thorough ongoing review of
- 20          Public Employees’ Retirement System *PERS* ex-
- 21          penditures.

22  
 23           *SEC. 119. Item 1900-015-0820 of Section 2.00 of the Budget*  
 24           *Act of 2009 is amended to read:*

25  
 26           1900-015-0820—For support of Board of Administration of  
 27           the Public Employees’ Retirement System, payable from  
 28           the Legislators’ Retirement Fund..... (454,000)  
 29           (369,000)

- 30           Provisions:
- 31           1. Notwithstanding any other provision of law, the Board
  - 32           of Administration of the Public Employees’ Retirement
  - 33           System, in accordance with all applicable provisions
  - 34           of the California Constitution, shall submit to the
  - 35           Controller, the Department of Finance, the Joint Leg-
  - 36           islative Budget Committee, and the fiscal committees
  - 37           of each house of the Legislature all of the following:
  - 38           (a) Not later than May 15, 2010, a copy of the pro-
  - 39           posed budget for the Public Employees’ Retire-

- 1                   ment System for the 2010–11 fiscal year as ap-
- 2                   proved by the Board of Administration.
- 3           (b) The revisions to the proposed budget for the
- 4           Public Employees’ Retirement System for the
- 5           2009–10 fiscal year, as recommended by the
- 6           Public Employees’ Retirement System Finance
- 7           Committee, at least 30 days prior to consideration
- 8           of those revisions by the Board of Administration.
- 9           (c) Commencing October 1, 2009, all expenditure
- 10           and performance workload data provided to the
- 11           Board of Administration, as updated on a quarter-
- 12           ly basis. This quarterly update information shall
- 13           be submitted to the Joint Legislative Budget
- 14           Committee and the fiscal committees of each
- 15           house of the Legislature in sufficient detail to be
- 16           useful for legislative oversight purposes and to
- 17           sustain a thorough ongoing review of the expen-
- 18           ditures of the Public Employees’ Retirement
- 19           System.

21           *SEC. 120. Item 1900-015-0830 of Section 2.00 of the Budget*  
 22           *Act of 2009 is amended to read:*

24           1900-015-0830—For support of Board of Administration of  
 25           the Public Employees’ Retirement System, payable from  
 26           the Public Employees’ Retirement Fund..... (~~275,085,000~~)  
 27           (~~275,755,000~~)

- 28           Provisions:
- 29           1. Notwithstanding any other provision of law, the Board
  - 30           of Administration of the Public Employees’ Retirement
  - 31           System, in accordance with all applicable provisions
  - 32           of the California Constitution, shall submit to the
  - 33           Controller, the Department of Finance, the Joint Leg-
  - 34           islative Budget Committee, and the fiscal committees
  - 35           of the Legislature, all of the following:
  - 36           (a) No later than May 15, 2010, a copy of the pro-
  - 37           posed budget for the Public Employees’ Retire-
  - 38           ment System for the 2010–11 fiscal year as ap-
  - 39           proved by the Board of Administration.

- 1 (b) The revisions to the proposed budget for the
- 2 Public Employees’ Retirement System for the
- 3 2009–10 fiscal year, as recommended by the
- 4 Public Employees’ Retirement System Finance
- 5 Committee, at least 30 days prior to consideration
- 6 of those revisions by the Board of Administration.
- 7 (c) Commencing October 1, 2009, all expenditure
- 8 and performance workload data provided to the
- 9 Board of Administration, as updated on a quarter-
- 10 ly basis. This quarterly update information shall
- 11 be submitted to the Joint Legislative Budget
- 12 Committee and the fiscal committees of the Leg-
- 13 islature in sufficient detail to be useful for legisla-
- 14 tive oversight purposes and to sustain a thorough
- 15 ongoing review of the expenditures of the Public
- 16 Employees’ Retirement System.
- 17 2. Commencing July 1, 2009, reports on information
- 18 technology projects that are submitted to the Board of
- 19 Administration of the Public Employees’ Retirement
- 20 System shall be submitted to the Joint Legislative
- 21 Budget Committee, the fiscal committees of the Leg-
- 22 islature, and the Department of Finance on an informa-
- 23 tional basis. The quarterly update information submit-
- 24 ted to the Department of Finance shall be in sufficient
- 25 detail to be useful for Department of Finance informa-
- 26 tional project status reporting purposes.

27  
 28 *SEC. 121. Item 1900-015-0833 of Section 2.00 of the Budget*  
 29 *Act of 2009 is amended to read:*  
 30

31 1900-015-0833—For support of Board of Administration of  
 32 the Public Employees’ Retirement System, payable from  
 33 the Annuitants’ Health Care Coverage Fund..... (552,000)  
 34 (773,000)

35 Provisions:

- 36 1. Notwithstanding any other provision of law, the Board
- 37 of Administration of the Public Employees’ Retirement
- 38 System (PERS), in accordance with all applicable
- 39 provisions of the California Constitution, shall submit
- 40 to the Controller, the Department of Finance, the Joint

- 1 Legislative Budget Committee, and the fiscal commit-
- 2 tees of each house of the Legislature, all of the follow-
- 3 ing:
- 4 (a) No later than May 15, 2010, a copy of the pro-
- 5 posed budget for PERS for the 2010–11 fiscal
- 6 year as approved by the Board of Administration.
- 7 (b) The revisions to the proposed budget for PERS
- 8 for the 2009–10 fiscal year, as recommended by
- 9 the PERS Finance Committee, at least 30 days
- 10 prior to consideration of those revisions by the
- 11 Board of Administration.
- 12 (c) Commencing October 1, 2009, all expenditure
- 13 and performance workload data provided to the
- 14 Board of Administration, as updated on a quarter-
- 15 ly basis. This quarterly update information is to
- 16 be submitted to the Joint Legislative Budget
- 17 Committee and the fiscal committees of each
- 18 house of the Legislature, and shall be in sufficient
- 19 detail to be useful for legislative oversight purpos-
- 20 es and to sustain a thorough ongoing review of
- 21 the PERS expenditures.

22  
 23 *SEC. 122. Item 1900-015-0884 of Section 2.00 of the Budget*  
 24 *Act of 2009 is amended to read:*

25  
 26 1900-015-0884—For support of Board of Administration of  
 27 the Public Employees’ Retirement System, payable from  
 28 the Judges’ Retirement System II Fund..... (685,000)  
 29 (594,000)

- 30 Provisions:
- 31 1. Notwithstanding any other provision of law, the Board
  - 32 of Administration of the Public Employees’ Retirement
  - 33 System (PERS), in accordance with all applicable
  - 34 provisions of the California Constitution, shall submit
  - 35 to the Controller, the Department of Finance, the Joint
  - 36 Legislative Budget Committee, and the fiscal commit-
  - 37 tees of each house of the Legislature, all of the follow-
  - 38 ing:

- 1 (a) No later than May 15, 2010, a copy of the pro-
- 2 posed budget for PERS for the 2010–11 fiscal
- 3 year as approved by the Board of Administration.
- 4 (b) The revisions to the proposed budget for PERS
- 5 for the 2009–10 fiscal year, as recommended by
- 6 the PERS Finance Committee, at least 30 days
- 7 prior to the consideration of those revisions by
- 8 the Board of Administration.
- 9 (c) Commencing October 1, 2009, all expenditure
- 10 and performance workload data provided to the
- 11 Board of Administration, as updated on a quarter-
- 12 ly basis. This quarterly update information is to
- 13 be submitted to the Joint Legislative Budget
- 14 Committee and the fiscal committees of each
- 15 house of the Legislature, and shall be in sufficient
- 16 detail to be useful for legislative oversight purpos-
- 17 es and to sustain a thorough ongoing review of
- 18 ~~Public Employees' Retirement System~~ PERS ex-
- 19 penditures.
- 20

21 *SEC. 123. Item 1955-001-9730 of Section 2.00 of the Budget*  
 22 *Act of 2009 is repealed.*

23  
 24 ~~1955-001-9730—For support of Department of Technology~~  
 25 ~~Services, payable from the Department of Technology~~  
 26 ~~Services Revolving Fund..... 239,283,000~~

27 ~~Schedule:~~

- 28 ~~(1) Administration of Technology Ser-~~
- 29 ~~vices..... 239,751,000~~
- 30 ~~(2) Reimbursements..... -468,000~~

31 ~~Provisions:~~

32 ~~1. Notwithstanding any other provision of law, the Direc-~~  
 33 ~~tor of Finance may authorize expenditures for the~~  
 34 ~~Department of Technology Services in excess of the~~  
 35 ~~amount appropriated not sooner than 30 days after~~  
 36 ~~notification in writing of the necessity therefor is pro-~~  
 37 ~~vided to the chairpersons of the fiscal committees in~~  
 38 ~~each house of the Legislature and the Chairperson of~~  
 39 ~~the Joint Legislative Budget Committee, or not sooner~~  
 40 ~~than whatever lesser time the chairperson of the joint~~

1 committee, or his or her designee, may in each instance  
 2 determine:  
 3 2: Expenditure authority provided in this item to support  
 4 data center infrastructure projects may not be utilized  
 5 for items outside the approved project scope. In addition,  
 6 the Department of Technology Services shall report to the  
 7 Office of the State Chief Information Officer actual expenditures  
 8 associated with the projects when purchase agreements have been executed.  
 9 Changes in project scope must receive approval using  
 10 the established administrative and legislative reporting  
 11 requirements.  
 12

13  
 14 *SEC. 124. Item 2240-001-0648 of Section 2.00 of the Budget*  
 15 *Act of 2009 is amended to read:*  
 16

17	2240-001-0648—For support of Department of Housing and	
18	Community Development.....	17,398,000
19	Schedule:	
20	(1) 10-Codes and Standards Program.....	<del>25,085,000</del>
21		25,326,000
22	(2) 20-Financial Assistance Program.....	<del>23,666,000</del>
23		24,166,000
24	(3) 30-Housing Policy Development Pro-	
25	gram.....	3,258,000
26	(4) 50.01-Administration.....	11,929,000
27	(5) 50.02-Distributed Administration.....	-11,929,000
28	(6) 50.03-Distributed Administration of the	
29	Housing Policy Development Pro-	
30	gram.....	-136,000
31	(7) Reimbursements.....	<del>-918,000</del>
32		-1,659,000
33	(8) Amount payable from the General Fund	
34	(Item 2240-001-0001).....	-3,788,000
35	(9) Amount payable from the Mobilehome	
36	<del>Park</del> Parks and Special Occupancy	
37	Parks Revolving Fund (Item 2240-001-	
38	0245).....	-6,422,000

1	(10) Amount payable from the Mobilehome	
2	Park Purchase Fund (Item 2240-001-	
3	0530).....	-601,000
4	(11) Amount payable from the Self-Help	
5	Housing Fund (Item 2240-001-0813)....	-128,000
6	(12) Amount payable from the Federal	
7	Trust Fund (Item 2240-001-0890).....	-11,291,000
8	(13) Amount payable from the Housing Re-	
9	habilitation Loan Fund (Item 2240-001-	
10	0929).....	-2,467,000
11	(14) Amount payable from the Rental	
12	Housing Construction Fund (Item 2240-	
13	001-0938).....	-977,000
14	(15) Amount payable from the Predevelop-	
15	ment Loan Fund (Item 2240-001-	
16	0980).....	-317,000
17	(16) Amount payable from the Emergency	
18	Housing and Assistance Fund (Item	
19	2240-001-0985).....	-473,000
20	(17) Amount payable from the Jobs-Housing	
21	Balance Improvement Account (Item	
22	2240-001-3006).....	-440,000
23	(18) Amount payable from the Building	
24	Standards- <del>Administrative</del> <i>Administrative</i>	
25	<i>Administration Special</i> Revolving Fund (Item	
26	2240-001-3144).....	-280,000
27	(19) Amount payable from the Building Eq-	
28	uity and Growth in Neighborhoods	
29	Fund (Item 2240-001-6038).....	-329,000
30	(20) Amount payable from the Building Eq-	
31	uity and Growth in Neighborhoods	
32	Fund (Item 2240-002-6038).....	-1,039,000
33	(21) Amount payable from the Regional	
34	Planning, Housing, and Infill Incentive	
35	Account, Housing and Emergency	
36	Shelter Trust Fund of 2006 (Item 2240-	
37	001-6069).....	-2,555,000

- 1 (22) Amount payable from the Housing Ur-
- 2 ban-Suburban-and-Rural Parks Ac-
- 3 count, Housing and Emergency Shelter
- 4 Trust Fund of 2006 (Item 2240-001-
- 5 6071)..... -908,000
- 6 (23) Amount payable from the Transit-Ori-
- 7 ented Development Implementation
- 8 Fund (Item 2240-001-9736)..... -1,542,000
- 9 Provisions:
- 10 1. Notwithstanding Section 18077 of the Health and
- 11 Safety Code, or any other provision of law, the first
- 12 \$2,388,000 in revenues collected by the Department
- 13 of Housing and Community Development from man-
- 14 ufactured home license fees shall be deposited in the
- 15 Mobilehome-Manufactured Home Revolving Fund,
- 16 and shall be available to the department for the sup-
- 17 port, collection, administration, and enforcement of
- 18 manufactured home license fees.
- 19 2. Notwithstanding Section 18077.5 of the Health and
- 20 Safety Code, or any other provision of law, the Depart-
- 21 ment of Housing and Community Development is not
- 22 required to comply with the reporting requirement of
- 23 Section 18077.5 of the Health and Safety Code.

24

25 *SEC. 125. Item 2240-101-0001 of Section 2.00 of the Budget*  
 26 *Act of 2009 is amended to read:*

27

28 2240-101-0001—For local assistance, Department of Housing  
 29 and Community Development..... 5,629,000

30 Schedule:

31 (1) 20-Financial Assistance Program..... ~~172,386,000~~  
 32 ~~227,505,000~~

33 (2) Amount payable from the Federal  
 34 Trust Fund (Item 2240-101-0890)..... ~~-166,757,000~~  
 35 ~~-221,876,000~~

36

37 *SEC. 126. Item 2240-101-0890 of Section 2.00 of the Budget*  
 38 *Act of 2009 is amended to read:*

1 2240-101-0890—For local assistance, Department of Housing  
 2 and Community Development, for payment to Item 2240-  
 3 101-0001, payable from the Federal Trust Fund..... ~~166,757,000~~  
 4 221,876,000

5 Provisions:

- 6 1. Notwithstanding any other provision of law, federal  
 7 funds appropriated by this item but not encumbered  
 8 or expended by June 30, 2010, may be expended in  
 9 the subsequent fiscal year.  
 10 2. *Of the funds appropriated in this item, the Director of*  
 11 *Finance may transfer up to \$1,600,000 to Item 2240-*  
 12 *001-0890 for state operations costs of administration*  
 13 *of federal housing stimulus funds.*

14  
 15 *SEC. 127. Item 2240-490 is added to Section 2.00 of the Budget*  
 16 *Act of 2009, to read:*

17  
 18 *2240-490—Reappropriation, Department of Housing and*  
 19 *Community Development. The balances of the appropri-*  
 20 *ations provided in the citations below are reappropriated*  
 21 *for the purposes provided in those appropriations and shall*  
 22 *be available for encumbrance until June 30, 2010.*  
 23 *Notwithstanding any other provision of law, the period to*  
 24 *liquidate the encumbrances set forth below is extended to*  
 25 *June 30, 2014.*

26 *6038—Building Equity and Growth in Neighborhoods*  
 27 *(BEGIN) Fund*

28 *(1) Item 2240-102-6038, Budget Act of 2008 (Chs. 268*  
 29 *and 269, Stats. 2008)*

30 *6069—Regional Planning, Housing, and Infill Incentive*  
 31 *Account, Housing and Emergency Shelter Trust Fund of*  
 32 *2006*

33 *(1) Item 2240-101-6069, Budget Act of 2008 (Chs. 268*  
 34 *and 269, Stats. 2008)*

35 *9736—Transit-Oriented Development Implementation*  
 36 *Fund*

37 *(1) 2240-101-9736, Budget Act of 2008 (Chs. 268 and*  
 38 *269, Stats. 2008)*

39

1 SEC. 128. Item 2320-001-0317 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 2320-001-0317—For support of Department of Real Estate,  
5 payable from the Real Estate Fund..... 44,906,000  
6 43,906,000

- 7 Schedule:
- 8 (1) 10-Licensing and Education..... 9,532,000
- 9 9,312,000
- 10 (2) 20-Enforcement and Recovery..... 28,577,000
- 11 27,977,000
- 12 (3) 30-Subdivisions..... 7,139,000
- 13 6,959,000
- 14 (4) 40.10-Administration..... 8,498,000
- 15 7,498,000
- 16 (5) 40.20-Distributed Administration..... -8,405,000
- 17 -7,405,000
- 18 (6) Reimbursements..... -435,000

19 Provisions:  
20 1. Of the amount appropriated in this item, \$500,000  
21 shall be used only for the purposes of the Real Estate  
22 Recovery Account.

23  
24 SEC. 129. Item 2660-001-0042 of Section 2.00 of the Budget  
25 Act of 2009 is amended to read:

26  
27 2660-001-0042—For support of Department of Transporta-  
28 tion, payable from the State Highway Account, State  
29 Transportation Fund..... 2,535,650,000  
30 2,502,590,000

- 31 Schedule:
- 32 (1) 10-Aeronautics..... 3,655,000
- 33 3,619,000
- 34 (2) 20.10-Highway Transportation—
- 35 Capital Outlay Support..... 1,702,066,000
- 36 1,605,623,000
- 37 (3) 20.30-Highway Transportation— Local
- 38 Assistance..... 45,946,000
- 39 42,345,000

1	(4) 20.40-Highway Transportation— Pro-	
2	gram Development.....	77,212,000
3		77,644,000
4	(5) 20.65-Highway Transportation— Le-	
5	gal.....	80,000,000
6		123,789,000
7	(6) 20.70-Highway Transportation— Op-	
8	erations.....	207,932,000
9		204,690,000
10	(7) 20.80-Highway Transportation—	
11	Maintenance.....	1,200,544,000
12		1,260,717,000
13	(8) 30-Mass Transportation.....	139,579,000
14		140,074,000
15	(9) 40-Transportation Planning.....	108,048,000
16		82,593,000
17	(10) 50.00-Administration.....	377,401,000
18		427,308,000
19	(11) 60.10-Equipment Service Program	
20	Costs.....	199,761,000
21		235,203,000
22	(11.5) 60.20-Distributed Equipment Ser-	
23	vice Program Costs.....	-199,761,000
24		-236,129,000
25	(12) Reimbursements.....	-337,578,000
26		-351,002,000
27	(13) Amount payable from the Aeronautics	
28	Account, State Transportation Fund	
29	(Item 2660-001-0041).....	-3,549,000
30	(14) Amount payable from the Bicycle	
31	Transportation Account, State Trans-	
32	portation Fund (Item 2660-001-	
33	0045).....	-20,000
34	(15) Amount payable from the Public	
35	Transportation Account, State	
36	Transportation Fund (Item 2660-001-	
37	0046).....	-160,945,000
38	(16) Amount payable from the Historic	
39	Property Maintenance Fund (Item 2660-	
40	001-0365).....	-1,632,000

1	(16.5) Amount payable from the Seismic	
2	Retrofit Bond Fund of 1996 (Section	
3	8879.3 of the Government Code).....	-5,482,000
4		-7,376,000
5	(17) Amount payable from the Federal	
6	Trust Fund (Item 2660-001-0890)....	-541,003,000
7		-495,617,000
8	(17.5) Amount payable from Federal Trust	
9	Fund.....	-26,221,000
10	(18) Amount payable from the Transporta-	
11	tion Financing Subaccount, State	
12	Highway Account, State Transportation	
13	Fund (Item 2660-001-6801).....	-782,000
14		-594,000
15	(18.5) Amount payable from the Trans-	
16	portation Investment Fund (Item	
17	2660-002-3008).....	-244,440,000
18		-289,277,000
19	(19) Amount payable from the State Route	
20	99 Account, Highway Safety, Traffic	
21	Reduction, Air Quality, and Port Secu-	
22	rity Fund of 2006 (Item 2660-004-	
23	6072).....	-4,496,000
24		-6,246,000
25	(21) Amount payable from the Corridor	
26	Mobility Improvement Account,	
27	Highway Safety, Traffic Reduction,	
28	Air Quality, and Port Security Fund of	
29	2006 (Item 2660-004-6055).....	-23,813,000
30		-40,642,000
31	(22) Amount payable from the Trade Corri-	
32	dors Improvement Fund (Item 2660-	
33	004-6056).....	-2,564,000
34		-3,487,000
35	(23) Amount payable from the Transporta-	
36	tion Facilities Account, Highway	
37	Safety, Traffic Reduction, Air Quality,	
38	and Port Security Fund of 2006 (Item	
39	2660-004-6058).....	-56,840,000
40		-57,427,000

1	(24) Amount payable from the Public	
2	Transportation Modernization, Improve-	
3	ment, and Service Enhancement Ac-	
4	count, Highway Safety, Traffic Reduc-	
5	tion, Air Quality, and Port Security	
6	Fund of 2006 (Item 2660-004-6059)....	-1,312,000
7	(24.5) Amount payable from the State-Local	
8	Partnership Program Account, High-	
9	way Safety, Traffic Reduction, Air	
10	Quality, and Port Security Fund of	
11	2006 (Item 2660-004-6060).....	-496,000
12	(26) Amount payable from the Local Bridge	
13	Seismic Retrofit Account, Highway	
14	Safety, Traffic Reduction, Air Quality,	
15	and Port Security Fund of 2006 (Item	
16	2660-004-6062).....	-232,000
17	(27) Amount payable from the Highway-	
18	Railroad Crossing Safety Account,	
19	Highway Safety, Traffic Reduction, Air	
20	Quality, and Port Security Fund of 2006	
21	(Item 2660-004-6063).....	-636,000
22	(28) Amount payable from the Highway	
23	Safety, Rehabilitation, and Preserva-	
24	tion Account, Highway Safety, Traffic	
25	Reduction, Air Quality, and Port Secu-	
26	rity Fund of 2006 (Item 2660-004-	
27	6064).....	-20,913,000
28		-18,175,000

29 Provisions:

30 1. Notwithstanding any other provision of law, funds

31 appropriated in this item from the State Highway Ac-

32 count may be reduced and replaced by an equivalent

33 amount of federal funds determined by the Department

34 of Transportation to be available and necessary to

35 comply with Section 8.50 and the most effective

36 management of state transportation resources. Not

37 more than 30 days after replacing the state funds with

38 federal funds, the Director of Finance shall notify in

39 writing the chairpersons of the committees in each

40 house of the Legislature that consider appropriations

- 1 and the Chairperson of the Joint Legislative Budget  
 2 Committee of this action.
- 3 2. Notwithstanding any other provision of law, funding  
 4 appropriated in this item may be transferred to Item  
 5 2660-005-0042 to pay for any necessary insurance,  
 6 debt service, and other financing-related expenditures  
 7 for Department of Transportation-owned office  
 8 buildings. Any transfer will require the prior approval  
 9 of the Department of Finance.
- 10 3. *Of the funds appropriated in Schedule (2),*  
 11 *\$1,184,744,000 is for state staff and state staff cash*  
 12 *overtime, \$271,696,000 is for external consultant and*  
 13 *professional services related to project delivery (also*  
 14 *known as 232 contracts), and \$149,183,000 is for op-*  
 15 *erating expenses.* The funds appropriated in Schedule  
 16 (2) for external consultant and professional services  
 17 related to project delivery (~~also known as 232 con-~~  
 18 ~~tracts~~) that are unencumbered or encumbered but un-  
 19 expended related to work that will not be performed  
 20 during the fiscal year shall revert to the fund from  
 21 which they were appropriated.
- 22 4. Notwithstanding any other provision of law, funds  
 23 appropriated in this item may be supplemented with  
 24 federal funding appropriation authority and with prior  
 25 fiscal year State Highway Account appropriation bal-  
 26 ances at a level determined by the Department of  
 27 Transportation as required to process claims utilizing  
 28 federal advance construction through the plan of finan-  
 29 cial adjustment process pursuant to Sections 11251  
 30 and 16365 of the Government Code.
- 31 5. Notwithstanding any other provision of law, funds  
 32 appropriated in Item 2660-001-0042, 50.00-Adminis-  
 33 tration from the State Highway Account, may be re-  
 34 duced and replaced by an equivalent amount of reim-  
 35 bursements determined by the Department of Trans-  
 36 portation to be available and necessary to comply with  
 37 Section 28.50 and the most effective management of  
 38 state transportation resources. The reimbursements  
 39 may also be reduced and replaced by an equivalent  
 40 amount of funds from the State Highway Account.

1 Not more than 30 days after replacing the State High-  
2 way Account funds with reimbursements and vice  
3 versa, the Director of Finance shall notify in writing  
4 the chairpersons of the committees in each house of  
5 the Legislature that consider appropriations and the  
6 Chairperson of the Joint Legislative Budget Committee  
7 of this action.

8 6. Of the funds appropriated in Schedule (7),  
9 \$214,000,000 is for major maintenance contracts for  
10 the preservation of highway pavement, and shall not  
11 be used to supplant any other funding that would have  
12 been used for major pavement maintenance.

13 7. Of the funds appropriated in Schedule (5), ~~\$48,556,000~~  
14 \$68,556,000 is for the payment of tort lawsuit claims  
15 and awards. Any funds for that purpose that are unen-  
16 cumbered as of April 1, 2010, may be transferred to  
17 Item 2660-302-0042. Any transfer shall require the  
18 prior approval of the Department of Finance.

19 8. Of the funds appropriated in this item, transfers shall  
20 be available to Items 2660-004-6055, 2660-004-6056,  
21 2660-004-6058, 2660-004-6059, 2660-004-6060,  
22 2660-004-6062, 2660-004-6063, 2660-004-6064, and  
23 2660-004-6072. The Department of Finance shall au-  
24 thorize the transfer not sooner than 30 days after noti-  
25 fication in writing to the chairpersons of the commit-  
26 tees in each house of the Legislature that consider ap-  
27 propriations and the Chairperson of the Joint Legisla-  
28 tive Budget Committee.

29 9. *Of the funds appropriated in Schedule (2), the follow-*  
30 *ing shall apply:*

31 *(a) The Department of Transportation shall allocate*  
32 *an amount not to exceed \$500,000 per year for*  
33 *two years, from the State Highway Account, as*  
34 *appropriated in the Budget Act, for purposes of*  
35 *funding workforce development training to pro-*  
36 *vide highway construction and trade-related ap-*  
37 *prenticeship and workforce preparation training*  
38 *to unemployed or underemployed individuals, in-*  
39 *cluding training related to the following:*

40 *(1) Preapprenticeship employability skills.*

- 1                   (2) *Job-readiness.*
- 2                   (3) *Construction-related skills.*
- 3                   (4) *Job referral and placement.*
- 4           (b) *The department is authorized to enter into con-*
- 5                   *tracts for purposes of providing workforce devel-*
- 6                   *opment training according to the following terms:*
- 7                   (1) *Contracts shall be awarded on a competitive*
- 8                               *basis.*
- 9                   (2) *Contracts shall be awarded to bidders that*
- 10                               *operate existing workforce development*
- 11                               *programs, including, but not limited to, pro-*
- 12                               *grams operated by the State Department of*
- 13                               *Education, Regional Occupational Centers*
- 14                               *and Programs, Apprenticeship Councils, lo-*
- 15                               *cal Workforce Investment Boards, K-12*
- 16                               *schools, industry associations, and communi-*
- 17                               *ty organizations.*
- 18                   (3) *To the maximum extent possible, funds should*
- 19                               *be used in combination with other state, fed-*
- 20                               *eral, local, or private funds to provide maxi-*
- 21                               *mum workforce development benefit. The*
- 22                               *department shall seek additional federal*
- 23                               *grant dollars to expand the program.*
- 24                   (4) *Priority is to be given to workforce develop-*
- 25                               *ment efforts intended to provide benefits pri-*
- 26                               *marily to neighborhoods experiencing high*
- 27                               *rates of poverty and unemployment and low*
- 28                               *levels of educational attainment, work expe-*
- 29                               *rience, and workforce employability skills.*
- 30                   (5) *Workforce development training will provide*
- 31                               *specialized training and certifications neces-*
- 32                               *sary to work in highway construction, includ-*
- 33                               *ing skills related to green and emerging*
- 34                               *technologies within the transportation indus-*
- 35                               *try.*
- 36                   (6) *Contractors must provide to the department*
- 37                               *monthly reports that include the number of*
- 38                               *enrollments, graduates, contractor partner-*
- 39                               *ships developed for job placements, actual*
- 40                               *job placements, and jobs retained.*

- 1 (c) *The department shall implement this provision in*
- 2 *collaboration with the Employment Development*
- 3 *Department and California Workforce Investment*
- 4 *Board.*
- 5 (d) *Funds shall be used solely for training or curricu-*
- 6 *lum.*
- 7 (e) *By March 1, 2011, the department shall report to*
- 8 *the Joint Legislative Budget Committee on out-*
- 9 *comes of the workforce development program.*
- 10 *The report shall include, but not necessarily be*
- 11 *limited to, the following information:*
- 12 (1) *The amount of any supplemental funds re-*
- 13 *ceived for the program beyond the*
- 14 *\$1,000,000 provided for in this provision.*
- 15 (2) *The name of each training provider and the*
- 16 *amount of funds allocated to each, including*
- 17 *a summary of expenditures by category.*
- 18 (3) *The number of individuals who received*
- 19 *training by each provider, the number of*
- 20 *program graduates for each provider, and*
- 21 *the number of training-related job placements*
- 22 *by each provider.*
- 23 (4) *A description of the coordination between*
- 24 *activities funded pursuant to this provision*
- 25 *and other federal, state, or local training*
- 26 *programs.*
- 27 (5) *The extent to which funds provided for pur-*
- 28 *suant to this section were leveraged to ex-*
- 29 *pand other training resources.*
- 30 (6) *A recommendation whether the department*
- 31 *should continue to provide funds for work-*
- 32 *force development training related to high-*
- 33 *way construction and, if so, recommendations*
- 34 *for improvement to the program.*
- 35 10. *Of the funds appropriated in Schedule (9), \$24,000,000*
- 36 *is for the Department of Transportation's preprogram-*
- 37 *ming activities, including the preparation of project*
- 38 *initiation documents. Beginning in the 2010–11 fiscal*
- 39 *year and every year thereafter, the department's bud-*
- 40 *get for Schedule (9) shall be adjusted based on work-*

- 1            *load for key activities within the program, including*  
 2            *the preparation of project initiation documents. The*  
 3            *department shall provide to the Legislature informa-*  
 4            *tion to support each year's budget request for Schedule*  
 5            *(9) as part of the Governor's Budget submitted each*  
 6            *January.*
- 7            11. *No later than January 10, 2010, the Department of*  
 8            *Transportation shall provide to the Legislature infor-*  
 9            *mation explaining and justifying the workload for the*  
 10           *department's legal, information technology, adminis-*  
 11           *trative, and civil rights activities for all the depart-*  
 12           *ment's programs.*
- 13           12. *No funding is available in this item for the implemen-*  
 14           *tation of a Public-Private Partnership program.*  
 15           *However, this item may be augmented by \$2,533,000*  
 16           *for implementation of a Public-Private Partnership*  
 17           *program, upon the order of the Director of Finance,*  
 18           *if legislation is enacted to clarify existing law that the*  
 19           *California Transportation Commission is responsible*  
 20           *for reviewing and approving proposed public-private*  
 21           *partnerships projects and final lease agreements. Im-*  
 22           *plementation may include activities related to develop-*  
 23           *ment of implementation plans, guidelines and admin-*  
 24           *istrative procedures, coordination among state and*  
 25           *regional entities, marketing, and other activities nec-*  
 26           *essary to implement a Public-Private Partnership*  
 27           *program. If the legislation described in this provision*  
 28           *is enacted, the Department of Transportation is hereby*  
 29           *authorized to enter into contracts for the provision of*  
 30           *legal, financial, and technical services needed to im-*  
 31           *plement the Public-Private Partnership program for*  
 32           *up to a total of \$8,500,000, of which \$6,900,000 is*  
 33           *subject to future augmentation as provided in this*  
 34           *provision. If the legislation described in this provision*  
 35           *is enacted, and specific Public-Private Partnership*  
 36           *projects are identified for evaluation, review, and*  
 37           *analysis by the department, this item may additionally*  
 38           *be augmented by up to \$6,900,000 after submittal of*  
 39           *a request to the Joint Legislative Budget Committee*  
 40           *for 30-day review. Any request for an augmentation*

1 by the department should include a description of the  
2 location, scope, and financing for the project being  
3 evaluated, reviewed, or analyzed.

4  
5 *SEC. 130. Item 2660-001-0890 of Section 2.00 of the Budget*  
6 *Act of 2009 is amended to read:*

7  
8 2660-001-0890—For support of Department of Transportation,  
9 for payment to Item 2660-001-0042, payable from the  
10 Federal Trust Fund..... 541,003,000  
11 495,617,000

12 Provisions:

- 13 1. For Program 20—Highway Transportation. For pur-  
14 poses of Section 163 of the Streets and Highways  
15 Code, all expenditures from this item shall be deemed  
16 to be expenditures from the State Highway Account,  
17 State Transportation Fund.
- 18 2. For Program 20—Highway Transportation. Federal  
19 funds may be received from any federal source, and  
20 shall be deposited in the Federal Trust Fund. Any  
21 federal reimbursements shall be credited to the account  
22 from which the expenditures were originally made.
- 23 3. Notwithstanding any other provision of law, the Direc-  
24 tor of Finance may augment this item with additional  
25 federal funds in conjunction with an equivalent offset-  
26 ting reduction in State Highway Account funds in Item  
27 2660-001-0042, pursuant to Provision 1 of that item  
28 or Public Transportation Account funds in Item 2660-  
29 001-0046, pursuant to Provision 2 of that item.

30  
31 *SEC. 131. Item 2660-001-6801 of Section 2.00 of the Budget*  
32 *Act of 2009 is amended to read:*

33  
34 2660-001-6801—For support of Department of Transportation,  
35 for payment to Item 2660-001-0042, payable from the  
36 Transportation Financing Subaccount, State Highway  
37 Account, State Transportation Fund..... 782,000  
38 594,000  
39

1 SEC. 132. Item 2660-002-0890 is added to Section 2.00 of the  
2 Budget Act of 2009, to read:

3  
4 2660-002-0890—For support of Department of Transportation,  
5 for debt service requirements and other financing related  
6 costs for federal Grant Anticipation Revenue Vehicles  
7 (GARVEE) issued in the 2009–10 fiscal year, payable from  
8 the Federal Trust Fund..... 675,000,000

- 9 Provisions:
- 10 1. Notwithstanding any other provision of law, the funds  
11 appropriated in this item shall be available for encum-  
12 brance or expenditure until expended.
  - 13 2. Notwithstanding Section 28.00, upon approval of the  
14 Department of Finance, this item may be augmented  
15 if additional funds are necessary to meet debt service  
16 and other requirements related to the fiscal year  
17 2009–10 GARVEE issuance.
  - 18 3. The appropriation in this item reflects, in part, the  
19 pledge made by the California Transportation Com-  
20 mission in accordance with Section 14553.7 of the  
21 Government Code in connection with the GARVEE  
22 bonds issued in the 2009–10 fiscal year.
  - 23 4. Funds appropriated in this item are in lieu of the  
24 amounts that have been appropriated pursuant to  
25 Section 14554.8 of the Government Code.

26  
27 SEC. 133. Item 2660-002-3007 of Section 2.00 of the Budget  
28 Act of 2009 is amended to read:

29  
30 2660-002-3007—For support of Department of Transportation,  
31 payable from the Traffic Congestion Relief Fund..... ~~27,797,000~~  
32 ~~16,393,000~~

- 33 Schedule:
- 34 (1) 20.10-Highway Transportation—Capi-  
35 tal Outlay Support..... ~~27,510,000~~  
36 ~~16,106,000~~
  - 37 (2) 30-Mass Transportation..... 287,000

- 38 Provisions:
- 39 1. Notwithstanding any other provision of law, if the  
40 California Transportation Commission allocates funds

1 to Traffic Congestion Relief Program projects in the  
 2 2009–10 fiscal year, the Director of Finance may in-  
 3 crease expenditure authority in this item for additional  
 4 capital outlay staffing directly related to new Traffic  
 5 Congestion Relief Program allocations after notifying  
 6 the Chairperson of the Joint Legislative Budget Com-  
 7 mittee and the chairpersons of the committees in each  
 8 house of the Legislature that consider appropriations  
 9 not later than 30 days prior to the effective date of the  
 10 approval.

11  
 12 *SEC. 134. Item 2660-002-3008 of Section 2.00 of the Budget*  
 13 *Act of 2009 is amended to read:*

14  
 15 2660-002-3008—For support of Department of Transportation,  
 16 for payment to Item 2660-001-0042, payable from the  
 17 Transportation Investment Fund..... 244,440,000  
 18 289,277,000

19  
 20 *SEC. 135. Item 2660-004-6055 of Section 2.00 of the Budget*  
 21 *Act of 2009 is amended to read:*

22  
 23 2660-004-6055—For support of Department of Transportation,  
 24 for payment to Item 2660-001-0042, payable from the  
 25 Corridor Mobility Improvement Account, Highway Safety,  
 26 Traffic Reduction, Air Quality, and Port Security Fund of  
 27 2006..... 23,813,000  
 28 40,642,000

29 Provisions:  
 30 1. Provision 8 of Item 2660-001-0042 also applies to this  
 31 item.

32  
 33 *SEC. 136. Item 2660-004-6056 of Section 2.00 of the Budget*  
 34 *Act of 2009 is amended to read:*

35  
 36 2660-004-6056—For support of Department of Transportation,  
 37 for payment to Item 2660-001-0042, payable from the  
 38 Trade Corridors Improvement Fund..... 2,564,000  
 39 3,487,000

1 Provisions:  
 2 1. Provision 8 of Item 2660-001-0042 also applies to this  
 3 item.

4  
 5 *SEC. 137. Item 2660-004-6058 of Section 2.00 of the Budget*  
 6 *Act of 2009 is amended to read:*

7  
 8 2660-004-6058—For support of Department of Transportation,  
 9 for payment to Item 2660-001-0042, payable from the  
 10 Transportation Facilities Account, Highway Safety, Traffic  
 11 Reduction, Air Quality, and Port Security Fund of 2006... 56,840,000  
 12 57,427,000

13 Provisions:  
 14 1. Provision 8 of Item 2660-001-0042 also applies to this  
 15 item.

16  
 17 *SEC. 138. Item 2660-004-6064 of Section 2.00 of the Budget*  
 18 *Act of 2009 is amended to read:*

19  
 20 2660-004-6064—For support of Department of Transportation,  
 21 for payment to Item 2660-001-0042, payable from the  
 22 Highway Safety, Rehabilitation, and Preservation Account,  
 23 Highway Safety, Traffic Reduction, Air Quality, and Port  
 24 Security Fund of 2006..... 20,913,000  
 25 18,175,000

26 Provisions:  
 27 1. Provision 8 of Item 2660-001-0042 also applies to this  
 28 item.

29  
 30 *SEC. 139. Item 2660-004-6072 of Section 2.00 of the Budget*  
 31 *Act of 2009 is amended to read:*

32  
 33 2660-004-6072—For support of Department of Transportation,  
 34 for payment to Item 2660-001-0042, payable from the  
 35 State Route 99 Account, Highway Safety, Traffic Reduc-  
 36 tion, Air Quality, and Port Security Fund of 2006..... 4,496,000  
 37 6,246,000

38 Provisions:  
 39 1. Provision 8 of Item 2660-001-0042 also applies to this  
 40 item.

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*SEC. 140. Item 2660-011-0042 is added to Section 2.00 of the Budget Act of 2009, to read:*

*2660-011-0042—For transfer by the Controller, upon order of the Director of Finance, from the State Highway Account, State Transportation Fund, to the General Fund.... (135,000,000)*

*Provisions:*

- 1. The amount transferred in this item is a loan to the General Fund and shall be repaid by June 30, 2012. The repayment shall be made as to ensure that the programs supported by the State Highway Account, State Transportation Fund, are not adversely affected by the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.*

*SEC. 141. Item 2660-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:*

*2660-102-0890—For local assistance, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund.....*

	<del>1,469,313,000</del>
	<i>1,462,711,000</i>

*Schedule:*

- |                                     |                          |
|-------------------------------------|--------------------------|
| (1) 20-Highway Transportation.....  | <del>1,358,113,000</del> |
|                                     | <i>1,351,511,000</i>     |
| (2) 30-Mass Transportation.....     | 46,100,000               |
| (3) 40-Transportation Planning..... | 65,100,000               |

*Provisions:*

- 1. Notwithstanding any other provision of law, funds appropriated in this item may be transferred intraschedule or to Item 2660-101-0890, 2660-301-0890, or 2660-302-0890. These transfers shall require the prior approval of the Department of Finance. Funds appropriated in Schedules (1) and (2) shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.*

- 1 2. For Program 20—Highway Transportation. For pur-
- 2 poses of the Streets and Highways Code, all expendi-
- 3 tures from this item shall be deemed to be expenditures
- 4 from the State Highway Account, State Transportation
- 5 Fund.
- 6 3. For Program 20—Highway Transportation. Federal
- 7 funds may be received from any federal source and
- 8 shall be deposited in the Federal Trust Fund. Any
- 9 federal reimbursements shall be credited to the account
- 10 from which the expenditures were originally made.

11  
 12 *SEC. 142. Item 2660-302-0042 of Section 2.00 of the Budget*  
 13 *Act of 2009 is amended to read:*

14

15 2660-302-0042—For capital outlay, Department of Transporta-	
16 tion, non-State Transportation Improvement Program	
17 (STIP), payable from the State Highway Account, State	
18 Transportation Fund.....	295,000,000
19	369,687,000

20 Schedule:

21 (1) 20-Highway Transportation.....	1,520,000,000
22	1,594,687,000
23 (a) State Highway	
24 Operation and	
25 Protection Pro-	
26 gram.....	(1,520,000,000)
27	(1,594,687,000)
28 (2) Reimbursements.....	-1,225,000,000

- 29 Provisions:
- 30 1. These funds shall be available for allocation by the
  - 31 California Transportation Commission until June 30,
  - 32 2011, and available for encumbrance and liquidation
  - 33 until June 30, 2015.
  - 34 2. Notwithstanding any other provision of law, funds
  - 35 appropriated in this item may be transferred to Item
  - 36 2660-101-0042, 2660-102-0042, 2660-301-0042, or
  - 37 2660-311-0042. These transfers shall require the prior
  - 38 approval of the Department of Finance.
  - 39 4. No funds appropriated in this item are available for
  - 40 expenditure on specialty building facilities. For the

1 purpose of this item, specialty building facilities are  
2 equipment facilities, maintenance facilities, material  
3 laboratories, and traffic management centers.

4  
5 *SEC. 143. Item 2660-302-0890 of Section 2.00 of the Budget*  
6 *Act of 2009 is amended to read:*

7  
8 2660-302-0890—For capital outlay, Department of Trans-  
9 portation, non-State Transportation Improvement Pro-  
10 gram (STIP), payable from the Federal Trust Fund..... ~~1,388,039,000~~  
11 *1,209,652,000*

12 Schedule:

13 (1) 20-Highway Transportation..... ~~1,388,039,000~~  
14 *1,209,652,000*

15 (a) State Highway  
16 Operation and  
17 Protection Pro-  
18 gram..... ~~(1,388,039,000)~~  
19 *(1,209,652,000)*

20 Provisions:

- 21 1. Notwithstanding any other provision of law, amounts  
22 scheduled in this item may be transferred to Item 2660-  
23 101-0890, 2660-102-0890, or 2660-301-0890. These  
24 transfers shall require the prior approval of the Depart-  
25 ment of Finance. These funds shall be available for  
26 allocation by the California Transportation Commis-  
27 sion until June 30, 2011, and available for encum-  
28 brance and liquidation until June 30, 2015.
- 29 2. For purposes of the Streets and Highways Code, all  
30 expenditures from this item shall be deemed to be ex-  
31 penditures from the State Highway Account, State  
32 Transportation Fund.
- 33 3. Federal funds may be received from any federal source  
34 and shall be deposited in the Federal Trust Fund. Any  
35 federal reimbursements shall be credited to the account  
36 from which the expenditures were originally made.
- 37 4. No funds appropriated in this item are available for  
38 expenditure on specialty building facilities. For the  
39 purpose of this item, specialty building facilities are

1 equipment facilities, maintenance facilities, material  
2 laboratories, and traffic management centers.

3  
4 *SEC. 144. Item 2660-303-0042 of Section 2.00 of the Budget*  
5 *Act of 2009 is amended to read:*

6  
7 2660-303-0042—For capital outlay, Department of Transporta-  
8 tion, specialty building facilities, payable from the State  
9 Highway Account, State Transportation Fund..... 56,000,000  
10 48,500,000

11 Schedule:  
12 (1) 20-Highway Transportation..... 56,000,000  
13 48,500,000

14 Provisions:  
15 1. For the purpose of this item, specialty building facili-  
16 ties are equipment facilities, maintenance facilities,  
17 material laboratories, and traffic management centers.  
18 Ancillary equipment associated with the management  
19 of transportation systems such as loop detectors,  
20 closed-circuit television cameras, and transportation  
21 management systems field elements are not deemed  
22 specialty building facilities and are not funded from  
23 this item.

24  
25 *SEC. 145. Item 2660-491 of Section 2.00 of the Budget Act of*  
26 *2009 is amended to read:*

27  
28 2660-491—Reappropriation, Department of Transportation.  
29 Notwithstanding any other provision of law, the unliquidat-  
30 ed encumbrances for the appropriations provided in the  
31 following citations are reappropriated until June 30, 2010.  
32 The unencumbered balance shall not be available for en-  
33 cumbrance.  
34 0042—State Highway Account  
35 (0.3) *Item 2660-301-0042, Budget Act of 1999 (Ch. 50,*  
36 *Stats. 1999)*  
37 (0.5) *Item 2660-301-0042, Budget Act of 2000 (Ch. 52,*  
38 *Stats. 2000)*  
39 (1) *Item 2660-301-0042, Budget Act of 2002 (Ch. 379,*  
40 *Stats. 2002)*

- 1 (1.5) Item 2660-301-0042, Budget Act of 2003 (Ch. 157,
- 2 Stats. 2003)
- 3 (2) Item 2660-302-0042, Budget Act of 2002 (Ch. 379,
- 4 Stats. 2002)
- 5 (3) Item 2660-302-0042, Budget Act of 2003 (Ch. 157,
- 6 Stats. 2003)
- 7 ~~0046—Public Transportation Account~~
- 8 (1) ~~Item 2660-301-0046, Budget Act of 2001 (Ch. 106,~~
- 9 ~~Stats. 2001)~~
- 10 ~~0890—Federal Trust Fund~~
- 11 (1) ~~Item 2660-301-0890, Budget Act of 1999 (Ch. 50,~~
- 12 ~~Stats. 1999)~~
- 13 (2) ~~Item 2660-301-0890, Budget Act of 2000 (Ch. 52,~~
- 14 ~~Stats. 2000)~~
- 15 (3) ~~Item 2660-301-0890, Budget Act of 2001 (Ch. 106,~~
- 16 ~~Stats. 2001)~~

17

18 *SEC. 146. Item 2665-004-6043 of Section 2.00 of the Budget*  
 19 *Act of 2009 is amended to read:*

20

21 2665-004-6043—For support of High-Speed Rail Authority,  
 22 payable in accordance with and from the proceeds of the  
 23 Safe, Reliable High-Speed Train Bond Act for the 21st  
 24 Century, payable from the High-Speed Passenger Train  
 25 Bond Fund..... 1,795,000  
 26 139,180,000

- 27 *Provisions:*
- 28 1. *The High-Speed Rail Authority is required to post in*  
 29 *the 2009–10 fiscal year and annually thereafter its*  
 30 *budget on their Internet Web site in order to insure*  
 31 *public access and transparency.*
  - 32 2. *Of the funds appropriated in this item, \$139,180,000*  
 33 *is appropriated to the High-Speed Rail Authority for*  
 34 *the following purposes: project-level design and envi-*  
 35 *ronmental review, program management services, fi-*  
 36 *nanical planning, and public-private partnership*  
 37 *program. As part of the project-level design and envi-*  
 38 *ronmental review activities, the authority shall analyze*  
 39 *alternative alignments to that identified as the pre-*  
 40 *ferred alignment in the certified program Environmen-*

1 *tal Impact Report (EIR) for the San Francisco-San*  
2 *Jose corridor.*

- 3 3. *Of the funds appropriated in this item, \$69,590,000*  
4 *shall be available for expenditure only after January*  
5 *1, 2010, after the submittal of a revised business plan*  
6 *to, and a 30-day review by, the Joint Legislative Bud-*  
7 *get Committee that, among other things, addresses,*  
8 *at a minimum: (a) a plan for a community outreach*  
9 *component to cities, towns, and neighborhoods affect-*  
10 *ed by this project, (b) further system details, such as*  
11 *route selection and alternative alignment considera-*  
12 *tions, (c) a thorough discussion describing the steps*  
13 *being pursued to secure financing, (d) a working*  
14 *timeline with specific, achievable milestones, and (e)*  
15 *what strategies the authority would pursue to mitigate*  
16 *different risks and threats. The authority shall submit*  
17 *the revised business plan to the Joint Legislative*  
18 *Budget Committee no later than December 15, 2009.*

19 *The revised business plan shall also provide addi-*  
20 *tional information related to funding, project develop-*  
21 *ment schedule, proposed levels of service, ridership,*  
22 *capacity, operational plans, cost, private investment*  
23 *strategies, staffing, and a history of expenditures and*  
24 *accomplishments to date. In developing this revised*  
25 *business plan, the authority shall work in consultation*  
26 *with the appropriate legislative policy committees and*  
27 *the Legislative Analyst's Office to respond to specific*  
28 *aspects in the plan.*

- 29 4. *Notwithstanding any other provision of law, funds*  
30 *appropriated in this item from the High-Speed Passen-*  
31 *ger Train Bond Fund, to the extent permissible under*  
32 *federal law, may be reduced and replaced by an*  
33 *equivalent amount of federal funds determined by the*  
34 *High-Speed Rail Authority to be available and neces-*  
35 *sary to comply with Section 8.50 and the most effective*  
36 *management of state high-speed rail transportation*  
37 *resources. Not more than 30 days after replacing the*  
38 *state funds with federal funds, the Director of Finance*  
39 *shall notify in writing the chairpersons of the commit-*  
40 *tees in each house of the Legislature that consider*



1	(7) Amount payable from the State High-	
2	way Account (Item 2720-001-0042)....	-60,404,000
3	(8) Amount payable from the Motor Carri-	
4	ers Safety Improvement Fund (Item	
5	2720-001-0293).....	-2,575,000
6	(9) Amount payable from the California	
7	Motorcyclist Safety Fund (Item 2720-	
8	001-0840).....	-1,409,000
9		-1,662,000
10	(10) Amount payable from the Federal	
11	Trust Fund (Item 2720-001-0890)....	-18,222,000
12		-19,222,000
13	(11) Amount payable from the Hazardous	
14	Substance Account, Special Deposit	
15	Fund (Item 2720-001-0942).....	-213,000
16	(12) Amount payable from the Asset Forfei-	
17	ture Account, Special Deposit Fund	
18	(Item 2720-011-0942).....	-2,116,000

19 Provisions:

- 20 1. On March 1, 2010, and each March 1 thereafter until
- 21 the project is fully implemented, the Department of
- 22 the California Highway Patrol shall report the status
- 23 of the California Highway Patrol Enhanced Radio
- 24 System to the appropriate fiscal and policy committees
- 25 of the Legislature and the Joint Legislative Budget
- 26 Committee. At a minimum, each report shall include
- 27 all of the following: (a) a revised estimate of total
- 28 project costs and activities, by fiscal year, including
- 29 separate reporting on the categories of mobiles,
- 30 portables, remote site equipment, Department of
- 31 General Services costs, and other; (b) a description of
- 32 any changes in the project scope including the type
- 33 and number of hardware units needed, and changes to
- 34 the frequencies used; and (c) a description of any ad-
- 35 verse effects to interoperability caused by changes in
- 36 usage of new technology by local agencies or other
- 37 state agencies.
- 38 2. Of the funds appropriated in this item, \$7,000,000 may
- 39 be directed to increase the Department of the Califor-

1 nia Highway Patrol’s support for police and sheriffs  
2 in antigang activities.

3  
4 *SEC. 149. Item 2720-001-0840 of Section 2.00 of the Budget*  
5 *Act of 2009 is amended to read:*

6  
7 2720-001-0840—For support of Department of the California  
8 Highway Patrol, for payment to Item 2720-001-0044,  
9 payable from the California Motorcyclist Safety Fund..... 1,409,000  
10 1,662,000

11  
12 *SEC. 150. Item 2720-001-0890 of Section 2.00 of the Budget*  
13 *Act of 2009 is amended to read:*

14  
15 2720-001-0890—For support of Department of the California  
16 Highway Patrol, for payment to Item 2720-001-0044,  
17 payable from the Federal Trust Fund..... 18,222,000  
18 19,222,000

19  
20 *SEC. 151. Item 2720-301-0044 of Section 2.00 of the Budget*  
21 *Act of 2009 is amended to read:*

22  
23 2720-301-0044—For capital outlay, Department of the Califor-  
24 nia Highway Patrol, payable from the Motor Vehicle Ac-  
25 count, State Transportation Fund..... 3,617,000  
26 6,334,000

27 Schedule:

28 (1) 50.04.004-California Highway Patrol  
29 Enhanced Radio System: Replace Tow-  
30 ers and Vaults—Preliminary plans *and*  
31 *working drawings*..... 3,617,000  
32 6,334,000

33 Provisions:

34 1. Notwithstanding any other provision of law, funds  
35 appropriated in Schedule (1) for working drawings  
36 shall be available for expenditure until June 30, 2011.

37  
38 *SEC. 152. Item 2740-001-0042 of Section 2.00 of the Budget*  
39 *Act of 2009 is amended to read:*

1 2740-001-0042—For support of Department of Motor Vehicles,  
 2 for payment to Item 2740-001-0044, payable from the  
 3 State Highway Account, State Transportation Fund..... 52,452,000  
 4 52,731,000  
 5

6 *SEC. 153. Item 2740-001-0044 of Section 2.00 of the Budget*  
 7 *Act of 2009 is amended to read:*  
 8

9 2740-001-0044—For support of Department of Motor Vehicles,  
 10 payable from the Motor Vehicle Account, State Transporta-  
 11 tion Fund..... 522,929,000  
 12 832,386,000

13 Schedule:

- 14 (1) 11-Vehicle/Vessel Identification and  
 15 Compliance..... 528,507,000  
 16 531,686,000
- 17 (2) 22-Driver Licensing and Personal  
 18 Identification..... 242,663,000  
 19 250,563,000
- 20 (3) 25-Driver Safety..... 118,306,000  
 21 118,930,000
- 22 (4) 32-Occupational Licensing and Inves-  
 23 tigative Services..... 48,328,000  
 24 48,586,000
- 25 (5) 35-New Motor Vehicle Board..... 2,076,000
- 26 (6) 41.01-Administration..... 105,478,000  
 27 106,674,000
- 28 (7) 41.02-Distributed Administration..... -105,478,000  
 29 -106,674,000
- 30 (8) Reimbursements..... -14,514,000
- 31 (9) Amount payable from the State High-  
 32 way Account, State Transportation  
 33 Fund (Item 2740-001-0042)..... -52,452,000  
 34 -52,731,000
- 35 (10) Amount payable from the New Motor  
 36 Vehicle Board Account (Item 2740-  
 37 001-0054)..... -2,076,000
- 38 (11) Amount payable from the Harbors and  
 39 Watercraft Revolving Fund (Item 2740-  
 40 001-0516)..... -4,405,000

1	(12) Amount payable from the Federal Trust	
2	Fund (Item 2740-001-0890).....	-2,435,000
3	(13) Amount payable from the Motor	
4	Vehicle License Fee Account,	
5	Transportation Tax Fund (Item 2740-	
6	001-0064).....	-341,069,000
7		-43,024,000
8	(14) Amount payable from the State Park	
9	Access Fund.....	-270,000

10 Provisions:

- 11 1. No later than December 31 of each year up to and including 2014, the Department of Motor Vehicles shall report to the Joint Legislative Budget Committee and the policy committees on transportation of both houses of the Legislature on all of the following concerning the Information Technology Modernization project: (a) planned milestone completion dates versus actual milestone completion dates, (b) planned expenditures by phase versus actual expenditures by phase, and (c) description of adherence to scope and reasons for any changes.
- 22 2. *Of the funds appropriated in this item, \$6,591,000 is appropriated to the Department of Motor Vehicles so that it may implement a new Driver’s License/Identification/Salesperson card contract. No funding is included in the department’s budget to purchase, install, or use the biometric technology of facial-recognition software. For the purpose of this provision, “facial-recognition software” means computer technology that would allow the automated matching of a digital image or photo of an individual against a database of digital images or photos of that individual or other individuals. Any purchase or use, in the 2009–10 fiscal year and thereafter, of facial-recognition software shall be permitted only upon enactment of subsequent legislation that authorizes such technology and the use of such technology.*

39 *SEC. 154. Item 2740-001-0064 of Section 2.00 of the Budget*  
40 *Act of 2009 is amended to read:*

1 2740-001-0064—For support of Department of Motor Vehicles,  
 2 for payment to Item 2740-001-0044, payable from the  
 3 Motor Vehicle License Fee Account, Transportation Tax  
 4 Fund..... 341,069,000  
 5 43,024,000  
 6

7 *SEC. 155. Item 2740-001-3154 is added to Section 2.00 of the*  
 8 *Budget Act of 2009, to read:*  
 9

10 2740-001-3154—For support of Department of Motor Vehicles,  
 11 for payment to Item 2740-001-0044, payable from the State  
 12 Park Access Fund..... 270,000  
 13

14 *SEC. 156. Item 2740-011-0044 is added to Section 2.00 of the*  
 15 *Budget Act of 2009, to read:*  
 16

17 2740-011-0044—For transfer by the Controller, upon order of  
 18 the Director of Finance, from the Motor Vehicle Account,  
 19 State Transportation Fund, to the General Fund..... (70,000,000)  
 20 Provisions:

21 1. The funds transferred in this item are moneys from  
 22 revenues that are not protected by Article XIX of the  
 23 California Constitution.  
 24

25 *SEC. 157. Item 2740-491 is added to Section 2.00 of the Budget*  
 26 *Act of 2009, to read:*  
 27

28 2740-491—Extension of liquidation period, Department of  
 29 Motor Vehicles. Notwithstanding any other provision of  
 30 law, funds appropriated in the following citations shall be  
 31 made available for liquidation of encumbrances until June  
 32 30, 2010:

33 (1) Up to \$8,500,000 appropriated in Schedule (2) of Item  
 34 2740-001-0044, Budget Act of 2006 (Chs. 47 and 48,  
 35 Stats. 2006), is reappropriated only for the purpose  
 36 of completing the Web site Infrastructure Project and  
 37 shall be available for expenditure until June 30, 2010.  
 38 Any of the funds not used for these purposes shall re-  
 39 vert to the Motor Vehicle Account.  
 40

1     *SEC. 158. Item 3125-490 is added to Section 2.00 of the Budget*  
2 *Act of 2009, to read:*

3  
4     3125-490—*Reappropriation, California Tahoe Conservancy.*  
5     *Notwithstanding any other provision of law, the period to*  
6     *liquidate encumbrances of the following citations is extend-*  
7     *ed until June 30, 2011:*

8     0005—*Safe Neighborhood Parks, Clean Water, Clean Air,*  
9     *and Coastal Protection Bond Fund*

10     (1) *Item 3125-101-0005, Budget Act of 2003 (Ch. 157,*  
11     *Stats. 2003), as reappropriated by Item 3125-490,*  
12     *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

13     (1) *10-Tahoe Conservancy*

14     (2) *Reimbursements*

15     6029—*California Clean Water, Clean Air, Safe Neighbor-*  
16     *hood Parks, and Coastal Protection Fund*

17     (1) *Item 3125-101-6029, Budget Act of 2003 (Ch. 157,*  
18     *Stats. 2003), as reappropriated by Item 3125-490,*  
19     *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

20     (1) *10-Tahoe Conservancy*

21     (2) *Item 3125-101-6029, Budget Act of 2004 (Ch. 208,*  
22     *Stats. 2004)*

23     (1) *10-Tahoe Conservancy*

24     (3) *Item 3125-101-6029, Budget Act of 2005 (Chs. 38 and*  
25     *39, Stats. 2005)*

26     (1) *10-Tahoe Conservancy*

27     6031—*Water Security, Clean Drinking Water, Coastal and*  
28     *Beach Protection Fund of 2002*

29     (1) *Item 3125-101-6031, Budget Act of 2004 (Ch. 208,*  
30     *Stats. 2004)*

31     (1) *10-Tahoe Conservancy*

32     (2) *Item 3125-101-6031, Budget Act of 2005 (Chs. 38 and*  
33     *39, Stats. 2005)*

34     (1) *10-Tahoe Conservancy*

35  
36     *SEC. 159. Item 3125-491 is added to Section 2.00 of the Budget*  
37 *Act of 2009, to read:*

- 1 3125-491—*Reappropriation, California Tahoe Conservancy.*  
 2 *Notwithstanding any other provision of law, the period to*  
 3 *liquidate encumbrances of the following citations is extend-*  
 4 *ed until June 30, 2011:*  
 5 0005—*Safe Neighborhood Parks, Clean Water, Clean Air,*  
 6 *and Coastal Protection Bond Fund*  
 7 (1) *Item 3125-301-0005, Budget Act of 2003 (Ch. 157,*  
 8 *Stats. 2003), as reappropriated by Item 3125-491,*  
 9 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*  
 10 (1) *50.30.002-Land acquisition and site improve-*  
 11 *ments—Public access and recreation*  
 12 (2) *50.30.003-Acquisition, restoration, and enhance-*  
 13 *ment of habitat*  
 14 (3) *50.30.004-Land acquisition and site improve-*  
 15 *ments—Stream environment zones and watershed*  
 16 *restorations*  
 17 (4) *50.30.005-Land acquisition*  
 18 6029—*California Clean Water, Clean Air, Safe Neighbor-*  
 19 *hood Parks, and Coastal Protection Fund*  
 20 (1) *Item 3125-301-6029, Budget Act of 2004 (Ch. 208,*  
 21 *Stats. 2004)*  
 22 (1) *50.30.002-For land acquisition and site improve-*  
 23 *ments for public access and recreation*  
 24 (2) *50.30.003-For land acquisition and site improve-*  
 25 *ments for wildlife enhancement*  
 26 (3) *50.30.004-For land acquisition and site improve-*  
 27 *ments for stream environment zones and water-*  
 28 *shed restorations*  
 29 (4) *50.30.005-For land acquisitions*  
 30 (5) *Reimbursements*  
 31 (2) *Item 3125-301-6029, Budget Act of 2005 (Chs. 38 and*  
 32 *39, Stats. 2005)*  
 33 (1) *50.30.002-For land acquisition and site improve-*  
 34 *ments for public access and recreation*  
 35 (2) *50.30.003-For land acquisition and site improve-*  
 36 *ments for wildlife enhancement*  
 37 (3) *50.30.004-For land acquisition and site improve-*  
 38 *ments for stream environment zones and water-*  
 39 *shed restorations*  
 40 (4) *50.30.005-For land acquisitions*

1 (5) Reimbursements

2

3 SEC. 160. Item 3340-001-0001 of Section 2.00 of the Budget  
4 Act of 2009 is amended to read:

5

6 3340-001-0001—For support of California Conservation  
7 Corps..... 34,184,000  
8 0

9 Schedule:

10 (1) 10-Training and Work Program..... 64,238,000

11 71,538,000

12 (2) 20.01-Administration..... 7,902,000

13 (3) 20.02-Distributed Administration..... -7,902,000

14 (3.2) Reimbursements..... -34,184,000

15 (3.5) Amount payable from the California

16 Environmental License Plate Fund

17 (Item 3340-001-0140)..... -300,000

18 (4) Amount payable from the Collins-  
19 Dugan California Conservation Corps  
20 Reimbursement Account (Item 3340-  
21 001-0318)..... -25,585,000

22 (5) Amount payable from the Safe Drink-  
23 ing Water, Water Quality and Supply,  
24 Flood Control, River and Coastal Pro-  
25 tection Fund of 2006 (Item 3340-001-  
26 6051)..... =4,469,000  
27 -11,469,000

28 Provisions:

29 1. Of the funds appropriated in this item, \$2,725,000  
30 shall be available for use by the California Conserva-  
31 tion Corps to respond to natural disasters and other  
32 emergencies, including the fighting of forest fires. The  
33 Director of Finance may adjust this amount to the ex-  
34 tent indicated by corrections identified by the director  
35 in the reports of the past expenditures of the California  
36 Conservation Corps upon which the amounts appropri-  
37 ated by this item are based. The Director of Finance  
38 shall notify the Chairperson of the Joint Legislative  
39 Budget Committee at least 30 days prior to making  
40 that adjustment.

1           2. To the extent that funds in excess of the amount identified in Provision 1 are necessary in order for the California Conservation Corps to respond to one or more emergencies declared by the Governor, the Department of Finance shall transfer, from the funds available pursuant to Section 8690.6 of the Government Code, an amount not to exceed \$1,500,000 as necessary to fund that response. If, after the Department of Finance has transferred funds pursuant to this provision, the California Conservation Corps receives reimbursements or other amounts in payment of its costs of response to one or more declared emergencies, those amounts shall be deposited in the General Fund.

15           *SEC. 161. Item 3340-001-0140 is added to Section 2.00 of the Budget Act of 2009, to read:*

18           3340-001-0140—For support of the California Conservation Corps, for payment to Item 3340-001-0001, payable from the California Environmental License Plate Fund.....           300,000

22           *SEC. 162. Item 3340-001-0318 of Section 2.00 of the Budget Act of 2009 is amended to read:*

25           3340-001-0318—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Collins-Dugan California Conservation Corps Reimbursement Account.....           25,585,000

29           Provisions:

30           1. Notwithstanding Section 14316 of the Public Resources Code, the Department of Finance may make a loan from the General Fund to the Collins-Dugan California Conservation Corps Reimbursement Account for the purposes of this item, in the amount of 25 percent of the reimbursements anticipated in the Collins-Dugan California Conservation Corps Reimbursement Account to be received by the California Conservation Corps from each client agency, not to exceed an aggregate total of \$5,963,000 to meet cashflow needs due to delays in collecting reimburse-



1 Provisions:

2 1. The use of these funds shall include, but is not limited  
3 to, outreach education for, and workforce training of,  
4 California's foster care youth.

5

6 SEC. 164. Item 3340-101-6051 is added to Section 2.00 of the  
7 Budget Act of 2009, to read:

8

9 3340-101-6051—For local assistance, California Conservation  
10 Corps, payable from the Safe Drinking Water, Water  
11 Quality and Supply, Flood Control, River and Coastal  
12 Protection Fund of 2006..... 6,700,000

13 Provisions:

14 1. The use of these funds shall include, but is not limited  
15 to, outreach to, education for, and workforce training  
16 of California's foster care youth.

17

18 SEC. 165. Item 3340-490 is added to Section 2.00 of the Budget  
19 Act of 2009, to read:

20

21 3340-490—Reappropriation, California Conservation Corps.  
22 The balances of the appropriations provided for in the  
23 following citations are reappropriated for the purposes  
24 and subject to the limitations, unless otherwise specified,  
25 provided for in those appropriations:

26 6051—Safe Drinking Water, Water Quality and Supply,  
27 Flood Control, River and Coastal Protection Fund of 2006  
28 (1) Item 3340-101-6051, Budget Act of 2008 (Chs. 268  
29 and 269, Stats. 2008), for local assistance grants to  
30 local conservation corps

31

32 SEC. 166. Item 3340-491 is added to Section 2.00 of the Budget  
33 Act of 2009, to read:

34

35 3340-491—Reappropriation, California Conservation Corps.  
36 The balances of the appropriations provided for in the  
37 following citations are reappropriated for the purposes  
38 and subject to the limitations, unless otherwise specified,  
39 provided for in the appropriations:

40 0660—Public Buildings Construction Fund

1 (1) *Item 3340-301-0660, Budget Act of 2006 (Chs. 47 and*  
2 *48, Stats. 2006)*

3 (1) *20.10.170-Tahoe Base Center Relocation—Work-*  
4 *ing drawings and construction*

5  
6 *SEC. 167. Item 3360-001-0381 of Section 2.00 of the Budget*  
7 *Act of 2009 is amended to read:*

8		
9	3360-001-0381—For support of Energy Resources Conservation	
10	and Development Commission, for payment to Item 3360-	
11	001-0465, payable from the Public Interest Research, De-	
12	velopment, and Demonstration Fund.....	73,549,000
13		74,252,000

14 Provisions:

- 15 1. Notwithstanding subdivision (a) of Section 1.80, funds
- 16 appropriated in this item shall be available for expen-
- 17 diture during the 2009–10 and 2010–11 fiscal years.
- 18 2. Notwithstanding Section 16304.1 of the Government
- 19 Code, funds appropriated in this item shall be available
- 20 for liquidation of encumbrances until June 30, 2015.
- 21 3. Notwithstanding any other provision of law other than
- 22 the provisions of this item, funds appropriated in this
- 23 item may be used by the State Energy Resources
- 24 Conservation and Development Commission to pro-
- 25 vide grants, loans, or repayable research contracts.
- 26 The commission may use a high-point scoring method
- 27 in lieu of lowest cost when evaluating proposals. The
- 28 commission shall determine repayment terms.

29  
30 *SEC. 168. Item 3360-001-0465 of Section 2.00 of the Budget*  
31 *Act of 2009 is amended to read:*

32		
33	3360-001-0465—For support of Energy Resources Conservation	
34	and Development Commission, payable from the Energy	
35	Resources Programs Account.....	64,184,000
36	Schedule:	
37	(1) 10-Regulatory and Planning.....	32,444,000
38	(2) 20-Energy Resources Conservation.....	<del>26,200,000</del>
39		188,847,000

1	(3) 30-Development.....	244,435,000
2		245,138,000
3	(4) 40.01-Policy, Management, and Admin-	
4	istration.....	21,582,000
5		22,550,986
6	(5) 40.02-Distributed Policy, Management,	
7	and Administration.....	-21,582,000
8		-22,550,986
9	(6) Reimbursements.....	-5,820,000
10	(7) Amount payable from the Motor Vehicle	
11	Account, State Transportation Fund	
12	(Item 3360-001-0044).....	-139,000
13	(8) Amount payable from the Public Inter-	
14	est Research, Development, and	
15	Demonstration Fund (Item 3360-001-	
16	0381).....	-73,549,000
17		-74,252,000
18	(9) Amount payable from the Renewable	
19	Resource Trust Fund (Item 3360-001-	
20	0382).....	-8,274,000
21	(10) Amount payable from the Energy	
22	Technologies Research Development	
23	and Demonstration Account (Item	
24	3360-001-0479).....	-2,412,000
25	(11) Amount payable from the Local Govern-	
26	ment Geothermal Resources Revolving	
27	Subaccount, Geothermal Resources	
28	Development Account (Item 3360-001-	
29	0497).....	-305,000
30	(12) Amount payable from the Federal	
31	Trust Fund (Item 3360-001-0890)....	-19,628,000
32		-182,275,000
33	(13) Amount payable from the Energy Faci-	
34	lity License and Compliance Fund (Item	
35	3360-001-3062).....	-2,510,000
36	(14) Amount payable from Natural Gas	
37	Subaccount, Public Interest Research,	
38	Development, and Demonstration	
39	Fund (Item 3360-001-3109).....	-24,000,000

1 (15) Amount payable from Alternative  
 2 and Renewable Fuel and Vehicle  
 3 Technology Fund (Item 3360-001-  
 4 3117)..... -102,258,000

5 Provisions:

- 6 1. Notwithstanding Section 16304.1 of the Government  
 7 Code, funds appropriated in this item for the Energy  
 8 Technology Export Program shall be available for  
 9 liquidation of encumbrances until June 30, 2013.

10  
 11 *SEC. 169. Item 3360-001-0890 of Section 2.00 of the Budget*  
 12 *Act of 2009 is amended to read:*

13  
 14 3360-001-0890—For support of Energy Resources Conservation  
 15 and Development Commission, for payment to Item 3360-  
 16 001-0465, payable from the Federal Trust Fund..... ~~19,628,000~~  
 17 *182,275,000*

18  
 19 *SEC. 170. Item 3360-001-3117 of Section 2.00 of the Budget*  
 20 *Act of 2009 is amended to read:*

21  
 22 3360-001-3117—For support of Energy Resources Conservation  
 23 and Development Commission, for payment to Item 3360-  
 24 001-0465, payable from the Alternative and Renewable  
 25 Fuel and Vehicle Technology Fund..... ~~102,258,000~~

26 Provisions:

- 27 1. Notwithstanding subdivision (a) of Section 1.80, funds  
 28 appropriated in this item shall be available for expen-  
 29 diture during the 2009–10 and 2010–11 fiscal years.  
 30 2. *The State Energy Resources Conservation and Devel-*  
 31 *opment Commission shall not make any expenditures*  
 32 *from this appropriation for hydrogen refueling stations*  
 33 *in the 2009–10 fiscal year.*

34  
 35 *SEC. 171. Item 3480-001-0001 of Section 2.00 of the Budget*  
 36 *Act of 2009 is amended to read:*

37  
 38 3480-001-0001—For support of Department of Conservation.... ~~4,838,000~~  
 39 *14,838,000*

1	Schedule:	
2	(1) 10-Geologic Hazards and Mineral Re-	
3	sources Conservation.....	25,494,000
4	(2) 20-Oil, Gas, and Geothermal Re-	
5	sources.....	25,530,000
6		35,569,000
7	(3) 30-Land Resource Protection.....	6,745,000
8		5,863,000
9	(4) 40.01-Administration.....	13,771,000
10		13,903,000
11	(5) 40.02-Distributed Administration.....	-13,771,000
12		-13,903,000
13	(6) 50-Beverage Container Recycling and	
14	Litter Reduction Program.....	51,066,000
15		51,146,000
16	(7) 60-Office of Mine Reclamation.....	6,782,000
17		6,795,000
18	(8) Reimbursements.....	-9,417,000
19	(10) Amount payable from the Surface	
20	Mining and Reclamation Account (Item	
21	3480-001-0035).....	-2,118,000
22	(11) Amount payable from the State High-	
23	way Account, State Transportation	
24	Fund (Item 3480-001-0042).....	-12,000
25	(12) Amount payable from the California	
26	Beverage Container Recycling Fund	
27	(Item 3480-001-0133).....	-50,966,000
28		-51,046,000
29	(13) Amount payable from the Soil Conser-	
30	vation Fund (Item 3480-001-0141).....	-3,918,000
31		-2,536,000
32	(14) Amount payable from the Hazardous	
33	and Idle-Deserted Well Abatement	
34	Fund (Section 3206 of the Public Re-	
35	sources Code).....	-100,000
36	(15) Amount payable from the Mine Recla-	
37	mation Account (Item 3480-001-	
38	0336).....	-3,937,000
39		-3,950,000

1	(16) Amount payable from the Strong Mo-	
2	tion Instrumentation and Seismic	
3	Hazards Mapping Fund (Item 3480-	
4	001-0338).....	-10,104,000
5	(16.5) Amount payable from the California	
6	Farmland Conservancy Program	
7	Fund (Item 3480-001-0867).....	-500,000
8	(17) Amount payable from the Federal Trust	
9	Fund (Item 3480-001-0890).....	-1,394,000
10	(18) Amount payable from the Bosco Keene	
11	Renewable Resources Investment Fund	
12	(Item 3480-001-0940).....	-1,235,000
13	(18.5) Amount payable from the Acute Or-	
14	phan Well Account, Oil, Gas, and	
15	Geothermal Administrative Fund	
16	(Item 3480-001-3102).....	-978,000
17	(19) Amount payable from the Abandoned	
18	Mine Reclamation and Minerals Fund	
19	Subaccount, Mine Reclamation Account	
20	(Item 3480-001-3025).....	-549,000
21	(20) Amount payable from the Oil, Gas,	
22	and Geothermal Administrative Fund	
23	(Item 3480-001-3046).....	<del>-23,324,000</del>
24		-23,363,000
25	(21) Amount payable from the Agriculture	
26	and Open Space Mapping Subaccount	
27	(Item 3480-001-6004).....	-435,000
28	(22) Amount payable from the California	
29	Clean Water, Clean Air, Safe Neighbor-	
30	hood Parks, and Coastal Protection	
31	Fund of 2002 (Item 3480-001-6029)....	-550,000
32	(23) Amount payable from the Water Secu-	
33	rity, Clean Drinking Water, Coastal and	
34	Beach Protection Fund of 2002 (Item	
35	3480-001-6031).....	-1,477,000
36	(24) Amount payable from the Safe Drinking	
37	Water, Water Quality and Supply,	
38	Flood Control, River and Coastal Pro-	
39	tection Fund of 2006 (Item 3480-001-	
40	6051).....	-265,000

1 Provisions:  
 2 1. Notwithstanding any other provision of law, upon ap-  
 3 proval and order of the Department of Finance, the  
 4 Department of Conservation may borrow sufficient  
 5 funds, from special funds that otherwise provide sup-  
 6 port for the department, to meet cashflow needs due  
 7 to delays in collecting reimbursements. Any loan made  
 8 by the Department of Finance pursuant to this provi-  
 9 sion may be made only if the Department of Conser-  
 10 vation has a valid contract or certification signed by  
 11 the client agency, which demonstrates that sufficient  
 12 funds will be available to repay the loan. All moneys  
 13 so transferred shall be repaid to the special fund as  
 14 soon as possible, but not later than one year from the  
 15 date of the loan.

16  
 17 *SEC. 172. Item 3480-001-0133 of Section 2.00 of the Budget*  
 18 *Act of 2009 is amended to read:*

19  
 20 3480-001-0133—For support of Department of Conservation,  
 21 for payment to Item 3480-001-0001, payable from the  
 22 California Beverage Container Recycling Fund..... 50,966,000  
 23 51,046,000  
 24

25 *SEC. 173. Item 3480-001-0141 of Section 2.00 of the Budget*  
 26 *Act of 2009 is amended to read:*

27  
 28 3480-001-0141—For support of Department of Conservation,  
 29 for payment to Item 3480-001-0001, payable from the Soil  
 30 Conservation Fund..... 3,918,000  
 31 2,536,000

32 Provisions:  
 33 1. Of the funds appropriated in this item, \$910,000 is  
 34 available for the Department of Conservation to pro-  
 35 vide technical assistance to local jurisdictions that have  
 36 a history of noncompliance with Williamson Act pol-  
 37 icy development, assist compliance with state law and  
 38 contract terms as they relate to state law, and provide  
 39 procedural guidance programs, in order to maintain  
 40 consistent Williamson Act implementation statewide.

1  
 2 *SEC. 174. Item 3480-001-0336 of Section 2.00 of the Budget*  
 3 *Act of 2009 is amended to read:*

4  
 5 3480-001-0336—For support of Department of Conservation,  
 6 for payment to Item 3480-001-0001, payable from the  
 7 Mine Reclamation Account..... 3,937,000  
 8 3,950,000

9  
 10 *SEC. 175. Item 3480-001-0867 is added to Section 2.00 of the*  
 11 *Budget Act of 2009, to read:*

12  
 13 3480-001-0867—For support of Department of Conservation,  
 14 for payment to Item 3480-001-0001, payable from the  
 15 California Farmland Conservancy Program Fund ..... 500,000

16  
 17 *SEC. 176. Item 3480-001-3046 of Section 2.00 of the Budget*  
 18 *Act of 2009 is amended to read:*

19  
 20 3480-001-3046—For support of Department of Conservation,  
 21 for payment to Item 3480-001-0001, payable from the Oil,  
 22 Gas, and Geothermal Administrative Fund..... 23,324,000  
 23 23,363,000

24  
 25 *SEC. 177. Item 3480-101-0005 of Section 2.00 of the Budget*  
 26 *Act of 2009 is amended to read:*

27  
 28 3480-101-0005—For local assistance, Department of Conser-  
 29 vation, payable from the Safe Neighborhood Parks, Clean  
 30 Water, Clean Air, and Coastal Protection Bond Fund..... 2,500,000  
 31 2,489,000

32 Provisions:  
 33 1. The fund appropriated in this item shall be available  
 34 for expenditure until June 30, 2012.

35  
 36 *SEC. 178. Item 3480-101-0867 of Section 2.00 of the Budget*  
 37 *Act of 2009 is repealed.*

1 3480-101-0867—For local assistance, Department of Conserva-  
 2 tion, payable from the California Farmland Conservancy  
 3 Program Fund..... 1,000,000  
 4 Provisions:  
 5 †. The fund appropriated in this item shall be available  
 6 for expenditure until June 30, 2012.  
 7

8 *SEC. 179. Item 3540-001-0001 of Section 2.00 of the Budget*  
 9 *Act of 2009 is amended to read:*

10  
 11 3540-001-0001—For support of Department of Forestry and  
 12 Fire Protection..... 564,829,000  
 13 412,921,000  
 14 Schedule:  
 15 (1) 10-Office of the State Fire Marshal..... 20,828,000  
 16 21,113,000  
 17 (2) 11-Fire Protection..... 1,005,433,000  
 18 997,700,000  
 19 (3) 12-Resource Management..... 54,716,000  
 20 57,969,000  
 21 (4) 13-Board of Forestry and Fire Protec-  
 22 tion..... 449,000  
 23 (5) 20.01-Administration..... 79,115,000  
 24 84,115,000  
 25 (6) 20.02-Distributed Administration..... -78,473,000  
 26 -83,473,000  
 27 (7) Reimbursements..... -260,673,000  
 28 -288,246,000  
 29 (8) Less funding provided by capital out-  
 30 lay..... -24,774,000  
 31 (9) Amount payable from the General  
 32 Fund (Item 3540-006-0001)..... -189,000,000  
 33 (10) Amount payable from the State Emer-  
 34 gency Telephone Number Account  
 35 (Item 3540-001-0022)..... -3,341,000  
 36 (11) Amount payable from the Unified Pro-  
 37 gram Account (Item 3540-001-0028).... -345,000  
 38 (12) Amount payable from the State Fire  
 39 Marshal Licensing and Certification  
 40 Fund (Item 3540-001-0102)..... -2,746,000

1	(13) Amount payable from the California	
2	Environmental License Plate Fund	
3	(Item 3540-001-0140).....	-452,000
4		-497,000
5	(14) Amount payable from the California	
6	Fire and Arson Training Fund (Item	
7	3540-001-0198).....	-2,697,000
8	(15) Amount payable from the Hazardous	
9	Liquid Pipeline Safety Fund (Item	
10	3540-001-0209).....	-3,180,000
11	(16) Amount payable from the Public Re-	
12	sources Account, Cigarette and Tobacco	
13	Products Surtax Fund (Item 3540-001-	
14	0235).....	-413,000
15		-360,000
16	(17) Amount payable from the Professional	
17	Forester Registration Fund (Item 3540-	
18	001-0300).....	-216,000
19	(18) Amount payable from the Federal	
20	Trust Fund (Item 3540-001-0890).....	-18,390,000
21		-21,651,000
22	(19) Amount payable from the Forest Re-	
23	sources Improvement Fund (Item 3540-	
24	001-0928).....	-7,874,000
25	(20) Amount payable from the Timber Tax	
26	Fund (Item 3540-001-0965).....	-34,000
27	(21) Amount payable from the Emergency	
28	Response Fund (Item 3540-001-	
29	1014).....	-76,000,000
30	(21.2) Amount payable from the State Re-	
31	sponsibility Area Fire Protection	
32	Fund (Item 3540-001-3063).....	-37,840,000
33	(21.4) Amount payable from the Alternative	
34	and Renewable Fuel and Vehicle	
35	Technology Fund (Item 3540-001-	
36	3117).....	-2,762,000

1	(21.5) Amount payable from the State Fire	
2	Marshal Fireworks Enforcement and	
3	Disposal Fund (Item 3540-001-	
4	3120).....	-15,000
5		-300,000
6	(23) Amount payable from the California	
7	Clean Water, Clean Air, Safe Neighbor-	
8	hood Parks, and Coastal Protection	
9	Fund (Item 3540-001-6029).....	-1,253,000
10	(24) Amount payable from the Water Secu-	
11	rity, Clean Drinking Water, Coastal and	
12	Beach Protection Fund of 2002 (Item	
13	3540-001-6031).....	-355,000
14	(25) Amount payable from the Safe Drinking	
15	Water, Water Quality and Supply,	
16	Flood Control, River and Coastal Pro-	
17	tection Fund of 2006 (Item 3540-001-	
18	6051).....	-1,481,000
19	Provisions:	
20	1. Notwithstanding any other provision of law, the De-	
21	partment of Finance may authorize the temporary or	
22	permanent redirection of funds from this item for	
23	purposes of emergency fire suppression and detection	
24	costs and related emergency refutation costs.	
25	2. Notwithstanding any other provision of law, the Direc-	
26	tor of Finance may authorize a loan from the General	
27	Fund, in an amount not to exceed 35 percent of reim-	
28	bursements appropriated in this item, to the Depart-	
29	ment of Forestry and Fire Protection, provided that:	
30	(a) The loan is to meet cash needs resulting from the	
31	delay in receipt of reimbursements for services	
32	provided.	
33	(b) The loan is for a short term and shall be repaid	
34	by September 30 of the fiscal year following that	
35	in which the loan was authorized.	
36	(c) Interest charges may be waived pursuant to subdivi-	
37	sion (e) of Section 16314 of the Government	
38	Code.	
39	(d) The Director of Finance may not approve the loan	
40	unless the approval is made in writing and filed	

1 with the Chairperson of the Joint Legislative  
 2 Budget Committee and the chairpersons of the  
 3 committees in each house of the Legislature that  
 4 consider appropriations not later than 30 days  
 5 prior to the effective date of the approval, or not  
 6 sooner than whatever lesser time that the chairper-  
 7 son of the joint committee, or his or her designee,  
 8 may determine.

- 9 3. The Director of Finance may adjust amounts in ~~Pro-~~  
 10 ~~gram 11 of this item~~ *Schedule (2)* to provide equivalent  
 11 Fire Protection base funding changes to Contract  
 12 Counties in accordance with ~~Public Resources Code~~  
 13 Section 4130 of the *Public Resources Code*.

14  
 15 *SEC. 180. Item 3540-001-0140 of Section 2.00 of the Budget*  
 16 *Act of 2009 is amended to read:*

17  
 18 3540-001-0140—For support of Department of Forestry and  
 19 Fire Protection, for payment to Item 3540-001-0001,  
 20 payable from the California Environmental License Plate  
 21 Fund..... 452,000  
 22 497,000

23  
 24 *SEC. 181. Item 3540-001-0235 of Section 2.00 of the Budget*  
 25 *Act of 2009 is amended to read:*

26  
 27 3540-001-0235—For support of Department of Forestry and  
 28 Fire Protection, for payment to Item 3540-001-0001,  
 29 payable from the Public Resources Account, Cigarette and  
 30 Tobacco Products Surtax Fund..... 413,000  
 31 360,000

32  
 33 *SEC. 182. Item 3540-001-0890 of Section 2.00 of the Budget*  
 34 *Act of 2009 is amended to read:*

35  
 36 3540-001-0890—For support of Department of Forestry and  
 37 Fire Protection, for payment to Item 3540-001-0001,  
 38 payable from the Federal Trust Fund..... 18,390,000  
 39 21,651,000  
 40

1 SEC. 183. Item 3540-001-1014 is added to Section 2.00 of the  
2 Budget Act of 2009, to read:

3  
4 3540-001-1014—For support of Department of Forestry and  
5 Fire Protection, for payment to Item 3540-001-0001,  
6 payable from the Emergency Response Fund..... 76,000,000  
7

8 SEC. 184. Item 3540-001-3063 is added to Section 2.00 of the  
9 Budget Act of 2009, to read:

10  
11 3540-001-3063—For support of Department of Forestry and  
12 Fire Protection, for payment to Item 3540-001-0001,  
13 payable from the State Responsibility Area Fire Protection  
14 Fund..... 37,840,000  
15

16 SEC. 185. Item 3540-001-3117 is added to Section 2.00 of the  
17 Budget Act of 2009, to read:

18  
19 3540-001-3117—For support of Department of Forestry and  
20 Fire Protection, for payment to Item 3540-001-0001,  
21 payable from the Alternative and Renewable Fuel and Ve-  
22 hicle Technology Fund..... 2,762,000  
23

24 Provisions:  
25 1. Notwithstanding any other provision of law, the De-  
26 partment of Forestry and Fire Protection may use  
27 moneys in the Alternative and Renewable Fuel and  
28 Vehicle Technology Fund to comply with regulations  
29 of the State Air Resources Board.

30 SEC. 186. Item 3540-001-3120 of Section 2.00 of the Budget  
31 Act of 2009 is amended to read:

32  
33 3540-001-3120—For support of Department of Forestry and  
34 Fire Protection, for payment to Item 3540-001-0001,  
35 payable from the State Fire Marshal Fireworks Enforce-  
36 ment and Disposal Fund..... 15,000  
37 300,000  
38

39 SEC. 187. Item 3540-301-0660 is added to Section 2.00 of the  
40 Budget Act of 2009, to read:

1	3540-301-0660—For capital outlay, Department of Forestry	
2	and Fire Protection, payable from the Public Buildings	
3	Construction Fund.....	290,344,000
4	Schedule:	
5	(1) 30.10.215-Parlin Fork Conservation	
6	Camp: Replace Facility—Preliminary	
7	plans, working drawings, and construc-	
8	tion.....	53,544,000
9	(2) 30.10.245-Soquel Fire Station: Replace	
10	Facility—Preliminary plans, working	
11	drawings, and construction.....	10,599,000
12	(3) 30.10.250-Felton Fire Station/Unit	
13	Headquarters: Replace Facility—Pre-	
14	liminary plans, working drawings, and	
15	construction.....	25,100,000
16	(4) 30.20.050-El Dorado Fire Station, Ser-	
17	vice Warehouse: Replace Facility—	
18	Preliminary plans, working drawings,	
19	and construction.....	26,375,000
20	(5) 30.20.120-Butte Unit Fire Station/Unit	
21	Headquarters: Replace Facility—Pre-	
22	liminary plans, working drawings, and	
23	construction.....	30,692,000
24	(6) 30.30.025-Potrero Fire Station: Replace	
25	Facility—Preliminary plans, working	
26	drawings, and construction.....	10,389,000
27	(7) 30.30.090-Cuesta Conservation	
28	Camp/San Luis Obispo Unit Auto Shop:	
29	Relocate Facilities—Preliminary plans,	
30	working drawings, and construction.....	70,238,000
31	(8) 30.30.095-Cayucos Fire Station: Re-	
32	place Facility—Preliminary plans,	
33	working drawings, and construction.....	9,678,000
34	(9) 30.40.165-Tuolumne-Calaveras Service	
35	Center, Administrative, Emergency	
36	Command Center: Relocate Facility—	
37	Preliminary plans, working drawings,	
38	and construction.....	24,655,000

- 1 (10) 30.40.175-Parkfield Fire Station: Re-
- 2 place Facility—Preliminary plans,
- 3 working drawings, and construction.... 7,209,000
- 4 (11) 30.40.240-Gabilan Conservation Camp:
- 5 Replace Base Officers' Quarters, Relo-
- 6 cate Auto Shop, Service Center—Prelim-
- 7 inary plans, working drawings, and
- 8 construction..... 21,865,000

9 Provisions:

- 10 1. The State Public Works Board may issue lease-revenue
- 11 bonds, notes, or bond anticipation notes pursuant to
- 12 Chapter 5 (commencing with Section 15830) of Part
- 13 10b of Division 3 of Title 2 of the Government Code
- 14 to finance the acquisition, design, and construction of
- 15 the projects authorized by this item.
- 16 2. Notwithstanding any other provision of law, the funds
- 17 appropriated in this item shall be available for expen-
- 18 diture during the 2009–10 fiscal year, except appro-
- 19 priations for preliminary plans and working drawings,
- 20 which shall be available for expenditure until June
- 21 30, 2011, and appropriations for construction, which
- 22 shall be available for expenditure until June 30, 2014.
- 23 In addition, the balance of funds appropriated for
- 24 construction that has not been allocated, through fund
- 25 transfer or approval to bid, by the Department of Fi-
- 26 nance on or before June 30, 2012, shall revert as of
- 27 that date to the fund from which the appropriation was
- 28 made.
- 29 3. The Department of Forestry and Fire Protection and
- 30 the State Public Works Board are authorized and di-
- 31 rected to execute and deliver any and all leases, con-
- 32 tracts, agreements, or other documents necessary or
- 33 advisable to consummate the sale of bonds or other-
- 34 wise effectuate the financing of the scheduled projects.
- 35 4. The State Public Works Board shall not be deemed a
- 36 lead or responsible agency for purposes of the Califor-
- 37 nia Environmental Quality Act (Division 13 (commenc-
- 38 ing with Section 21000) of the Public Resources Code)
- 39 for any activities under the State Building Construction
- 40 Act of 1955 (Part 10b (commencing with Section

1 15800) of Division 3 of Title 2 of the Government  
2 Code). This section does not exempt the Department  
3 of Forestry and Fire Protection from the requirements  
4 of the California Environmental Quality Act. This  
5 section is intended to be declarative of existing law.

- 6 5. The funds appropriated in Schedules (2), (6), (8), and  
7 (10) include funding for construction and preconstruction  
8 activities, including, but not limited to, study, environmental  
9 documents, preliminary plans, working  
10 drawings, equipment, and other costs relating to the  
11 design and construction of forest fire station facilities,  
12 that may be performed by the Department of Forestry  
13 and Fire Protection. Not less than 20 days after providing  
14 notice to the Joint Legislative Budget Committee, the Department  
15 of Finance may modify which projects may be managed by the  
16 Department of Forestry and Fire Protection, provided that those  
17 projects are limited to the design and construction of  
18 fire station facilities or facilities with substantially  
19 similar components, which can be managed by existing  
20 capital outlay staff. While the Department of Forestry  
21 and Fire Protection may manage these projects, the  
22 projects are subject to review by the State Public  
23 Works Board and require authorization to proceed to  
24 bid from the Department of Finance.  
25

26  
27 *SEC. 188. Item 3540-490 is added to Section 2.00 of the Budget  
28 Act of 2009, to read:*

29  
30 *3540-490—Reappropriation, extension of liquidation period,  
31 Department of Forestry and Fire Protection. Notwithstanding  
32 any other provision of law, funds appropriated in the  
33 following citations shall be available for liquidation of  
34 encumbrances until June 30, 2010:*

35 *0005—Safe Neighborhood Parks, Clean Water, Clean Air,  
36 and Coastal Protection Bond Fund*

37 *(1) Item 3540-101-0005, Budget Act of 2006 (Chs. 47 and  
38 48, Stats. 2006)*

39 *6029—California Clean Water, Clean Air, Safe Neighborhood  
40 Parks, and Coastal Protection Fund*

- 1 (1) *Item 3540-001-6029, Budget Act of 2006 (Chs. 47 and*
- 2 *48, Stats. 2006)*
- 3 (2) *Item 3540-101-6029, Budget Act of 2006 (Chs. 47 and*
- 4 *48, Stats. 2006)*
- 5 *6031—Water Security, Clean Drinking Water, Coastal and*
- 6 *Beach Protection Fund of 2002*
- 7 (1) *Item 3540-001-6031, Budget Act of 2006 (Chs. 47 and*
- 8 *48, Stats. 2006)*
- 9

10 *SEC. 189. Item 3540-493 is added to Section 2.00 of the Budget*  
 11 *Act of 2009, to read:*

12

13 *3540-493—Reappropriation, Department of Forestry and Fire*  
 14 *Protection. The balances of the appropriations provided*  
 15 *in the following citations are reappropriated for the pur-*  
 16 *poses and subject to the limitations, unless otherwise*  
 17 *specified, provided for in the appropriation:*

- 18 *0660—Public Buildings Construction Fund*
- 19 (1) *Item 3540-301-0660, Budget Act of 2004 (Ch. 208,*
- 20 *Stats. 2004), as reappropriated by Item 3540-492,*
- 21 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
- 22 (4) *30.30.165-Cuyamaca Forest Fire Station: Relo-*
- 23 *cate Facility—Construction*
- 24 (2) *Item 3540-301-0660, Budget Act of 2005 (Chs. 38 and*
- 25 *39, Stats. 2005), as reappropriated by Item 3540-491,*
- 26 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*
- 27 *as reappropriated by Item 3540-491, Budget Act of*
- 28 *2008 (Chs. 268 and 269, Stats. 2008)*
- 29 (0.5) *30.10.005-Alma Helitack Base: Replace Facili-*
- 30 *ty—Working drawings and construction*
- 31 (3.25) *30.30.020-San Luis Obispo Ranger Unit*
- 32 *Headquarters: Replace Facility—Construction*
- 33 (3.45) *30.30.115-Ventura Youth Conservation Camp:*
- 34 *Construct Apparatus Buildings, Shop, and*
- 35 *Warehouse—Working drawings and construc-*
- 36 *tion*
- 37 (3.9) *30.40.145-Bautista Conservation Camp: Replace*
- 38 *Modular Buildings—Working Drawings and*
- 39 *construction*

- 1 (4) 30.60.045-Statewide: Construct Forest Fire Sta-  
2 tions—Working drawings and construction
- 3 (3) Item 3540-301-0660, Budget Act of 2006 (Chs. 47 and  
4 48, Stats. 2006), as reappropriated by Item 3540-491,  
5 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- 6 (.1) 30.10.005-Alma Helitack Base: Replace Facili-  
7 ty—Preliminary plans, working drawings, and  
8 construction
- 9 (1) 30.10.265-North Region Forest Fire Station Faci-  
10 lities—Working drawings and construction
- 11 (2) 30.20.135-Intermountain Conservation Camp:  
12 Replace Facility—Preliminary plans, working  
13 drawings, and construction
- 14 (2.1) 30.30.020-San Luis Obispo Ranger Unit Head-  
15 quarters: Replace Facility—Working drawings  
16 and construction
- 17 (2.3) 30.30.075-Warner Springs Forest Fire Station:  
18 Replace Facility—Construction
- 19 (2.4) 30.30.115-Ventura Youth Conservation Camp:  
20 Construct Apparatus Building, Shop, and  
21 Warehouse—Construction
- 22 (3) 30.30.160-South Operations Area Headquarters:  
23 Relocate Facility—Acquisition, working drawings,  
24 and construction
- 25 (3.5) 30.30.165-Cuyamaca Forest Fire Station: Relo-  
26 cate Facility—Construction
- 27 (4) 30.30.195-Miramonte Conservation Camp: Re-  
28 place Facility—Working drawings and construc-  
29 tion
- 30 (5) 30.40.030-Academy: Construct Dormitory  
31 Building and Expand Mess hall—Preliminary  
32 plans, working drawings, and construction
- 33 (5.4) 30.40.145-Bautista Conservation Camp: Replace  
34 Modular Buildings—Construction
- 35 (6) 30.40.170-Badger Forest Fire Station: Replace  
36 Facility—Preliminary plans, working drawings,  
37 and construction
- 38 (4) Item 3540-301-0660, Budget Act of 2007 (Chs. 171  
39 and 172, Stats. 2007), as reappropriated by Item 3540-

- 1           491, Budget Act of 2008 (Chs. 268 and 269, Stats.
- 2           2008)
- 3           (1) 30.10.195-Las Posadas Forest Fire Station: Re-
- 4           place Facility—Preliminary plans, working
- 5           drawings, and construction
- 6           (2) 30.20.001-Fawn Lodge Forest Fire Station: Re-
- 7           place Facility and Install New Well—Preliminary
- 8           plans, working drawings, and construction
- 9           (3) 30.20.006-Red Bluff Forest Fire Station / Unit
- 10          Headquarters: Replace Forest Fire Station and
- 11          Various Unit Headquarters Buildings—Prelimi-
- 12          nary plans, working drawings, and construction
- 13          (4) 30.20.008-Westwood Forest Fire Station: Replace
- 14          Facility—Preliminary plans, working drawings,
- 15          and construction
- 16          (5) 30.30.200-Paso Robles Forest Fire Station: Re-
- 17          place Facility—Preliminary plans, working
- 18          drawings, and construction
- 19          (6) 30.20.230-Bieber Forest Fire Station / Helitack
- 20          Base: Relocate Facility—Acquisition, preliminary
- 21          plans, working drawings, and construction (ap-
- 22          pears duplicative of below)
- 23          (7) 30.20.245-Ishi Conservation Camp: Replace Fa-
- 24          cility—Preliminary plans, working drawings, and
- 25          construction
- 26          (7.6) 30.30.115-Ventura Youth Conservation Camp:
- 27          Construct Vehicle Apparatus Building, Shop,
- 28          Warehouse—Working drawings and construction
- 29          (7.7) 30.30.160-South Operations Area Headquarters:
- 30          Relocate Facility—Acquisition, working draw-
- 31          ings, and construction
- 32          (8) 30.40.007-Growlersburg Conservation Camp:
- 33          Replace Facility—Preliminary plans, working
- 34          drawings, construction
- 35          (10) 30.40.145-Bautista Conservation Camp: Replace
- 36          Modular Buildings—Construction
- 37          (5) Item 3540-301-0660, Budget Act of 2008 (Chs. 268
- 38          and 269, Stats. 2008)

- 1 (1) 30.10.170-Santa Clara Unit Headquarters: Re-  
2 place Facility—Preliminary plans, working  
3 drawings, and construction
- 4 (2) 30.10.210-San Mateo/Santa Cruz Unit Headquar-  
5 ters: Relocate Automotive Shop—Preliminary  
6 plans, working drawings, and construction
- 7 (2.5) 30.10.265-North Region Forest Fire Station  
8 Facilities—Construction
- 9 (3) 30.20.007-Vina Helitack Base: Replace Facili-  
10 ty—Preliminary plans, working drawings, and  
11 construction
- 12 (4) 30.20.015-Garden Valley Forest Fire Station:  
13 Replace Facility—Preliminary plans, working  
14 drawings, and construction
- 15 (4.5) 30.20.135-Intermountain Conservation Camp:  
16 Replace Facility—Preliminary plans, working  
17 drawings, and construction
- 18 (5) 30.20.205-Higgins Corner Forest Fire Station:  
19 Replace Facility—Acquisition, preliminary plans,  
20 working drawings, and construction
- 21 (6) 30.20.240-Siskiyou Unit Headquarters: Replace  
22 Facility—Preliminary plans ,working drawings,  
23 and construction
- 24 (8) 30.30.160-South Operations Area Headquarters:  
25 Relocate Facility—Acquisition, working drawings,  
26 and construction
- 27 (9) 30.30.195-Miramonte Conservation Camp: Re-  
28 place Facility—Construction
- 29 (10) 30.40.185-Madera-Mariposa-Merced Unit  
30 Headquarters: Replace Facility—Preliminary  
31 plans, working drawings, and construction
- 32 (11) 30.40.225-Altaville Forest Fire Station: Replace  
33 Automotive Shop—Working drawings and con-  
34 struction

35 *Provisions:*

- 36 1. Notwithstanding Section 1.80, the funds reappropri-  
37 ated in this item shall be available for expenditure  
38 during the 2009–10 and 2010–11 fiscal years, except  
39 appropriations for acquisitions which shall be avail-  
40 able for expenditure until June 30, 2012, and appro-

1            *priations for construction which shall be available for*  
 2            *expenditure until June 30, 2014. In addition, the bal-*  
 3            *ance of funds appropriated for construction that have*  
 4            *not been allocated, through fund transfer or approval*  
 5            *to bid, by the Department of Finance on or before June*  
 6            *30, 2012, shall revert as of that date to the fund from*  
 7            *which the appropriation was made.*

8  
 9            *SEC. 190. Item 3600-001-0001 of Section 2.00 of the Budget*  
 10 *Act of 2009 is amended to read:*

11

12	3600-001-0001—For support of Department of Fish and	
13	Game.....	74,831,000
14		40,431,000
15	Schedule:	
16	(1) 20-Biodiversity Conservation Pro-	
17	gram.....	162,715,000
18		146,170,000
19	(2) 25-Hunting, Fishing, and Public Use....	73,124,000
20		76,597,000
21	(3) 30-Management of Department Lands	
22	and Facilities.....	51,119,000
23		59,664,000
24	(4) 40-Enforcement.....	68,096,000
25		67,119,000
26	(4.5) 45-Communication, Education, and	
27	Outreach.....	4,771,000
28		4,630,000
29	(5) 50-Spill Prevention and Response.....	33,584,000
30		36,276,000
31	(5.5) 61-Fish and Game Commission.....	1,380,000
32	(6) 70.01-Administration.....	43,606,000
33		44,713,000
34	(7) 70.02-Distributed Administration.....	-43,606,000
35		-44,713,000
36	(8) Reimbursements.....	-44,290,000
37		-57,286,000

1	(9) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3600-001-0005).....	<del>-1,042,000</del>
2		<del>-500,000</del>
3		
4		
5		
6	(10) Amount payable from the California Environmental License Plate Fund (Item 3600-001-0140).....	<del>-14,747,000</del>
7		
8		
9	(11) Amount payable from the Fish and Game Preservation Fund (Item 3600-001-0200).....	<del>-98,880,000</del>
10		<del>-129,621,000</del>
11		
12		
13	(12) Amount payable from the Fish and Wildlife Pollution Account (Item 3600-001-0207).....	<del>-2,732,000</del>
14		
15		
16	(13) Amount payable from the California Waterfowl Habitat Preservation Account, Fish and Game Preservation Fund (Item 3600-001-0211).....	<del>-241,000</del>
17		
18		
19		
20	(14) Amount payable from the Marine Invasive Species Control Fund (Item 3600-001-0212).....	<del>-1,322,000</del>
21		
22		
23	(15) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3600-001-0235).....	<del>-2,467,000</del>
24		<del>-2,105,000</del>
25		
26		
27		
28	(16) Amount payable from the Oil Spill Prevention and Administration Fund (Item 3600-001-0320).....	<del>-24,675,000</del>
29		<del>-25,555,000</del>
30		
31		
32	(17) Amount payable from the Environmental Enhancement Fund (Item 3600-001-0322).....	<del>-348,000</del>
33		
34		
35	(18) Amount payable from the Central Valley Project Improvement Subaccount (Item 3600-001-0404).....	<del>-58,000</del>
36		
37		<i>0</i>
38		

1	(18.5) Amount payable from the Harbors	
2	and Watercraft Revolving Fund (Item	
3	3600-001-0516).....	-2,176,000
4	(19) Amount payable from the Federal	
5	Trust Fund (Item 3600-001-0890).....	-52,718,000
6	(20) Amount payable from the Special De-	
7	posit Fund (Item 3600-001-0942).....	-1,604,000
8	(21) Amount payable from the Hatchery	
9	and Inland Fisheries Fund (Item 3600-	
10	001-3103).....	-20,586,000
11	<i>(21.5) Amount payable from the Alternative</i>	
12	<i>and Renewable Fuel and Vehicle</i>	
13	<i>Technology Fund (Item 3600-001-</i>	
14	<i>3117).....</i>	<i>-900,000</i>
15	(24) Amount payable from the Interim Water	
16	Supply and Water Quality Infrastructure	
17	and Management Subaccount (Item	
18	3600-001-6027).....	-2,193,000
19	(26) Amount payable from the Safe Drink-	
20	ing Water, Water Quality and Supply,	
21	Flood Control, River and Coastal Pro-	
22	tection Fund of 2006 (Item 3600-001-	
23	6051).....	<del>-41,561,000</del>
24		-28,453,000
25	(27) Amount payable from the Salton Sea	
26	Restoration Fund (Item 3600-001-	
27	8018).....	-8,179,000
28	(28) Amount payable from the California	
29	Sea Otter Fund (Item 3600-001-	
30	8047).....	-139,000
31	Provisions:	
32	1. The funds appropriated in this item may be increased	
33	with the approval of, and under the conditions set by,	
34	the Department of Finance to meet current obligations	
35	proposed to be funded in Schedules (8) and (19). The	
36	funds appropriated in this item shall not be increased	
37	until the Department of Fish and Game has a valid	
38	contract, signed by the client agency, that provides	
39	sufficient funds to finance the increased authorization.	

This increased authorization may not be used to expand services or create new obligations.

Reimbursements received under Schedules (8) and (19) shall be used in repayment of any funds used to meet current obligations pursuant to this provision.

2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall continue only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in *Natural Resources Defense Council v. Rodgers* (2005) 381 F.Supp.2d 1212.

3. Of the funds appropriated in this item, \$1,000,000 shall be used for implementation of Chapter 685 of the Statutes of 2005.

*SEC. 191. Item 3600-001-0005 of Section 2.00 of the Budget Act of 2009 is amended to read:*

3600-001-0005—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	1,042,000 500,000
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*SEC. 192. Item 3600-001-0200 of Section 2.00 of the Budget Act of 2009 is amended to read:*

3600-001-0200—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Fish and Game Preservation Fund.....	98,880,000 129,621,000
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*Provisions:*

1. *The Department of Fish and Game shall notify the Joint Legislative Budget Committee and the fiscal and appropriate policy committees of each house of the Legislature if the use of the funds appropriated in this item results in the loss of federal funds.*

1 SEC. 193. Item 3600-001-0235 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	3600-001-0235—For support of Department of Fish and Game,	
5	for payment to Item 3600-001-0001, payable from the	
6	Public Resources Account, Cigarette and Tobacco Products	
7	Surtax Fund.....	2,467,000
8		2,105,000

10 SEC. 194. Item 3600-001-0320 of Section 2.00 of the Budget  
11 Act of 2009 is amended to read:

12		
13	3600-001-0320—For support of Department of Fish and Game,	
14	for payment to Item 3600-001-0001, payable from the Oil	
15	Spill Prevention and Administration Fund.....	24,675,000
16		25,555,000

18 SEC. 195. Item 3600-001-0404 of Section 2.00 of the Budget  
19 Act of 2009 is repealed.

20		
21	3600-001-0404—For support of Department of Fish and Game,	
22	for payment to Item 3600-001-0001, payable from the	
23	Central Valley Project Improvement Subaccount.....	58,000

25 SEC. 196. Item 3600-001-3117 is added to Section 2.00 of the  
26 Budget Act of 2009, to read:

27		
28	3600-001-3117—For support of Department of Fish and Game,	
29	for payment to Item 3600-001-0001, payable from the Al-	
30	ternative and Renewable Fuel and Vehicle Technology	
31	Fund.....	900,000
32	Provisions:	
33	1. Notwithstanding any other provision of law, the De-	
34	partment of Fish and Game may use moneys in the	
35	Alternative and Renewable Fuel and Vehicle Technol-	
36	ogy Fund to retrofit diesel vehicles to comply with	
37	regulations of the State Air Resources Board.	

39 SEC. 197. Item 3600-001-6051 of Section 2.00 of the Budget  
40 Act of 2009 is amended to read:

1 3600-001-6051—For support of Department of Fish and Game,  
 2 for payment to Item 3600-001-0001, payable from the  
 3 Safe Drinking Water, Water Quality and Supply, Flood  
 4 Control, River and Coastal Protection Fund of 2006..... 41,561,000  
 5 28,453,000

6 *Provisions:*

- 7 1. *The additional sum of \$22,022,000 is hereby appropri-*  
 8 *ated from subdivision (a) of Section 75050 of the*  
 9 *Public Resources Code for the Ecosystem Restoration*  
 10 *Program upon the signing into law of a new Bay-Delta*  
 11 *governance structure.*  
 12 2. *Of the funds appropriated in this item, a minimum of*  
 13 *\$8,914,000 shall be used for development of the Bay-*  
 14 *Delta Conservation Plan.*

15  
 16 *SEC. 198. Item 3600-101-0320 of Section 2.00 of the Budget*  
 17 *Act of 2009 is amended to read:*

18  
 19 3600-101-0320—For local assistance, Department of Fish and  
 20 Game, Program 50-Spill Prevention and Response, payable  
 21 from the Oil Spill Prevention and Administration Fund.... 2,221,000  
 22 1,341,000

23  
 24 *SEC. 199. Item 3600-101-0516 is added to Section 2.00 of the*  
 25 *Budget Act of 2009, to read:*

26  
 27 3600-101-0516—For local assistance, Department of Fish and  
 28 Game, payable from the Harbors and Watercraft Revolving  
 29 Fund..... 250,000  
 30 *Provisions:*

- 31 1. *Notwithstanding any other provision of law, the*  
 32 *amount appropriated in this item shall be used by the*  
 33 *San Francisco Bay area multicounty response effort*  
 34 *for a regional inspection pilot program to identify and*  
 35 *control quagga mussel infestations.*

36  
 37 *SEC. 200. Item 3600-497 is added to Section 2.00 of the Budget*  
 38 *Act of 2009, to read:*

1 3600-497—*Reversion, Department of Fish and Game. As of*  
 2 *June 30, 2009, the balances specified below of the appro-*  
 3 *priations provided in the following citations shall revert*  
 4 *to the funds from which the appropriations were made:*  
 5 6031—*Water Security, Clean Drinking Water, Coastal and*  
 6 *Beach Protection Fund of 2002*  
 7 (1) *Item 3600-001-6031, Budget Act of 2007*  
 8 *(Chs. 171 and 172, Stats. 2007)..... 2,773,000*  
 9 (2) *Item 3600-001-6031, Budget Act of 2008*  
 10 *(Chs. 268 and 269, Stats. 2008)..... 7,227,000*  
 11

12 *SEC. 201. Item 3640-491 is added to Section 2.00 of the Budget*  
 13 *Act of 2009, to read:*  
 14

15 3640-491—*Reappropriation, Wildlife Conservation Board. The*  
 16 *balances of the appropriations provided in the following*  
 17 *citations are reappropriated for the purposes provided for*  
 18 *in those appropriations and shall be available for encum-*  
 19 *brance or expenditure as specified below:*  
 20 0262—*Habitat Conservation Fund*  
 21 (1) *Item 3640-301-0262, Budget Act of 2006 (Chs. 47 and*  
 22 *48, Stats. 2006)*  
 23 (1) *80.10-Wildlife Conservation Board Projects*  
 24 *(Unscheduled) until June 30, 2012*  
 25 0447—*Wildlife Restoration Fund*  
 26 (1) *Item 3640-301-0447, Budget Act of 2008 (Chs. 268*  
 27 *and 269, Stats. 2008)*  
 28 (1) *80.10.010-Minor Projects until June 30, 2010*  
 29 6031—*Water Security, Clean Drinking Water, Coastal and*  
 30 *Beach Protection Fund of 2002*  
 31 (1) *Item 3640-311-6031, Budget Act of 2006 (Chs. 47 and*  
 32 *48, Stats. 2006), until June 30, 2012*  
 33

34 *SEC. 202. Item 3640-492 is added to Section 2.00 of the Budget*  
 35 *Act of 2009, to read:*  
 36

37 3640-492—*Reappropriation, Wildlife Conservation Board.*  
 38 *Notwithstanding any other provision of law, the period to*  
 39 *liquidate encumbrances in the following citations is extend-*  
 40 *ed until June 30, 2011:*

1 0262—Habitat Conservation Fund  
 2 (1) Item 3640-301-0262, Budget Act of 2004 (Ch. 208,  
 3 Stats. 2004)  
 4 (1) 80.10-Wildlife Conservation Board Projects  
 5 (Unscheduled)  
 6 6031—Water Security, Clean Drinking Water, Coastal and  
 7 Beach Protection Fund of 2002  
 8 (1) Item 3640-311-6031, Budget Act of 2004 (Ch. 208,  
 9 Stats. 2004)

10  
 11 *SEC. 203. Item 3640-495 is added to Section 2.00 of the Budget*  
 12 *Act of 2009, to read:*

13  
 14 3640-495—Reversion, Wildlife Conservation Board. As of June  
 15 30, 2009, the amounts specified below of the appropriations  
 16 provided for in the following citations shall revert to the  
 17 funds from which the appropriations were made:  
 18 0001—General Fund  
 19 (1) \$1,535,000 from Item 3640-301-0001, Budget Act of  
 20 2006 (Chs. 47 and 48, Stats. 2006)

21  
 22 *SEC. 204. Item 3680-101-0516 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*

24  
 25 3680-101-0516—For local assistance, Department of Boating  
 26 and Waterways, payable from the Harbors and Watercraft  
 27 Revolving Fund..... 30,600,000  
 28 Schedule:  
 29 (1) 10-Boating Facilities..... ~~22,943,000~~  
 30 ~~24,193,000~~  
 31 (a) Launching Facility Grants..... (3,727,000)  
 32 (1) Balls Ferry BLF..... (631,000)  
 33 (2) Black Point BLF..... (506,000)  
 34 (3) El Dorado Beach  
 35 BLF..... (420,000)  
 36 (4) Floating Restrooms..... (500,000)  
 37 (5) Non-Motorized Boat  
 38 Launching Facili-  
 39 ties..... (100,000)

1	(6) Ramp Repair & Modi-	
2	fication.....	(550,000)
3	(7) Signs.....	(20,000)
4	(8) Reimbursement	
5	Grants.....	(1,000,000)
6	(b) Public Small Craft Harbor	
7	Loans.....	(13,773,000)
8	(1) Coyote Point Mari-	
9	na.....	(1,966,000)
10	(2) Santa Barbara Har-	
11	bor.....	(4,812,000)
12	(3) San Francisco Mari-	
13	na—West Harbor.....	(6,995,000)
14	(c) Private Loans.....	(3,500,000)
15	(d) Clean Vessel Act Grant Program....	(843,000)
16	(e) Boating Trails.....	(1,000,000)
17	(f) Boating Infrastructure Grant Pro-	
18	gram.....	<del>(100,000)</del>
19		<i>1,350,000</i>
20	(2) 20-Boating Operations.....	13,600,000
21	(3) 30-Beach Erosion Control.....	<del>8,350,000</del>
22		<i>12,550,000</i>
23	(4) Reimbursements.....	-1,350,000
24	(5) Amount payable from the Abandoned	
25	Watercraft Abatement Fund (Item 3680-	
26	101-0577).....	-500,000
27	(6) Amount payable from the Federal Trust	
28	Fund (Item 3680-101-0890).....	<del>-4,443,000</del>
29		<i>-5,693,000</i>
30	(7) Amount payable from the Public Beach	
31	Restoration Fund (Item 3680-101-	
32	3001).....	<del>-8,000,000</del>
33		<i>-12,200,000</i>
34	Provisions:	
35	1. Of the funds appropriated in Schedule (2), Program	
36	20-Boating Operations, \$10,600,000 is for boating	
37	safety and enforcement programs pursuant to Section	
38	663.7 of the Harbors and Navigation Code.	
39		

1 SEC. 205. Item 3680-101-0890 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	3680-101-0890—For local assistance, Department of Boating	
5	and Waterways, for payment to Item 3680-101-0516,	
6	payable from the Federal Trust Fund.....	4,443,000
7		5,693,000

8 Provisions:

9 1. Of the amount appropriated in this item, \$2,500,000  
10 shall be for grants to local governments for boating  
11 safety and law enforcement, 15 percent of which shall  
12 be allocated according to the ~~department's~~ *Department*  
13 *of Boating and Waterways'* discretion, and 85 percent  
14 of which shall be allocated by the department in accor-  
15 dance with the following priorities:

16 First—To local governments that are eligible for  
17 state aid because they are spending all their local  
18 boating revenue on boating enforcement and safety,  
19 but are not receiving sufficient state funds to meet  
20 their need as calculated pursuant to Section 663.7 of  
21 the Harbors and Navigation Code.

22 Second—To local governments that are not spend-  
23 ing all local boating revenue on boating enforcement  
24 and safety, and whose boating revenue does not equal  
25 their calculated need. Local assistance shall not exceed  
26 the difference between the calculated need and local  
27 boating revenue.

28 Third—To local governments whose boating rev-  
29 enue exceeds their need, but who are not spending  
30 sufficient local revenue to meet their calculated need.

31  
32 SEC. 206. Item 3680-101-3001 of Section 2.00 of the Budget  
33 Act of 2009 is amended to read:

34		
35	3680-101-3001—For local assistance, Department of Boating	
36	and Waterways, for payment to Item 3680-101-0516,	
37	payable from the Public Beach Restoration Fund.....	8,000,000
38		12,200,000

1 Provisions:

2 1. Notwithstanding any other provision of law, the funds  
3 appropriated in this item shall be available for expen-  
4 diture until June 30, 2012.

5

6 *SEC. 207. Item 3760-001-0140 of Section 2.00 of the Budget*  
7 *Act of 2009 is amended to read:*

8

9 3760-001-0140—For support of State Coastal Conservancy,  
10 for payment to Item 3760-001-0565, payable from the  
11 California Environmental License Plate Fund..... ~~1,168,000~~  
12 *1,425,000*

13

14 *SEC. 208. Item 3760-001-0565 of Section 2.00 of the Budget*  
15 *Act of 2009 is amended to read:*

16

17 3760-001-0565—For support of State Coastal Conservancy,  
18 payable from the State Coastal Conservancy Fund..... 3,193,000

19 Schedule:

20 (1) 15-Coastal Resource Development..... 4,505,000

21 (2) 25-Coastal Resource Enhancement..... ~~6,743,000~~

22 *7,000,000*

23 (3) 90.01-Administration and Support..... 3,749,000

24 (4) 90.02-Distributed Administration..... -3,749,000

25 (5) Reimbursements..... -382,000

26 (6) Amount payable from the Safe Neigh-  
27 borhood Parks, Clean Water, Clean Air,  
28 and Coastal Protection Bond Fund (Item  
29 3760-001-0005)..... -1,551,000

30 (7) Amount payable from the California  
31 Environmental License Plate Fund (Item  
32 3760-001-0140)..... ~~-1,168,000~~  
33 *-1,425,000*

34 (8) Amount payable from the Federal Trust  
35 Fund (Item 3760-001-0890)..... -135,000

36 (9) Amount payable from the San Francisco  
37 Bay Area Conservancy Program Ac-  
38 count, State Coastal Conservancy Fund  
39 (Item 3760-001-0316)..... -470,000

1	(10) Amount payable from the California	
2	Clean Water, Clean Air, Safe Neighbor-	
3	hood Parks, and Coastal Protection	
4	Fund (Item 3760-001-6029).....	-2,068,000
5	(11) Amount payable from the Water Secu-	
6	rity, Clean Drinking Water, Coastal and	
7	Beach Protection Fund of 2002 (Item	
8	3760-001-6031).....	-736,000
9	(12) Amount payable from the Safe Drinking	
10	Water, Water Quality and Supply,	
11	Flood Control, River and Coastal Pro-	
12	tection Fund of 2006 (Item 3760-001-	
13	6051).....	-1,167,000
14	(13) Amount payable from California Ocean	
15	Protection Trust Fund (Item 3760-001-	
16	6076).....	-250,000
17	(14) Amount payable from the California	
18	Sea Otter Fund (Item 3760-001-	
19	8047).....	-128,000
20	Provisions:	
21	1. Notwithstanding any other provision of law, upon ap-	
22	proval and order of the Department of Finance, the	
23	State Coastal Conservancy may borrow sufficient	
24	funds from the State Coastal Conservancy Fund to	
25	meet cashflow needs due to delays in collecting reim-	
26	bursements. Any loan made by the Department of Fi-	
27	nance pursuant to this provision may be made only if	
28	the State Coastal Conservancy has a valid contract or	
29	certification signed by the agency providing the reim-	
30	bursements, which demonstrates that sufficient funds	
31	will be available to repay the loan. All moneys so	
32	transferred shall be repaid to the State Coastal Conser-	
33	vancy Fund as soon as possible, but not later than one	
34	year from the date of the loan.	
35	2. Of the funds appropriated by this act from the General	
36	Fund, special funds, or bond funds to the State Coastal	
37	Conservancy for local assistance or capital outlay,	
38	upon approval of the Department of Finance, the con-	
39	servancy may allocate an amount not to exceed 1.5	

1 percent of each project’s allocation to provide for the  
2 department’s costs to administer the projects.

3  
4 *SEC. 209. Item 3760-301-0262 of Section 2.00 of the Budget*  
5 *Act of 2009 is amended to read:*

6  
7 3760-301-0262—For capital outlay, State Coastal Conservancy,  
8 payable from the Habitat Conservation Fund..... 4,000,000

9 Schedule:

10 (1) 80.93.025-Coastal Resource Enhance-  
11 ment..... 4,000,000

12 6,000,000

13 (2) *Reimbursements*..... -2,000,000

14 Provisions:

15 1. (a) The State Coastal Conservancy shall not enter  
16 into a grant contract with a nonprofit organization  
17 or local government for property acquisition un-  
18 less the grant contract provides a reversionary  
19 interest to the state that specifies that the property  
20 shall not revert to the state without review and  
21 approval by the State Coastal Conservancy and  
22 the State Public Works Board.

23 (b) The State Coastal Conservancy shall not enter  
24 into a grant contract with a nonprofit organization  
25 or local government for property acquisition that  
26 provides for a state leasehold interest in property  
27 acquired by a nonstate public agency with grant  
28 funds of the State Coastal Conservancy unless the  
29 Director of General Services approves the lease  
30 terms.

31 (c) Except for the above, the expenditures of funds  
32 for grants to nonstate public agencies and nonprof-  
33 it organizations shall be exempt from State Public  
34 Works Board review.

35 2. The funds appropriated in this item are available for  
36 encumbrance for either capital outlay or local assis-  
37 tance without regard to fiscal year.

38 3. Notwithstanding any other provision of law, upon ap-  
39 proval and order of the Department of Finance, the  
40 State Coastal Conservancy may borrow sufficient

1 funds from the State Coastal Conservancy Fund to  
 2 meet cashflow needs due to delays in collecting reim-  
 3 bursements. Any loan made by the Department of Fi-  
 4 nance pursuant to this provision may be made only if  
 5 the State Coastal Conservancy has a valid contract or  
 6 certification signed by the agency providing the reim-  
 7 bursements, which demonstrates that sufficient funds  
 8 will be available to repay the loan. All moneys so  
 9 transferred shall be repaid to the State Coastal Conser-  
 10 vancy Fund as soon as possible, but not later than one  
 11 year from the date of the loan.

12 4. Funds appropriated in this item are in lieu of the  
 13 amount that otherwise would have been appropriated  
 14 for the ~~department~~ *State Coastal Conservancy*, pur-  
 15 suant to ~~subdivision (b) of Section 2787(b)~~ 2787 of  
 16 the Fish and Game Code.

17  
 18 *SEC. 210. Item 3760-301-0371 of Section 2.00 of the Budget*  
 19 *Act of 2009 is amended to read:*

20  
 21 3760-301-0371—For capital outlay, State Coastal Conservancy,  
 22 payable from the California Beach and Coastal Enhance-  
 23 ment Account, California Environmental License Plate  
 24 Fund..... 400,000  
 25 Schedule:  
 26 (1) 80.00.020-Public Access..... 400,000  
 27 1,400,000  
 28 (2) *Reimbursements*..... -1,000,000  
 29 Provisions:  
 30 1. (a) The State Coastal Conservancy may not enter into  
 31 a grant contract with a nonprofit organization or  
 32 local government for property acquisition unless  
 33 the grant contract provides a reversionary interest  
 34 to the state that specifies that the property shall  
 35 not revert to the state without review and approval  
 36 by the State Coastal Conservancy and the State  
 37 Public Works Board.  
 38 (b) The State Coastal Conservancy may not enter into  
 39 a grant contract with a nonprofit organization or  
 40 local government for property acquisition that

- 1 provides for a state leasehold interest in property
- 2 acquired by a nonstate public agency with grant
- 3 funds of the State Coastal Conservancy unless the
- 4 Director of General Services approves the lease
- 5 terms.
- 6 (c) Except for the above, the expenditure of funds for
- 7 grants to nonstate public agencies and nonprofit
- 8 organizations is exempt from State Public Works
- 9 Board review.
- 10 2. The funds appropriated in this item are available for
- 11 encumbrance for either capital outlay or local assis-
- 12 tance until June 30, 2012.

13  
 14 *SEC. 211. Item 3760-301-0593 of Section 2.00 of the Budget*  
 15 *Act of 2009 is amended to read:*

16  
 17 3760-301-0593—For capital outlay, State Coastal Conservancy,  
 18 payable from the Coastal Access Account, State Coastal  
 19 Conservancy Fund..... 500,000  
 20 Schedule:  
 21 (1) 80.00.020-Public Access..... ~~500,000~~  
 22 *1,500,000*  
 23 (2) *Reimbursements*..... *-1,000,000*

- 24 Provisions:  
 25 1. (a) The State Coastal Conservancy may not enter into  
 26 a grant contract with a nonprofit organization or  
 27 local government for property acquisition unless  
 28 the grant contract provides a reversionary interest  
 29 to the state that specifies that the property shall  
 30 not revert to the state without review and approval  
 31 by the State Coastal Conservancy and the State  
 32 Public Works Board.  
 33 (b) The State Coastal Conservancy may not enter into  
 34 a grant contract with a nonprofit organization or  
 35 local government for property acquisition that  
 36 provides for a state leasehold interest in property  
 37 acquired by a nonstate public agency with grant  
 38 funds of the State Coastal Conservancy unless the  
 39 Director of General Services approves the lease  
 40 terms.

1 (c) Except for the above, the expenditure of funds for  
 2 grants to nonstate public agencies and nonprofit  
 3 organizations is exempt from State Public Works  
 4 Board review.

5 2. The funds appropriated in this item are available for  
 6 encumbrance for either capital outlay or local assis-  
 7 tance until June 30, 2012.

8  
 9 *SEC. 212. Item 3760-301-6051 of Section 2.00 of the Budget*  
 10 *Act of 2009 is amended to read:*

11

12 3760-301-6051—For capital outlay, State Coastal Conservancy,	
13 payable from the Safe Drinking Water, Water Quality and	
14 Supply, Flood Control, River and Coastal Protection <del>Bond</del>	
15 <del>Act Fund</del> of 2006.....	78,317,000
16 Schedule:	
17 (1) 80.97.030-Conservancy Programs.....	79,317,000
18	81,317,000
19 (2) Reimbursements.....	-1,000,000
20	-3,000,000

21 Provisions:

22 1. The amount appropriated in this item is available for  
 23 encumbrance for either capital outlay or local assis-  
 24 tance until June 30, 2012.

25 2. The funds appropriated in this item are conditioned  
 26 upon all of the following:

27 (a) The State Coastal Conservancy may not enter into  
 28 a grant contract with a nonprofit organization or  
 29 local government for property acquisition unless  
 30 the grant contract provides a reversionary interest  
 31 to the state that specifies that the property shall  
 32 not revert to the state without review and approval  
 33 by the State Coastal Conservancy and the State  
 34 Public Works Board.

35 (b) The State Coastal Conservancy may not enter into  
 36 a grant contract with a nonprofit organization or  
 37 local government for property acquisition that  
 38 provides for a state leasehold interest in property  
 39 acquired by a nonstate public agency with grant  
 40 funds of the State Coastal Conservancy unless the

1 Director of General Services approves the lease  
 2 terms.  
 3 (c) Except for the above, the expenditure of funds for  
 4 grants to nonstate public agencies and nonprofit  
 5 organizations is exempt from State Public Works  
 6 Board review.

7  
 8 *SEC. 213. Item 3760-301-6076 of Section 2.00 of the Budget*  
 9 *Act of 2009 is amended to read:*

10

11	3760-301-6076—For capital outlay, State Coastal Conservancy,	
12	payable from the California Ocean Protection Trust	
13	Fund.....	26,750,000
14	Schedule:	
15	(1) 80.07.070-Ocean Protection Council....	<del>27,550,000</del>
16		27,750,000
17	(2) Reimbursements.....	<del>-800,000</del>
18		-1,000,000

- 19 Provisions:
- 20 1. The amount appropriated in this item is available for
  - 21 encumbrance for either capital outlay or local assis-
  - 22 tance until June 30, 2012.
  - 23 2. The funds appropriated in this item are conditioned
  - 24 upon all of the following:
  - 25 (a) The State Coastal Conservancy may not enter into
  - 26 a grant contract with a nonprofit organization or
  - 27 local government for property acquisition unless
  - 28 the grant contract provides a reversionary interest
  - 29 to the state that specifies that the property shall
  - 30 not revert to the state without review and approval
  - 31 by the State Coastal Conservancy and the State
  - 32 Public Works Board.
  - 33 (b) The State Coastal Conservancy may not enter into
  - 34 a grant contract with a nonprofit organization or
  - 35 local government for property acquisition that
  - 36 provides for a state leasehold interest in property
  - 37 acquired by a nonstate public agency with grant
  - 38 funds of the State Coastal Conservancy unless the
  - 39 Director of General Services approves the lease
  - 40 terms.

1 (c) Except for the above, the expenditure of funds for  
 2 grants to nonstate public agencies and nonprofit  
 3 organizations is exempt from State Public Works  
 4 Board review.

5 3. *Of the funds provided in this item for the Ocean Pro-*  
 6 *tection Council, \$4,400,000 shall be allocated to the*  
 7 *Department of Fish and Game for state operations*  
 8 *through an interagency agreement for the purpose of*  
 9 *Marine Life Protection Act implementation.*

10

11 *SEC. 214. Item 3760-495 is added to Section 2.00 of the Budget*  
 12 *Act of 2009, to read:*

13

14 *3760-495—Reversion, State Coastal Conservancy. As of June*  
 15 *30, 2009, the amounts specified below of the appropriations*  
 16 *provided in the following citations shall revert to the funds*  
 17 *from which the appropriations were made:*

18 *6031—Water Security, Clean Drinking Water, Coastal and*  
 19 *Beach Protection Fund of 2002*

20 *(1) Item 3760-301-6031, Budget Act of 2006 (Chs. 47 and*  
 21 *48, Stats. 2006)*

22 *(1) 80.97.030-Conservancy Pro-*  
 23 *grams..... 500,000*

24

25 *SEC. 215. Item 3790-001-0001 of Section 2.00 of the Budget*  
 26 *Act of 2009 is amended to read:*

27

28 *3790-001-0001—For support of Department of Parks and*  
 29 *Recreation..... 143,408,000*  
 30 *0*

31 *Schedule:*

32 *(1) For support of the Department of Parks*  
 33 *and Recreation..... 438,089,000*

34 *484,459,000*

35 *(2) Reimbursements..... -45,744,000*

36 *(3) Less funding provided by capital out-*  
 37 *lay..... -4,000,000*

1	(4) Amount payable from the Safe Neigh-	
2	borhood Parks, Clean Water, Clean Air,	
3	and Coastal Protection Bond Fund (Item	
4	3790-001-0005).....	-5,179,000
5	(5) Amount payable from the California	
6	Environmental License Plate Fund (Item	
7	3790-001-0140).....	-3,113,000
8	(6) Amount payable from the Public Re-	
9	sources Account, Cigarette and Tobacco	
10	Products Surtax Fund (Item 3790-001-	
11	0235).....	-9,699,000
12		-8,445,000
13	(7) Amount payable from the Off-Highway	
14	Vehicle Trust Fund (Item 3790-001-	
15	0263).....	-54,940,000
16		-54,607,000
17	(8) Amount payable from the State Parks	
18	and Recreation Fund (Item 3790-001-	
19	0392).....	-125,889,000
20		-115,889,000
21	(9) Amount payable from the Winter	
22	Recreation Fund (Item 3790-001-	
23	0449).....	-364,000
24	(10) Amount payable from the Harbors and	
25	Watercraft Revolving Fund (Item 3790-	
26	001-0516).....	-1,263,000
27	(11) Amount payable from the Federal Trust	
28	Fund (Item 3790-001-0890).....	-6,488,000
29	<i>(11.5) Amount payable from the Alternative</i>	
30	<i>and Renewable Fuel and Vehicle</i>	
31	<i>Technology Fund (Item 3790-001-</i>	
32	<i>3117) .....</i>	<i>-1,635,000</i>
33	<i>(11.6) Amount payable from the State</i>	
34	<i>Park Access Fund (Item 3790-001-</i>	
35	<i>3154).....</i>	<i>-199,730,000</i>
36	(12) Amount payable from the California	
37	Main Street Program Fund (Item 3790-	
38	001-3077).....	-175,000

1	(13) Amount payable from the California	
2	Clean Water, Clean Air, Safe Neighbor-	
3	hood Parks, and Coastal Protection	
4	Fund (Item 3790-001-6029).....	-4,663,000
5	(14) Amount payable from the Water Secu-	
6	rity, Clean Drinking Water, Coastal and	
7	Beach Protection Fund of 2002 (Item	
8	3790-001-6031).....	-445,000
9	(15) Amount payable from Safe Drinking	
10	Water, Water Quality and Supply,	
11	Flood Control, River and Coastal Pro-	
12	tection Fund of 2006 (Item 3790-001-	
13	6051).....	-32,501,000
14	(16) Amount payable from Safe Drinking	
15	Water, Water Quality and Supply,	
16	Flood Control, River and Coastal Pro-	
17	tection Fund of 2006 (Item 3790-002-	
18	6051).....	-4,000
19	(17) Amount payable from Disaster Prepared-	
20	ness and Flood Prevention Bond Fund	
21	of 2006 (Item 3790-001-6052).....	-214,000

22 Provisions:

- 23 1. Of the funds appropriated by this act from the General
- 24 Fund and special funds, other than the Off-Highway
- 25 Vehicle Trust Fund and bond funds, to the Department
- 26 of Parks and Recreation for local assistance grants to
- 27 local agencies, the department may allocate an amount
- 28 not to exceed 3.7 percent of each project’s allocation,
- 29 except to the extent otherwise restricted by law, to al-
- 30 low the department to administer its grants. Those
- 31 funds shall be available for encumbrance or expendi-
- 32 ture until June 30, 2015.
- 33 2. It is the intent of the Legislature that salaries, wages,
- 34 operating expenses, and positions associated with im-
- 35 plementing specific Department of Parks and Recre-
- 36 ation capital outlay projects continue to be funded
- 37 through capital outlay appropriations, and that these
- 38 funds should also be reflected in the department’s state
- 39 operations budget in the Governor’s Budget as a spe-

- 1           cial item of expense reflecting the funding provided  
 2           from the capital outlay appropriations.
- 3       3. Notwithstanding any other provision of law, the Direc-  
 4       tor of Finance may authorize a loan from the General  
 5       Fund, in an amount not to exceed 35 percent of reim-  
 6       bursements appropriated in this item to the Department  
 7       of Parks and Recreation, provided that:
- 8       (a) The loan is to meet cash needs resulting from the  
 9       delay in receipt of reimbursements for services  
 10      provided.
- 11      (b) The loan is for a short term and shall be repaid  
 12      by September 30, 2010.
- 13      (c) Interest charges may be waived pursuant to subdivi-  
 14      sion (e) of Section 16314 of the Government  
 15      Code.
- 16      (d) The Director of Finance may not approve the loan  
 17      unless the approval is made in writing and filed  
 18      with the Chairperson of the Joint Legislative  
 19      Budget Committee and the chairpersons of the  
 20      committees in each house of the Legislature that  
 21      consider appropriations not later than 30 days  
 22      prior to the effective date of the approval, or not  
 23      sooner than whatever lesser time that the chairper-  
 24      son of the joint committee, or his or her designee,  
 25      may determine.
- 26   4. The Department of Parks and Recreation is authorized  
 27   to enter into a contract for fee collection and other  
 28   services required by the department with a cooperative  
 29   association that has and will continue to fund state  
 30   employees on an ongoing basis.
- 31   5. Of the amount appropriated in Schedule (2),  
 32   \$11,300,000 shall be available for encumbrance or  
 33   expenditure until June 30, 2011.
- 34   6. Of the amount appropriated in Schedule (15),  
 35   \$15,725,000 shall be available for encumbrance or  
 36   expenditure until June 30, 2011.
- 37   7. *Of the amount appropriated in Schedule (15),*  
 38   *\$8,000,000 shall be available for encumbrance or ex-*  
 39   *penditure for the purposes of implementing the Depart-*  
 40   *ment of Parks and Recreation's multiyear plan to*

1 *comply with the Americans with Disabilities Act until*  
2 *June 30, 2012.*

3  
4 *SEC. 216. Item 3790-001-0235 of Section 2.00 of the Budget*  
5 *Act of 2009 is amended to read:*

6  
7 3790-001-0235—For support of Department of Parks and  
8 Recreation, for payment to Item 3790-001-0001, payable  
9 from the Public Resources Account, Cigarette and Tobacco  
10 Products Surtax Fund..... 9,699,000  
11 8,445,000

12  
13 *SEC. 217. Item 3790-001-0263 of Section 2.00 of the Budget*  
14 *Act of 2009 is amended to read:*

15  
16 3790-001-0263—For support of Department of Parks and  
17 Recreation, for payment to Item 3790-001-0001, payable  
18 from the Off-Highway Vehicle Trust Fund..... 54,940,000  
19 54,607,000

20  
21 *SEC. 218. Item 3790-001-0392 of Section 2.00 of the Budget*  
22 *Act of 2009 is amended to read:*

23  
24 3790-001-0392—For support of Department of Parks and  
25 Recreation, for payment to Item 3790-001-0001, payable  
26 from the State Parks and Recreation Fund..... 125,889,000  
27 115,889,000

28  
29 *SEC. 219. Item 3790-001-3117 is added to Section 2.00 of the*  
30 *Budget Act of 2009, to read:*

31  
32 3790-001-3117—For support of Department of Parks and  
33 Recreation, for payment to Item 3790-001-0001, payable  
34 from the Alternative and Renewable Fuel and Vehicle  
35 Technology Fund..... 1,635,000

36 *Provisions:*  
37 1. *Notwithstanding any other provision of law, the De-*  
38 *partment of Parks and Recreation may use Alternative*  
39 *and Renewable Fuel and Vehicle Technology Funds*

1 to retrofit diesel vehicles to comply with State Air Re-  
2 sources Board regulations.

3  
4 SEC. 220. Item 3790-001-3154 is added to Section 2.00 of the  
5 Budget Act of 2009, to read:

6  
7 3790-001-3154—For support of Department of Parks and  
8 Recreation, for payment to Item 3790-001-0001, payable  
9 from the State Park Access Fund..... 199,730,000

10  
11 SEC. 221. Item 3790-101-0005 is added to Section 2.00 of the  
12 Budget Act of 2009, to read:

13  
14 3790-101-0005—For local assistance, Department of Parks  
15 and Recreation, payable from the Safe Neighborhood  
16 Parks, Clean Water, Clean Air, and Coastal Protection  
17 Bond Fund ..... 39,795,000

18 Schedule:

- 19 (1) 80.25-Recreational Grants..... 39,795,000
- 20 (a) Competitive Grants (Non-project
- 21 specific)..... (40,000)
- 22 (1) Non-motorized Trails
- 23 Grants..... (40,000)
- 24 (a) San Dieguito Riv-
- 25 er Park Joint
- 26 Powers Authori-
- 27 ty..... (40,000)
- 28 (b) Soccer and Baseball Fields..... (375,000)
- 29 (1) City of Los Angeles: Boyle
- 30 Heights Sports Center for devel-
- 31 opment of sports fields, both
- 32 soccer and baseball..... (300,000)
- 33 (2) City of Montclair: Soccer
- 34 Park..... (75,000)
- 35 (c) Per Capita..... (371,000)
- 36 (1) County of San Diego: Otay
- 37 Valley Regional Park..... (371,000)
- 38 (d) Roberti-Z'berg-Harris..... (38,269,000)
- 39 (e) Zoos and Aquariums..... (740,000)

Provisions:

1. *The amounts displayed in this item represent the balances as of December 31, 2008. The Director of Finance may adjust these amounts to the extent indicated by reports of past expenditures identified and made prior to June 30, 2009.*
2. *Funds available in Schedule (1)(a) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(1)(c) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the Competitive Grants (Non-project specific) at the time of the original appropriation.*
3. *Funds available in Schedule (1)(b)(1) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(6c)(r) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.*
4. *Funds available in Schedule (1)(b)(2) shall be allocated consistent with the balance available at time of reversion of Schedule (3)(b) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.*
5. *Funds available in Schedule (1)(c) shall be allocated consistent with the balance available at time of reversion of Item 3790-103-0005 Grants (per capita), Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the per capita grants at the time of the original appropriation.*
6. *Funds available in Schedule (1)(d) shall be allocated consistent with balances available at time of reversion of Schedule (1)(b) of Item 3790-101-0005, Budget Act*

1 of 2001 (Ch. 106, Stats. 2001), and were allocated  
 2 pursuant to the Roberti-Z'berg-Harris Urban-Open  
 3 Space and Recreation Program Act (Chapter 3.2  
 4 (commencing with Section 5620) of Division 5 of the  
 5 Public Resources Code) at the time of the original  
 6 appropriation.

7 7. Funds available in Schedule (1)(e) shall be allocated  
 8 consistent with balances available at time of reversion  
 9 of Schedule (1)(d) of Item 3790-101-0005, Budget Act  
 10 of 2001 (Ch. 106, Stats. 2001), and were allocated  
 11 pursuant to the provisions of the grants for zoos and  
 12 aquariums at the time of the original appropriation.

13  
 14 SEC. 222. Item 3790-301-6051 of Section 2.00 of the Budget  
 15 Act of 2009 is amended to read:

16  
 17 3790-301-6051—For capital outlay, Department of Parks and  
 18 Recreation, payable from the Safe Drinking Water, Water  
 19 Quality and Supply, Flood Control, River and Coastal  
 20 Protection Fund of 2006..... 23,270,000  
 21 Schedule:  
 22 (1) 90.64.101-Eastshore SP: Brickyard  
 23 Cove Development—Working draw-  
 24 ings..... 833,000  
 25 (2) 90.6F.104-Angel Island SP: Immigration  
 26 Station Hospital Rehabilitation—Prelim-  
 27 inary plans..... 309,000  
 28 (3) 90.8G.104-Marshall Gold Discovery  
 29 SHP: Park Improvements—Working  
 30 drawings..... 735,000  
 31 (4) 90.8Y.101-Grover Hot Springs SP:  
 32 Renovate Pool Complex—Preliminary  
 33 plans..... 531,000  
 34 (5) 90.CT.100-Fort Ord Dunes SP: New  
 35 Campground and Beach Access—Pre-  
 36 liminary plans..... 1,198,000  
 37 (6) 90.EF.101-El Capitan SB: Construct  
 38 New Lifeguard Headquarters—Prelimi-  
 39 nary plans..... 591,000

1	(7) 90.FO.102-Leo Carrillo SP: Steelhead	
2	Trout Barrier Removal—Preliminary	
3	plans and working drawings.....	380,000
4	(8) 90.GG.102-Silverwood Lake SRA: Na-	
5	ture Center Exhibits—Preliminary plans	
6	and working drawings.....	380,000
7	(9) 90.H6.102-Cuyamaca Rancho SP:	
8	Equestrian Facilities—Construction....	3,031,000
9	(10) 90.IJ.103-Old Town San Diego SHP:	
10	Building Demolition and Immediate	
11	Public Use Facilities—Preliminary	
12	plans.....	436,000
13	(11) 90.KZ.104-Los Angeles SHP: Site De-	
14	velopment/Planning and Phase I Build	
15	Out—Working drawings.....	3,355,000
16	(12) 90.RS.224-Statewide: State Park Sys-	
17	tem Acquisition Program—Acquisi-	
18	tion.....	8,000,000
19	(13) 90.RS.260-Statewide: Recreational	
20	Trails Program— <del>Minors Program—Mi-</del>	
21	<del>nor Projects</del> .....	433,000
22	(14) 90.RS.601-Statewide: Budget Develop-	
23	<del>ment—Study Development—Studies</del> ....	300,000
24	(15) 90.RS.205-Statewide: State Park Sys-	
25	tem Minor Capital Outlay Program—	
26	<del>Minors Program—Minor Projects</del> .....	2,523,000
27	(16) 90.RS.235-Statewide: Volunteer En-	
28	<del>hancement—Program—Minors Pro-</del>	
29	<del>gram—Minor Projects</del> .....	615,000
30	(17) 90.RS.810-Statewide: Capitol Outlay	
31	Projects—Acquisition, preliminary	
32	plans, working drawings, construction,	
33	and minor projects.....	3,000,000
34	(18) Reimbursement—Statewide: Capital	
35	Outlay Projects.....	-3,000,000
36	(19) Reimbursement—Leo Carrillo SP:	
37	Steelhead Trout Barrier Removal.....	-380,000
38	Provisions:	
39	1. Notwithstanding any other provision of law, the funds	
40	appropriated in this item shall be available for expen-	

1           diture until June 30, 2013, except appropriations for  
 2           preliminary plans and working drawings, which shall  
 3           be available for expenditure until June 30, 2011, and  
 4           minor capital outlay and studies, which shall be  
 5           available for expenditure until June 30, 2010. In addi-  
 6           tion, the balance of each appropriation made in this  
 7           item that contains funding for construction that has  
 8           not been allocated, through fund transfer or approval  
 9           to proceed to bid, by the Department of Finance on or  
 10          before June 30, 2010, shall revert as of that date to the  
 11          fund from which the appropriation was made.

12  
 13          *SEC. 223. Item 3790-490 of Section 2.00 of the Budget Act of*  
 14          *2009 is amended to read:*

15  
 16          3790-490—Reappropriation, Department of Parks and Recre-  
 17          ation. ~~The balances of the appropriations provided amounts~~  
 18          *specified in the following citations are reappropriated for*  
 19          *the purposes provided for in those appropriations and shall*  
 20          *be available for encumbrance or expenditure until June*  
 21          *30, 2010 for the purposes and subject to the limitations,*  
 22          ~~unless otherwise specified, provided for in the following~~  
 23          ~~appropriations:~~

24          0001—General Fund  
 25          (1) \$3,074,000 from Item 3790-001-0001, Budget Act of  
 26          2008 (Chs. 268 and 269, Stats. 2008), for support of  
 27          the Department of Parks and Recreation

28          0263—Off-Highway Vehicle Trust Fund  
 29          (1) \$6,476,000 from Item 3790-001-0263, Budget Act of  
 30          2008 (Chs. 268 and 269, Stats. 2008), for support of  
 31          the Department of Parks and Recreation

32          6051—Safe Drinking Water, Water Quality and Supply,  
 33          Flood Control, River and Coastal Protection ~~Bond Act~~  
 34          Fund of 2006

35          Schedule:  
 36          (1) \$1,804,000 from Item 3790-001-6051, Budget Act of  
 37          2008 (Chs. 268 and 269, Stats. 2008), for natural her-  
 38          itage stewardship projects:

- 1 (2) \$1,169,000 from Item 3790-001-6051, Budget Act of
- 2 2008 (Chs. 268 and 269, Stats. 2008), for cultural
- 3 stewardship projects-
- 4 (3) \$1,458,000 from Item 3790-001-6051, Budget Act of
- 5 2008 (Chs. 268 and 269, Stats. 2008), for interpretive
- 6 exhibit projects-
- 7 (4) \$1,907,000 from Item 3790-001-6051, Budget Act of
- 8 2008 (Chs. 268 and 269, Stats. 2008), for statewide
- 9 general planning projects-

10  
11 *SEC. 224. Item 3790-491 is added to Section 2.00 of the Budget*  
12 *Act of 2009, to read:*

13  
14 *3790-491—Reappropriation, Department of Parks and Recre-*  
15 *ation. The balances of the appropriations provided in the*  
16 *following citations are reappropriated for the purposes*  
17 *and subject to the limitations, unless otherwise specified,*  
18 *provided in the following appropriations:*

19 *0005—Safe Neighborhood Parks, Clean Water, Clean Air,*  
20 *and Coastal Protection Bond Fund*

21 *(1) Item 3790-301-0005, Budget Act of 2000 (Ch. 52,*  
22 *Stats. 2000), as reappropriated by Item 3790-490,*  
23 *Budget Acts of 2001 (Ch. 106, Stats. 2001), 2003 (Ch.*  
24 *157, Stats. 2003), and 2006 (Chs. 47 and 48, Stats.*  
25 *2006)*

26 *(15) 90.CO.402-Henry W. Coe SP: Mount Hamil-*  
27 *ton—Acquisition*

28 *(20) 90.C9.100-Montana De Oro SP: Irish*  
29 *Hills—Acquisition*

30 *(2) Item 3790-301-0005, Budget Act of 2003 (Ch. 157,*  
31 *Stats. 2003), as reappropriated by Item 3790-491,*  
32 *Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006*  
33 *(Chs. 47 and 48, Stats. 2006), as reverted by Item*  
34 *3790-496, Budget Act of 2005 (Chs. 38 and 39, Stats.*  
35 *2005), and Item 3790-495, Budget Act of 2008 (Chs.*  
36 *268 and 269, Stats. 2008)*

37 *(12) 90.2W.101-Prairie Creek Redwoods SP: Public*  
38 *Use Improvements—Construction*

39 *(3) Item 3790-301-0005, Budget Act of 2004 (Ch. 208,*  
40 *Stats. 2004), as reappropriated by Item 3790-491,*

- 1            *Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005),*  
 2            *2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171*  
 3            *and 172, Stats. 2007), and 2008 (Chs. 268 and 269,*  
 4            *Stats. 2008)*  
 5            *(.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda*  
 6            *Adobe—Working drawings and construction*  
 7            *(.2) 90.E4.103-Chino Hills SP: Visitor Center—Con-*  
 8            *struction and equipment*  
 9            *(1) 90.GI.101-Crystal Cove SP: El Morro Mobile-*  
 10           *home Park Conversion—Construction*  
 11           *(5) Reimbursement—Crystal Cove State Park: El*  
 12           *Morro Mobilehome Park Conversion*  
 13           (4) *Item 3790-301-0005, Budget Act of 2005 (Chs. 38 and*  
 14           *39, Stats. 2005), as reappropriated by Item 3790-491,*  
 15           *Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006),*  
 16           *2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs.*  
 17           *268 and 269, Stats. 2008)*  
 18           *(1.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda*  
 19           *Adobe—Construction*  
 20           *(1.2) 90.E4.103-Chino Hills SP: Visitor Center—Con-*  
 21           *struction*  
 22           *(3) 90.I6.101-San Elijo State Beach: Replace Main*  
 23           *Lifeguard Tower—Preliminary plans and working*  
 24           *drawings*  
 25           (5) *Item 3790-301-0005, Budget Act of 2006 (Chs. 47 and*  
 26           *48, Stats. 2006), as reappropriated by Item 3790-491,*  
 27           *Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007)*  
 28           *and 2008 (Chs. 268 and 269, Stats. 2008)*  
 29           *(3) 90.I6.101-San Elijo SB: Replace Main Lifeguard*  
 30           *Tower—Construction and equipment*  
 31           (6) *Item 3790-301-0005, Budget Act of 2007 (Chs. 171*  
 32           *and 172, Stats. 2007), as reappropriated by Item 3790-*  
 33           *491, Budget Act of 2008 (Chs. 268 and 269, Stats.*  
 34           *2008)*  
 35           *(1.5) 90.I6.101-San Elijo SB: Replace Main Lifeguard*  
 36           *Tower—Construction*  
 37           *(2) 90.RS.205-Statewide: State Park System—Minor*  
 38           *projects*  
 39           (7) *Item 3790-301-0005, Budget Act of 2008 (Chs. 268*  
 40           *and 269, Stats. 2008)*

- 1           (1) 90.RS.205-Statewide: State Park System—Minor  
2           projects  
3           0263—Off-Highway Vehicle Trust Fund  
4           (1) Item 3790-301-0263, Budget Act of 2003 (Ch. 157,  
5           Stats. 2003), as reappropriated by Item 3790-491,  
6           Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and  
7           as reverted by Item 3790-495, Budget Act of 2007  
8           (Chs. 171 and 172, Stats. 2007)  
9           (2.5) 90.RS.423-Statewide: OHV Park and Buffer  
10           Acquisition Projects—Acquisition  
11           (2) Item 3790-301-0263, Budget Act of 2006 (Chs. 47 and  
12           48, Stats. 2006)  
13           (2) 90.RS.405-Statewide OHV Opportunity Pur-  
14           chase/Budget Package/Schematic Planning—Ac-  
15           quisition and study  
16           (3) Item 3790-301-0263, Budget Act of 2008 (Chs. 268  
17           and 269, Stats. 2008)  
18           (1) 90.A7.105-Prairie City SVRA: 4x4 Improve-  
19           ments—Preliminary plans and working drawings  
20           (2) 90.7C.102-Oceano Dunes SVRA: Visitor Center  
21           and Storage—Preliminary plans  
22           (4) 90.RS.206-Statewide: OHV Minor Projects  
23           0890—Federal Trust Fund  
24           (1) Item 3790-301-0890, Budget Act of 2007 (Chs. 171  
25           and 172, Stats. 2007), as reappropriated by Item 3790-  
26           491, Budget Act of 2008 (Chs. 268 and 269, Stats.  
27           2008)  
28           (0.5) 90.I6.101-San Elijo SB: Replace Lifeguard  
29           Tower—Construction  
30           6029—California Clean Water, Clean Air, Safe Neighbor-  
31           hood Parks, and Coastal Protection Fund  
32           (1) Item 3790-301-6029, Budget Act of 2003 (Ch. 157,  
33           Stats. 2003), as reappropriated by Item 3790-491,  
34           Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006  
35           (Chs. 47 and 48, Stats. 2006)  
36           (2.5) 90.EC.103-Kenneth Hahn State Recreation Area:  
37           Vista Pacifica Visitor Center—Preliminary  
38           plans, working drawings, and construction  
39           (10) 90.RS.224-Statewide: State Park System Acquisi-  
40           tion Program—Acquisition

- 1           (18) 90.6C.101-Ano Nuevo State Reserve: Marine
- 2                 Education Center—Preliminary plans, working
- 3                 drawings, construction, and equipment
- 4           (24) Reimbursements: Ano Nuevo State Reserve: Ma-
- 5                 rine Education Center
- 6           (2) Item 3790-301-6029, Budget Act of 2004 (Ch. 208,
- 7                 Stats. 2004), as reappropriated by Item 3790-491,
- 8                 Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005),
- 9                 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171
- 10                and 172, Stats. 2007), and 2008 (Chs. 268 and 269,
- 11                Stats. 2008), as reverted by Item 3790-496, Budget
- 12                Act of 2005 (Chs. 38 and 39, Stats. 2005), and as re-
- 13                verted by item 3790-495, Budget Acts of 2006 (Chs.
- 14                47 and 48, Stats. 2006) and 2007 (Chs. 171 and 172,
- 15                Stats. 2007)
- 16           (2.2) 90.E4.104-Chino Hills SP: Entrance Road and
- 17                Facilities—Working drawings
- 18           (2.6) 90.GY.101-Doheny State Beach: New Lifeguard
- 19                Headquarters—Construction and equipment
- 20           (5.1) 90.8D.102-Donner Memorial SP: New Visitor
- 21                Center—Working drawings, construction, and
- 22                equipment
- 23           (5.7) Reimbursement—Donner Memorial SP: New
- 24                Visitor Center
- 25           (3) Item 3790-301-6029, Budget Act of 2005 (Chs. 38 and
- 26                39, Stats. 2005), as reappropriated by Item 3790-491,
- 27                Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006),
- 28                2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs.
- 29                268 and 269, Stats. 2008), and as reverted by Item
- 30                3790-495, Budget Act of 2007 (Chs. 171 and 172,
- 31                Stats. 2007)
- 32           (3) 90.E4.104-Chino Hills SP: Entrance Road and
- 33                Facilities—Construction and equipment
- 34           (4) 90.FW.101-Topanga State Park: Public Use Im-
- 35                provements—Construction and equipment
- 36           (7) 90.3I.101-Shasta State Historic Park: Southside
- 37                Ruins Stabilization—Working drawings and con-
- 38                struction

- 1 (8) *90.6H.101-Samuel P. Taylor SP: Install New*  
2 *Concrete Reservoirs—Working drawings and*  
3 *construction*
- 4 (4) *Item 3790-301-6029, Budget Act of 2006 (Chs. 47 and*  
5 *48, Stats. 2006), as reappropriated by Item 3790-491,*  
6 *Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007)*  
7 *and 2008 (Chs. 268 and 269, Stats. 2008)*
- 8 (3.5) *90.8D.102-Donner Memorial SP: New Visitor*  
9 *Center—Working drawings and construction*
- 10 (3.8) *Reimbursement—Donner Memorial SP: New*  
11 *Visitor Center*
- 12 (5) *Item 3790-301-6029, Budget Act of 2007 (Chs. 171*  
13 *and 172, Stats. 2007), as reappropriated by Item 3790-*  
14 *491, Budget Act of 2008 (Chs. 268 and 269, Stats.*  
15 *2008)*
- 16 (1) *90.RS.810-Statewide: Capital Outlay Pro-*  
17 *jects—Acquisition, preliminary plans, construc-*  
18 *tion, and minor projects*
- 19 (3) *Reimbursements—Statewide Capital Outlay Pro-*  
20 *jects*
- 21 (6) *Chapter 1126 of the Statutes of 2002, as reappropri-*  
22 *ated by Item 3790-491, Budget Acts of 2005 (Chs. 38*  
23 *and 39, Stats. 2005), 2006 (Chs. 47 and 48, Stats.*  
24 *2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008*  
25 *(Chs. 268 and 269, Stats. 2008)*
- 26 (2) *90.8L.101-California Indian Museum—Studies,*  
27 *preliminary plans, working drawings, and con-*  
28 *struction*
- 29 *6051—Safe Drinking Water, Water Quality and Supply,*  
30 *Flood Control, River and Coastal Protection Fund of 2006*
- 31 (1) *Item 3790-301-6051, Budget Act of 2007 (Chs. 171*  
32 *and 172, Stats. 2007), as reappropriated by Item 3790-*  
33 *491, Budget Act of 2008 (Chs. 268 and 269, Stats.*  
34 *2008)*
- 35 (3.5) *90.KZ.104-Los Angeles State Historic Park*  
36 *(Cornfields): Planning and Phase I Build*  
37 *Out—Preliminary plans*
- 38 (5) *90.8I.101-Calaveras Big Trees State Park: New*  
39 *Visitor Center—Working drawings, construction,*  
40 *and equipment*

- 1           (6) *Reimbursements—Calaveras Big Trees State*
- 2                 *Park: New Visitor Center*
- 3       (2) *Item 3790-301-6051, Budget Act of 2008 (Chs. 268*
- 4                 *and 269, Stats. 2008)*
- 5           (3) *90.RS.260-Statewide: Recreational Trails—Minor*
- 6                 *projects*
- 7           (4) *90.RS.205-Statewide: State Park System—Minor*
- 8                 *projects*
- 9           (5) *90.RS.235-Statewide: Volunteer Enhancement*
- 10                *Program—Minor projects*
- 11           (6) *90.RS.601-Statewide: Budget Development—Stud-*
- 12                *ies*

13

14       *SEC. 225. Item 3790-492 is added to Section 2.00 of the Budget*  
 15 *Act of 2009, to read:*

16

17       *3790-492—Reappropriation, Department of Parks and Recre-*  
 18       *ation. Notwithstanding any other provision of law, the pe-*  
 19       *riod to liquidate encumbrances for the amounts specified*  
 20       *in the following citations is extended as cited below:*  
 21       *0005—Safe Neighborhood Parks, Clean Water, Clean Air,*  
 22       *and Coastal Protection Bond Fund*

23       (1) *\$61,132 from Item 3790-001-0005, Budget Act of 2004*  
 24               *(Ch. 208, Stats. 2004), and reappropriated by Item*  
 25               *3790-492, Budget Act of 2006 (Chs. 47 and 48, Stats.*  
 26               *2006), for support of the Department of Parks and*  
 27               *Recreation until June 30, 2010.*

28       (2) *\$521,722 from Item 3790-001-0005, Budget Act of*  
 29               *2006 (Chs. 47 and 48, Stats. 2006), for support of the*  
 30               *Department of Parks and Recreation until June 30,*  
 31               *2010.*

32       (3) *\$422,207 from Item 3790-001-0005, Budget Act of*  
 33               *2007 (Chs. 171 and 172, Stats. 2007), for support of*  
 34               *the Department of Parks and Recreation until June*  
 35               *30, 2011.*

36       6029—*California Clean Water, Clean Air, Safe Neighbor-*  
 37       *hood Parks, and Coastal Protection Fund*

38       (1) *\$394,850 from Item 3790-001-6029, Budget Act of*  
 39               *2006 (Chs. 47 and 48, Stats. 2006), for support of the*

1 Department of Parks and Recreation until June 30,  
2 2010.

3 (2) \$185,441 from Item 3790-001-6029, Budget Act of  
4 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated  
5 by Item 3790-490, Budget Act of 2006 (Chs. 47 and  
6 48, Stats. 2006), and reappropriated by Item 3790-490  
7 (Chs. 171 and 172, Stats. 2007), for support of the  
8 Department of Parks and Recreation until June 30,  
9 2011.

10 (3) \$70,257 from Item 3790-001-6029, Budget Act of 2007  
11 (Chs. 171 and 172, Stats. 2007), for support of the  
12 Department of Parks and Recreation until June 30,  
13 2011.

14 6051—Safe Drinking Water, Water Quality and Supply,  
15 Flood Control, River and Coastal Protection Fund of 2006

16 (1) \$383,844 from Item 3790-001-6051, Budget Act of  
17 2007 (Chs. 171 and 172, Stats. 2007), for support of  
18 the Department of Parks and Recreation until June  
19 30, 2011.

20  
21 *SEC. 226. Item 3790-494 is added to Section 2.00 of the Budget*  
22 *Act of 2009, to read:*

23  
24 3790-494—Reappropriation, Department of Parks and Recre-  
25 ation. Notwithstanding any other provision of law, the pe-  
26 riod to liquidate encumbrances in the following citations  
27 is extended as cited below:

28 0005—Safe Neighborhood Parks, Clean Water, Clean Air,  
29 and Coastal Protection Bond Fund

30 (1) Item 3790-101-0005, Budget Act of 2001 (Ch. 106,  
31 Stats. 2001), until June 30, 2010

32 (1) 80.25-Recreational Grants

33 (a) Local Agencies Operating Park Units

34 (c) Murray-Hayden Urban Parks and Youth  
35 Services Program

36 (2) 80.30-Historic Preservation Grants

37 (a) California Heritage Program

38 (2) Item 3790-101-0005, Budget Act of 2001 (Ch. 106,  
39 Stats. 2001), as reappropriated by Item 3790-492,  
40 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),

- 1            *for the City of Los Angeles, Department of Parks and*
- 2            *Recreation for the Seoul International Park until June*
- 3            *30, 2011*
- 4            (1) *80.25-Recreational Grants*
- 5                (c) *Murray-Hayden Urban Parks and Youth*
- 6                       *Services Program*
- 7            (3) *Item 3790-101-0005, Budget Act of 2005 (Chs. 38 and*
- 8            *39, Stats. 2005), for improvements to the bicycle and*
- 9            *pedestrian trail and for bluff erosion and safety railing*
- 10           *at Bolsa Chica State Beach until June 30, 2011*
- 11           (1) *80.25-Recreational Grants*
- 12               (a) *Local Agencies Operating Park Units to the*
- 13                      *City of Huntington Beach*
- 14           (4) *Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*
- 15           *Stats. 2000), (a) 80.25-Recreational Grants, (5) Mur-*
- 16           *ray-Hayden Grants, as reappropriated by Item 3790-*
- 17           *492, Budget Act of 2007 (Chs. 171 and 172, Stats.*
- 18           *2007), until June 30, 2010*
- 19               (j) *City of Los Angeles: Blythe Street Pocket Park*
- 20               (m) *City of Los Angeles: Renovation of Brand Park*
- 21               (q) *City of Los Angeles: Community Build Youth*
- 22                      *Center*
- 23               (dy) *City of Los Angeles: South Central Sport Center*
- 24           (5) *Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*
- 25           *Stats. 2000), (a) 80.25-Recreational Grants, (5) Mur-*
- 26           *ray-Hayden Grants, as reappropriated by Item 3790-*
- 27           *490, Budget Act of 2008 (Chs. 268 and 269, Stats.*
- 28           *2008), until June 30, 2010*
- 29               (c) *City of Richmond: Richmond Natatorium, to en-*
- 30                      *able seismic retrofit of the Natatorium*
- 31               (p) *City of Los Angeles: Juntos Park: outdoor devel-*
- 32                      *opment at a recently acquired parcel to serve as*
- 33                      *a new park*
- 34               (x) *City of Anaheim: Maxwell Park Expansion Pro-*
- 35                      *ject from 15 to 21 acres*
- 36               (ix) *Santa Monica Mountains Conservancy: Arroyo*
- 37                      *Seco/Confluence Park*
- 38               (vx) *YMCA of San Diego County: Border View Expan-*
- 39                      *sion*

- 1 (7) *Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*  
2 *Stats. 2000), as amended by Section 12 of Chapter*  
3 *672 of the Statutes of 2000, and as reappropriated by*  
4 *Item 3790-490, Budget Act of 2008 (Chs. 268 and 269,*  
5 *Stats. 2008), until June 30, 2010*  
6 (a) *80.25-Recreational Grants*  
7 (1) *Murray-Hayden Grants*  
8 (ey) *Concerned Citizens of South Central Los Ange-*  
9 *les: Acquisition and construction of Antes*  
10 *Columbus Youth Center, soccer field, and pocket*  
11 *park*  
12 *6029—California Clean Water, Clean Air, Safe Neighbor-*  
13 *hood Parks, and Coastal Protection Fund*  
14 (1) *Subdivision (b) of Section 2 of Chapter 1126 of the*  
15 *Statutes of 2002, as reappropriated by Item 3790-494,*  
16 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),*  
17 *for the grant to the City of San Jose for the develop-*  
18 *ment of Japantown until June 30, 2010*  
19 (2) *Subdivision (b) of Section 2 of Chapter 1126 of the*  
20 *Statues of 2002, as reappropriated by Item 3790-492,*  
21 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*  
22 *for the grant to the California State University, Chico*  
23 *Research Foundation for the design and construction*  
24 *of the Northern California Natural History Museum*  
25 *until June 30, 2011*  
26 (3) *Subdivision (b) of Section 2 of Chapter 1126 of the*  
27 *Statutes of 2002, as reappropriated by Item 3790-492,*  
28 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*  
29 *for the grant to the Immigration Museum/New Ameri-*  
30 *cans until June 30, 2011*  
31 (4) *Paragraph (6) of subdivision (b) of Section 4 of*  
32 *Chapter 1126 of the Statutes of 2002 to the City and*  
33 *County of San Francisco for Golden Gate Park until*  
34 *June 30, 2011*  
35 (5) *Paragraph (7) of subdivision (b) of Section 4 of*  
36 *Chapter 1126 of the Statutes of 2002 to the County of*  
37 *Los Angeles for the El Pueblo Cultural and Performing*  
38 *Arts Center until June 30, 2011*  
39

1 SEC. 227. Item 3790-497 of Section 2.00 of the Budget Act of  
2 2009 is amended to read:

3

4 3790-497—Reversion, Department of Parks and Recreation.

5 Pursuant to ~~Public Resources Code~~ subdivision (d) of Sec-  
6 tion 5096.341 ~~(d)~~ of the Public Resources Code, as of June  
7 30, 2009, the balances of the appropriations provided in  
8 the following citations shall revert to the fund from which  
9 the appropriations were made:

10 0005—Safe Neighborhood Parks, Clean Water, Clean Air,  
11 and Coastal Protection Bond Fund

12 (1) Item 3790-102-0005, Budget Act of 2000 (Ch. 52,  
13 Stats. 2000)

14 (a) 80.25-Recreational Grants

15 (1) *Competitive grants (non-project specific)*

16 (c) *Non-motorized Trails Grants, as partially*  
17 *reappropriated by Item 3790-490, Budget*  
18 *Act of 2008 (Chs. 268 and 269, Stats. 2008),*  
19 *for a grant to the San Dieguito River Park*  
20 *Joint Powers Authority*

21 (6c) Soccer and baseball fields, as partially reappropri-  
22 ated by Item 3790-490, Budget Act of 2008 (Chs.  
23 268 and 269, Stats. 2008), (a) 80.25 Recreational  
24 Grants, (6c) Soccer and baseball fields, (r) City  
25 of Los Angeles, Boyle Heights Sports Center for  
26 development of sports fields for both soccer and  
27 baseball as amended by SB 1681, Section 12 of  
28 Chapter 672, Statutes of 2000

29 (2) Item 3790-103-0005, Budget Act of 2000 (Ch. 52,  
30 Stats. 2000), Grants (per capita), as partially reappro-  
31 priated by Item 3790-490 of the Budget Act of 2008  
32 (Chs. 268 and 269, Stats. 2008), (4) Item 3790-103-  
33 0005, Budget Act of 2000 (Ch. 52, Stats. 2000), Grants  
34 (per capita), County of San Diego for the \$1,855,000  
35 grant for the Otay Valley Regional Park

36 (3) Item 3790-101-0005, Budget Act of 2001 (Ch. 106,  
37 Stats. 2001)

38 (1) 80.25-Recreational Grants

39 (b) Roberti-Z'berg Harris, and as partially reap-  
40 propriated by Item 3790-490, Budget Act of

1                   2007 (Chs. 171 and 172, Stats. 2007), (2)  
 2                   Item 3790-101-0005, Budget Act of 2001  
 3                   (Ch. 106, Stats. 2001), (1) 80.25 Recreational  
 4                   Grants, (b) Roberti-Z'berg Harris. This reap-  
 5                   propriation is limited to a \$328,770 grant to  
 6                   the County of Butte.

7           (4) Item 3790-101-0005, Budget Act of 2001 (Ch. 106,  
 8           Stats. 2001)

9           (1) 80.25 Recreational Grants

10           (d) Zoos and Aquariums

11           (5) Item 3790-101-0005, Budget Act of 2001 (Ch. 106,  
 12           Stats. 2001)

13           (3) 80.28-Local Projects

14           (a) City and County of San Francisco: Young-  
 15           blood Coleman Soccer Field

16           (b) City of Montclair: Soccer Park

17           (c) Major League Baseball Urban Youth Foun-  
 18           dation: Major League Baseball Academy

19  
 20       *SEC. 228. Item 3810-001-0140 of Section 2.00 of the Budget*  
 21 *Act of 2009 is amended to read:*

23	3810-001-0140—For support of Santa Monica Mountains	
24	Conservancy, payable from the California Environmental	
25	License Plate Fund.....	247,000
26		297,000
27	Schedule:	
28	(1) 10-Santa Monica Mountains Conservan-	
29	cy .....	1,235,000
30		1,285,000
31	(2) Amount payable from the California	
32	Clean Water, Clean Air, Safe Neighbor-	
33	hood Parks, and Coastal Protection Fund	
34	(Item 3810-001-6029).....	-255,000
35	(3) Amount payable from the Water Securi-	
36	ty, Clean Drinking Water, Coastal and	
37	Beach Protection Fund of 2002 (Item	
38	3810-001-6031).....	-245,000

1 (4) Amount payable from the Safe Drinking  
 2 Water, Water Quality and Supply, Flood  
 3 Control, River and Coastal Protection  
 4 Fund of 2006 (Item 3810-001-6051)..... -488,000

5 Provisions:

6 1. (a) The Santa Monica Mountains Conservancy shall  
 7 not encumber state-appropriated funds for the  
 8 purchase or acquisition of real property directly  
 9 or through any public agency intermediary, includ-  
 10 ing the State Public Works Board, that requires  
 11 the payment of interest costs, or late fees or  
 12 penalties, unless the conservancy certifies all of  
 13 the following: (1) that the purchase is necessary  
 14 to implement an acquisition identified in the high-  
 15 priority category of the work program submitted  
 16 annually to the Legislature pursuant to Section  
 17 33208 of the Public Resources Code, or amend-  
 18 ments made thereto, (2) that the purchase agree-  
 19 ment does not involve interest payments or terms  
 20 in excess of those that the State Public Works  
 21 Board may enter into pursuant to Section 15854.1  
 22 of the Government Code, and (3) that the purchase  
 23 agreement does not commit the state to future  
 24 appropriations.

25 (b) The Santa Monica Mountains Conservancy shall  
 26 report periodically to the Legislature, but no less  
 27 frequently than twice yearly, concerning the status  
 28 of any purchases certified as required in (a) and  
 29 the amount of state funds thus far encumbered for  
 30 interest, penalties, or other principal surcharges.

31  
 32 *SEC. 229. Item 3810-301-6031 of Section 2.00 of the Budget*  
 33 *Act of 2009 is amended to read:*

34  
 35 3810-301-6031—For capital outlay, Santa Monica Mountains  
 36 Conservancy, payable from the Water Security, Clean  
 37 Drinking Water, Coastal and Beach Protection Fund of  
 38 2002..... 35,000

1 Schedule:  
 2 ±:  
 3 (1) 50.20-Capital Outlay and Local Assis-  
 4 tance..... 35,000

- 5 Provisions:
- 6 1. The Santa Monica Mountains Conservancy may en-  
 7 cumber funds for either capital outlay or local assis-  
 8 tance grants until June 30, 2012. The conservancy  
 9 shall not encumber funds for any grant not previously  
 10 approved by the office of the Attorney General.
  - 11 2. The Santa Monica Mountains Conservancy shall issue  
 12 grants from this appropriation only in accordance with  
 13 the General Obligation Bond Law and the specific  
 14 provisions of the bond funds from which appropri-  
 15 ations have been made, and according to advice it has  
 16 received from the office of the Attorney General, and,  
 17 if appropriate, from the office of the State Treasurer,  
 18 respecting the permissible use of bond funds available  
 19 to the conservancy.
  - 20 3. Any time that the office of the Attorney General con-  
 21 cludes that any use of bond funds has not been consis-  
 22 tent with the advice provided by the Attorney General,  
 23 the Santa Monica Mountains Conservancy shall follow  
 24 the instructions of the Attorney General with respect  
 25 to recovery, refund, or other settlement.

26  
 27 *SEC. 230. Item 3810-491 is added to Section 2.00 of the Budget*  
 28 *Act of 2009, to read:*

29  
 30 *3810-491—Reappropriation, Santa Monica Mountains Conser-*  
 31 *vancy. Notwithstanding any other provision of law, the*  
 32 *period to liquidate encumbrances of the appropriations in*  
 33 *the following citations are extended as specified:*  
 34 *0005—Safe Neighborhood Parks, Clean Water, Clean Air,*  
 35 *and Coastal Protection Bond Fund*  
 36 *(1) Item 3810-301-0005, Budget Act of 2004 (Ch. 208,*  
 37 *Stats. 2004), until June 30, 2011*  
 38 *(1) 50.20.001-Capital Outlay Acquisitions*  
 39 *0941—Santa Monica Mountains Conservancy Fund*

1 (1) Reimbursements to Item 3810-301-0941, Budget Act  
 2 of 2000 (Ch. 52, Stats. 2000), as reappropriated by  
 3 Item 3810-490, Budget Act of 2005 (Chs. 38 and 39,  
 4 Stats. 2005), and as reappropriated by Item 3810-491,  
 5 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),  
 6 until June 30, 2010  
 7 6031—Water Security, Clean Drinking Water, Coastal and  
 8 Beach Protection Fund of 2002  
 9 (1) Item 3810-301-6031, Budget Act of 2004 (Ch. 208,  
 10 Stats. 2004), until June 30, 2011  
 11 (1) 50.20.001-Capital Outlay Acquisitions  
 12

13 SEC. 231. Item 3850-301-0005 is added to Section 2.00 of the  
 14 Budget Act of 2009, to read:  
 15

16 3850-301-0005—For capital outlay, Coachella Valley Moun-  
 17 tains Conservancy, payable from the Safe Neighborhood  
 18 Parks, Clean Water, Clean Air, and Coastal Protection  
 19 Bond Fund..... 343,000  
 20 Schedule:  
 21 (1) 20-Coachella Valley Mountains Conser-  
 22 vancy Acquisition and Enhancement  
 23 Projects and Costs..... 343,000  
 24 Provisions:  
 25 1. The funds appropriated in this item are available for  
 26 expenditure for capital outlay or local assistance until  
 27 June 30, 2012.  
 28

29 SEC. 232. Item 3850-301-6029 is added to Section 2.00 of the  
 30 Budget Act of 2009, to read:  
 31

32 3850-301-6029—For capital outlay, Coachella Valley Moun-  
 33 tains Conservancy, payable from the California Clean  
 34 Water, Clean Air, Safe Neighborhood Parks, and Coastal  
 35 Protection Fund..... 456,000  
 36 Schedule:  
 37 (1) 20-Coachella Valley Mountains Acquisi-  
 38 tion and Enhancement Projects and  
 39 Costs..... 456,000

1 Provisions:

2 1. The funds appropriated in this item are available for  
3 expenditure for capital outlay or local assistance until  
4 June 30, 2012.

5  
6 SEC. 233. Item 3850-301-6051 is added to Section 2.00 of the  
7 Budget Act of 2009, to read:

8  
9 3850-301-6051—For capital outlay, Coachella Valley Moun-  
10 tains Conservancy, payable from the Safe Drinking Water,  
11 Water Quality and Supply, Flood Control, River and  
12 Coastal Protection Fund of 2006..... 6,000,000

13 Schedule:

14 (1) 20-Coachella Valley Mountains Acquisi-  
15 tion and Enhancement Projects and  
16 Costs..... 6,000,000

17 Provisions:

18 1. The funds appropriated in this item are available for  
19 expenditure for capital outlay or local assistance until  
20 June 30, 2012.

21  
22 SEC. 234. Item 3855-001-0140 of Section 2.00 of the Budget  
23 Act of 2009 is amended to read:

24  
25 3855-001-0140—For support of Sierra Nevada Conservancy,  
26 payable from the California Environmental License Plate  
27 Fund..... 3,732,000  
28 4,232,000

29 Schedule:

30 (1) 10-Sierra Nevada Conservancy..... ~~4,454,000~~  
31 4,954,000  
32 (2) Reimbursements..... -200,000  
33 (3) Amount payable from Safe Drinking  
34 Water, Water Quality and Supply, Flood  
35 Control, River and Coastal Protection  
36 Fund of 2006 (Item 3855-001-6051)..... -522,000  
37

38 SEC. 235. Item 3855-490 is added to Section 2.00 of the Budget  
39 Act of 2009, to read:

1 3855-490—*Reappropriation, Sierra Nevada Conservancy.*  
 2 *Notwithstanding any other provision of law, the period to*  
 3 *liquidate encumbrances of the following citation is extended*  
 4 *to June 30, 2012:*  
 5 *6051—Safe Drinking Water, Water Quality and Supply,*  
 6 *Flood Control, River and Coastal Protection Fund of 2006*  
 7 *(1) Item 3855-101-6051, Budget Act of 2007 (Chs. 171*  
 8 *and 172, Stats. 2007)*  
 9

10 *SEC. 236. Item 3860-001-0001 of Section 2.00 of the Budget*  
 11 *Act of 2009 is amended to read:*  
 12

13	3860-001-0001—For support of Department of Water Re-	
14	sources.....	70,127,000
15		63,127,000
16	Schedule:	
17	(1) 10-Continuing Formulation of the Cali-	
18	fornia Water Plan.....	87,472,000
19		94,093,000
20	(2) 20-Implementation of the State Water	
21	Resources Development System.....	5,360,000
22	(3) 30-Public Safety and Prevention of	
23	Damage.....	148,345,000
24		156,725,000
25	(4) 35-Central Valley Flood Protection	
26	Board.....	8,549,000
27		6,359,000
28	(5) 40-Services.....	9,660,000
29	(6) 45-California Energy Resources	
30	Scheduling (CERS).....	26,098,000
31	(7) 50.01-Management and Administra-	
32	tion.....	67,155,000
33	(8) 50.02-Distributed Management and	
34	Administration.....	-67,155,000
35	(9) Reimbursements.....	-45,591,000
36		-53,591,000
37	(10) Amount payable from the California	
38	Environmental License Plate Fund	
39	(Item 3860-001-0140).....	-270,000
40		-330,000

1	(11) Amount payable from the Central Valley Project Improvement Subaccount	
2	(Item 3860-001-0404).....	-1,578,000
3		-709,000
4		
5	(12) Amount payable from the Feasibility Projects Subaccount (Item 3860-001-0445).....	-7,000
6		
7	(13) Amount payable from the Water Conservation and Groundwater Recharge Subaccount (Item 3860-001-0446).....	-125,000
8		
9	(14) Amount payable from the Energy Resources Programs Account (Item 3860-001-0465).....	-2,564,000
10		
11	(15) Amount payable from the Local Projects Subaccount (Item 3860-001-0543).....	-101,000
12		
13	(16) Amount payable from the Sacramento Valley Water Management and Habitat Protection Subaccount (Item 3860-001-0544).....	-27,000
14		
15	(17) Amount payable from the 1986 Water Conservation and Water Quality Bond Fund (Item 3860-001-0744).....	-195,000
16		
17	(18) Amount payable from the Federal Trust Fund (Item 3860-001-0890).....	-13,922,000
18		-19,242,000
19		
20	(19) Amount payable from the Dam Safety Fund (Item 3860-001-3057).....	-11,311,000
21		-11,611,000
22		
23	(20) Amount payable from the Department of Water Resources Electric Power Fund (Item 3860-001-3100).....	-26,098,000
24		
25	(21) Amount payable from the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund (Item 3860-001-6001).....	-1,029,000
26		
27	(22) Amount payable from the Flood Protection Corridor Subaccount (Item 3860-001-6005).....	-150,000
28		
29		
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39		

1	(23) Amount payable from the Urban Stream	
2	Restoration Subaccount (Item 3860-	
3	001-6007).....	-33,000
4	(24) Amount payable from the Yuba Feather	
5	Flood Protection Subaccount (Item	
6	3860-001-6010).....	-281,000
7	(25) Amount payable from the Water Con-	
8	servation Account (Item 3860-001-	
9	6023).....	-849,000
10	(26) Amount payable from the Conjunctive	
11	Use Subaccount (Item 3860-001-	
12	6025).....	-1,503,000
13	(27) Amount payable from the Bay-Delta	
14	Multipurpose Water Management Sub-	
15	account (Item 3860-001-6026).....	-5,966,000
16	(28) Amount payable from the Interim Water	
17	Supply and Water Quality Infrastructure	
18	and Management Subaccount (Item	
19	3860-001-6027).....	-2,796,000
20	(29) Amount payable from the Water Secu-	
21	rity, Clean Drinking Water, Coastal	
22	and Beach Protection Fund of 2002	
23	(Item 3860-001-6031).....	-16,082,000
24	(30) Amount payable from the Safe Drinking	
25	Water, Water Quality and Supply,	
26	Flood Control, River and Coastal Pro-	
27	tection Fund of 2006 (Item 3860-001-	
28	6051).....	-4,143,000
29	(31) Amount payable from the Disaster	
30	Preparedness and Flood Prevention	
31	Bond Fund of 2006 (Item 3860-001-	
32	6052).....	<del>-80,736,000</del>
33		-87,736,000

34 Provisions:

- 35 1. The amounts appropriated in Items 3860-001-0001 to
- 36 3860-001-6052, inclusive, shall be transferred to the
- 37 Water Resources Revolving Fund (0691) for direct
- 38 expenditure in such amounts as the Department of Fi-
- 39 nance may authorize, including cooperative work with
- 40 other agencies.



1  
2 *SEC. 241. Item 3860-001-6052 of Section 2.00 of the Budget*  
3 *Act of 2009 is amended to read:*

4  
5 3860-001-6052—For support of Department of Water Re-  
6 sources, for payment to Item 3860-001-0001, payable from  
7 the Disaster Preparedness and Flood Prevention Bond  
8 Fund of 2006 ..... 80,736,000  
9 87,736,000

10 Provisions:  
11 1. Of the amount appropriated in this item, \$11,588,000  
12 for the California Flood SAFE Program shall be  
13 available for encumbrance or expenditure until June  
14 30, 2012.

15  
16 *SEC. 242. Item 3860-101-0544 of Section 2.00 of the Budget*  
17 *Act of 2009 is repealed.*

18  
19 ~~3860-101-0544—For local assistance, Department of Water~~  
20 ~~Resources, payable from the Sacramento Valley Water~~  
21 ~~Management and Habitat Protection Subaccount..... 8,000,000~~  
22

23 *SEC. 243. Item 3860-101-6025 is added to Section 2.00 of the*  
24 *Budget Act of 2009, to read:*

25  
26 3860-101-6025—For local assistance, Department of Water  
27 Resources, payable from the Conjunctive Use Subac-  
28 count..... 218,000  
29

30 *SEC. 244. Item 3860-101-6052 of Section 2.00 of the Budget*  
31 *Act of 2009 is amended to read:*

32  
33 3860-101-6052—For local assistance, Department of Water  
34 Resources, payable from the Disaster Preparedness and  
35 Flood Prevention Bond Fund of 2006..... 176,500,000  
36 181,500,000

37 Provisions:  
38 1. Of the funds appropriated in this item, \$5,000,000  
39 shall be available for planning, design, and studies  
40 for the Pajaro River Flood Control Project. Funding

1 provided in this item is made in consideration of, and  
 2 shall be contingent upon, the identification of federal  
 3 American Recovery and Reinvestment Act funding for  
 4 the project. To the extent the funds appropriated in  
 5 this item are used for design of the project, the funds  
 6 shall be considered as the state share of cost toward  
 7 the nonfederal share of the Project.  
 8

9 *SEC. 245. Item 3860-301-6052 of Section 2.00 of the Budget*  
 10 *Act of 2009 is amended to read:*

11	3860-301-6052—For capital outlay, Department of Water Re-	
12	sources, payable from the Disaster Preparedness and Flood	
13	Prevention Bond Fund of 2006.....	<del>115,590,000</del>
14		<i>123,840,000</i>
15		
16	Schedule:	
17	(1) 30.95.115-American River Flood Con-	
18	trol Project: Common Elements.....	10,801,000
19	(2) 30.95.260-South Sacramento County	
20	Streams.....	<del>4,351,000</del>
21		<i>10,351,000</i>
22	(3) 30.95.311-Folsom Dam Modifications	
23	Project.....	67,448,000
24	(4) 30.95.341-System Evaluation of the	
25	State Plan of Flood Control.....	35,200,000
26	(5) 30.95.342-Sutter Bypass Pumping Plants	
27	Control Systems.....	7,122,000
28	(5.5) 30.95.343-Sutter Bypass East Water	
29	Control Structure.....	3,992,000
30	(6) 30.95.344-Knights Landing Outfall	
31	Gates Rehabilitation.....	10,273,000
32	(7) 30.95.345-Sacramento Yard—Soil and	
33	Groundwater Investigation and Remedi-	
34	ation.....	5,050,000
35	(8) Reimbursements—Folsom Dam Modi-	
36	fications Project.....	<del>-20,192,000</del>
37	(9) Reimbursements—South Sacramento	
38	County Streams.....	<del>-1,263,000</del>
39		<i>-3,005,000</i>

1 (10) Reimbursements—American River  
 2 Flood Control Project: Common Ele-  
 3 ments..... -3,200,000

4 Provisions:

- 5 1. The funds appropriated in this item may be expended  
 6 for relocations and acquisition of land, easements, and  
 7 rights-of-way, including, but not limited to, borrow  
 8 pits, spoil areas, and easements for levees, clearing,  
 9 flood control works, and flowage, and for appraisals,  
 10 surveys, and engineering studies necessary for the  
 11 completion or operation of the projects in the Sacra-  
 12 mento and San Joaquin watersheds as authorized by  
 13 Section 8617.1 and Chapters 1 (commencing with  
 14 Section 12570), 2 (commencing with Section 12639),  
 15 3 (commencing with Section 12800), 3.5 (commencing  
 16 with Section 12840), and 4 (commencing with Section  
 17 12850) of Part 6 of Division 6 of the Water Code.  
 18 Notwithstanding paragraph (1) of subdivision (a) of  
 19 Section 12582.7 and Section 12585.5 of the Water  
 20 Code, prior to state and federal authorization of the  
 21 project and appropriation of federal construction funds  
 22 by Congress and subsequent to submittal of a report  
 23 to the Legislature pursuant to Section 12582.7 of the  
 24 Water Code, the amounts appropriated in this item  
 25 may be expended for state costs associated with pre-  
 26 construction design and engineering work conducted  
 27 by the federal government and others.
- 28 2. The amounts appropriated in this item are also for ad-  
 29 vances to the federal government or payments to the  
 30 federal government or others for incidental construc-  
 31 tion or reconstruction items that are an obligation of  
 32 the state in connection with the completion or opera-  
 33 tion of the projects and for materials and necessary  
 34 construction, reconstruction, relocation, or alterations  
 35 to highways, railroads, bridges, power lines, commu-  
 36 nication lines, pipelines, irrigation works, and other  
 37 structures and facilities and for appraisals, surveys,  
 38 and engineering studies incidental thereto.
- 39 3. The funds appropriated in this item include funding  
 40 for preliminary plans, working drawings, construction

1 supervision, contract administration, and other work  
2 activities to be performed by Department of Water  
3 Resources personnel in completion of the projects.

- 4 4. The funds appropriated in this item may be used to  
5 implement the above projects by arranging to perform  
6 work which is a federal responsibility prior to the  
7 availability of federal appropriations with the intention  
8 that the costs will be reimbursed or eligible for credit  
9 by the federal government as provided in Public Law  
10 99-662, Section 104, November 17, 1986, or Public  
11 Law 90-488, Section 215, August 13, 1968.
- 12 5. Notwithstanding Section 26.00, funds may be trans-  
13 ferred, with the approval of the Department of Finance,  
14 between projects specified in this item and other De-  
15 partment of Water Resources major capital outlay  
16 projects with an active appropriation. The Director of  
17 Finance shall notify, in writing, the chairpersons of  
18 the committees in each house of the Legislature that  
19 consider appropriations and the Chairperson of the  
20 Joint Legislative Budget Committee, within 30 days  
21 or such lesser time as the ~~Chairperson~~ *chairperson* of  
22 the ~~Joint Legislative Budget Committee~~ *joint commit-*  
23 *tee*, or his or her designee, may determine, prior to any  
24 transfer.
- 25 6. Payments from a local sponsor to pay for obligations  
26 that are federal obligations may be received by the  
27 Department of Water Resources and advanced to the  
28 federal government with the intent that the costs shall  
29 be reimbursed or eligible for credit.

30  
31 *SEC. 246. Item 3860-490 is added to Section 2.00 of the Budget*  
32 *Act of 2009, to read:*

33  
34 *3860-490—Reappropriation, Department of Water Resources.*  
35 *The balances of the appropriations provided in the follow-*  
36 *ing citations are reappropriated for the purposes provided*  
37 *for in those appropriations and shall be available for en-*  
38 *cumbrance or expenditure until June 30, 2011:*  
39 *0001—General Fund*

- 1 (1) *Item 3860-301-0001, Budget Act of 1997 (Ch. 282,*
- 2 *Stats. 1997), as reappropriated by Item 3860-490,*
- 3 *Budget Act of 2000 (Ch. 52, Stats. 2000), Item 3860-*
- 4 *490, Budget Act of 2001 (Ch. 106, Stats. 2001), Item*
- 5 *3860-492, Budget Act of 2002 (Ch. 379, Stats. 2002),*
- 6 *and Item 3860-490, Budget Act of 2005 (Chs. 38 and*
- 7 *39, Stats. 2005)*
- 8 (5) *30.95.220-Upper Sacramento Area Levee Recon-*
- 9 *struction Project*
- 10 (9) *Reimbursements—Upper Sacramento Area Levee*
- 11 *Reconstruction Project*
- 12 (2) *Item 3860-301-0001, Budget Act of 2001 (Ch. 106,*
- 13 *Stats. 2001), as reappropriated by Item 3860-490,*
- 14 *Budget Act of 2004 (Ch. 208, Stats. 2004), and Item*
- 15 *3860-492, Budget Act of 2007 (Chs. 171 and 172,*
- 16 *Stats. 2007)*
- 17 (1.5) *30.95.030.201-Merced County Streams, Castle*
- 18 *Dam Unit*
- 19 (2.5) *30.95.215.201-Lower Sacramento Area Recon-*
- 20 *struction Project*
- 21 (4.5) *30.95.295.201-Tehama Section 205 Flood Con-*
- 22 *trol Project*
- 23 (17.5) *Reimbursements-Tehama Flood Control Pro-*
- 24 *ject*
- 25 (19) *Reimbursements-Merced County Streams, Castle*
- 26 *Dam Unit*
- 27 (3) *Item 3860-301-0001, Budget Act of 2006 (Chs. 47 and*
- 28 *48, Stats. 2006)*
- 29 (4) *30.95.245-American River Flood Control Pro-*
- 30 *ject—Natomas Features*
- 31 (6) *30.95.330-American River Watershed, Folsom*
- 32 *Dam Raise Project, Bridge Element*
- 33 (10) *Reimbursements-American River Watershed,*
- 34 *Folsom Dam Raise Project, Bridge Element*

35  
 36 SEC. 247. *Item 3860-491 is added to Section 2.00 of the Budget*  
 37 *Act of 2009, to read:*

1 3860-491—*Reappropriation, Department of Water Resources.*  
2 *Notwithstanding any other provision of law, the period to*  
3 *liquidate encumbrances of the following citations is extend-*  
4 *ed to June 30, 2011:*

5 0001—*General Fund*

6 (1) *Item 3860-301-0001, Budget Act of 2000 (Ch. 52,*  
7 *Stats. 2000), as extended by Item 3860-492, Budget*  
8 *Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item*  
9 *3860-493, Budget Act of 2007 (Chs. 171 and 172,*  
10 *Stats. 2007)*

11 (2) *30.95.030-Merced County Streams*

12  
13 *SEC. 248. Item 3860-492 is added to Section 2.00 of the Budget*  
14 *Act of 2009, to read:*

15  
16 3860-492—*Reappropriation, Department of Water Resources.*  
17 *The balances of the appropriations provided for in the*  
18 *following citations are reappropriated for the purposes*  
19 *provided for in those appropriations and shall be available*  
20 *for encumbrance or expenditure until June 30, 2011:*

21 6005—*Flood Protection Corridor Subaccount*

22 (1) *Item 3860-001-6005, Budget Act of 2008 (Chs. 268*  
23 *and 269, Stats. 2008), for the Flood Protection Corri-*  
24 *dor Program*

25 6010—*Yuba Feather Flood Protection Subaccount*

26 (1) *Item 3860-101-6010, Budget Act of 2004 (Ch. 208,*  
27 *Stats. 2004), as reappropriated by Item 3860-491,*  
28 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for*  
29 *the Yuba Feather Flood Protection Program*

30 6026—*Bay-Delta Multipurpose Water Management Sub-*  
31 *account*

32 (1) *Item 3860-001-6026, Budget Act of 2007 (Chs. 171*  
33 *and 172, Stats. 2007), for the CALFED Conveyance*  
34 *and Drinking Water Quality Programs*

35 (2) *Item 3860-001-6026, Budget Act of 2008 (Chs. 268*  
36 *and 269, Stats. 2008), for the CALFED Conveyance*  
37 *and Drinking Water Quality Programs*

38 6031—*Water Security, Clean Drinking Water, Coastal and*  
39 *Beach Protection Fund of 2002*

- 1       (1) *Item 3860-101-6031, Budget Act of 2005 (Chs. 38 and*
- 2             *39, Stats. 2005), as reappropriated by Item 3860-491,*
- 3             *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for*
- 4             *Desalinization*
- 5       (2) *Item 3860-001-6031, Budget Act of 2007 (Chs. 171*
- 6             *and 172, Stats. 2007), for the CALFED Water Quality*
- 7             *Program*
- 8       (3) *Item 3860-101-6031, Budget Act of 2008 (Chs. 268*
- 9             *and 269, Stats. 2008), for the Integrated Regional*
- 10            *Water Management Program*
- 11       6051—*Safe Drinking Water, Water Quality and Supply,*
- 12       *Flood Control, River and Coastal Protection Fund of 2006*
- 13       (1) *Item 3860-001-6051, Budget Act of 2008 (Chs. 268*
- 14             *and 269, Stats. 2008), for the Flood Protection Corri-*
- 15             *dor Program*
- 16       (2) *Item 3860-101-6051, Budget Act of 2008 (Chs. 268*
- 17             *and 269, Stats. 2008), for Programmatic Habitat*
- 18             *Restoration, Flood Protection Corridor Program, and*
- 19             *the Flood Control Project Subventions*
- 20       6052—*Disaster Preparedness and Flood Prevention Bond*
- 21       *Fund of 2006*
- 22       (1) *Item 3860-001-6052, Budget Act of 2007 (Chs. 171*
- 23             *and 172, Stats. 2007), for Sediment Removal*
- 24       (2) *Item 3860-001-6052, Budget Act of 2008 (Chs. 268*
- 25             *and 269, Stats. 2008), for Sycamore Creek, California*
- 26             *Flood Plan, and the Flood Protection Corridor Pro-*
- 27             *gram*
- 28       (3) *Item 3860-101-6052, Budget Act of 2008 (Chs. 268*
- 29             *and 269, Stats. 2008), for the State-Federal Flood*
- 30             *Control System Modifications and the Floodway Pro-*
- 31             *tection Corridor Program*

32  
 33       *SEC. 249. Item 3860-493 is added to Section 2.00 of the Budget*  
 34       *Act of 2009, to read:*

35  
 36       3860-493—*Reappropriation, Department of Water Resources.*  
 37       *Notwithstanding any other provision of law, the period to*  
 38       *liquidate encumbrances of the following citations is extend-*  
 39       *ed to June 30, 2011:*  
 40       0001—*General Fund*

- 1 (1) *Item 3860-101-0001, Budget Act of 2006 (Chs. 47 and*  
2 *48, Stats. 2006), for Delta Levees Special Projects*  
3 *0543—Local Projects Subaccount*
- 4 (1) *Item 3860-101-0543, Budget Act of 2000 (Ch. 52,*  
5 *Stats. 2000), as reappropriated by Item 3860-492,*  
6 *Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005*  
7 *(Chs. 38 and 39, Stats. 2005), and Item 3860-491,*  
8 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*  
9 *for the Local Project Loan and Grant Program*
- 10 (2) *Item 3860-101-0543, Budget Act of 2004 (Ch. 208,*  
11 *Stats. 2004), as reappropriated by Item 3860-491,*  
12 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*  
13 *for the Local Project Loan and Grant Program*
- 14 *6005—Flood Protection Corridor Subaccount*
- 15 (1) *Item 3860-101-6005, Budget Act of 2000 (Ch. 52,*  
16 *Stats. 2000), as reappropriated by Item 3860-492,*  
17 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and*  
18 *Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,*  
19 *Stats. 2007), for the Flood Protection Corridor Pro-*  
20 *gram*
- 21 *6010—Yuba Feather Flood Protection Subaccount*
- 22 (1) *Item 3860-101-6010, Budget Act of 2002 (Ch. 379,*  
23 *Stats. 2002), as reappropriated by Item 3860-492,*  
24 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and*  
25 *Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,*  
26 *Stats. 2007), for the Yuba Feather Flood Protection*  
27 *Program*
- 28 *6023—Water Conservation Account*
- 29 (1) *Item 3860-101-6023, Budget Act of 2002 (Ch. 379,*  
30 *Stats. 2002), as reappropriated by Item 3860-492,*  
31 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and*  
32 *Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,*  
33 *Stats. 2007), for the Infrastructure Rehabilitation*  
34 *Program*
- 35 (2) *Item 3860-101-6023, Budget Act of 2004 (Ch. 208,*  
36 *Stats. 2004), as reappropriated by Item 3860-491,*  
37 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for*  
38 *the Infrastructure Rehabilitation Program and*  
39 *Groundwater Recharge Loan Program*
- 40 *6025—Conjunctive Use Subaccount*

- 1       (1) *Item 3860-101-6025, Budget Act of 2000 (Ch. 52,*
- 2             *Stats. 2000), as reappropriated by Item 3860-492,*
- 3             *Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005*
- 4             *(Chs. 38 and 39, Stats. 2005), and Item 3860-491,*
- 5             *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*
- 6             *for the Groundwater Storage Program*
- 7       (2) *Item 3860-101-6025, Budget Act of 2004 (Ch. 208,*
- 8             *Stats. 2004), as reappropriated by Item 3860-491,*
- 9             *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*
- 10            *for the Groundwater Storage Program*
- 11       (3) *Item 3860-101-6025, Budget Act of 2006 (Chs. 47 and*
- 12             *48, Stats. 2006), for the Groundwater Storage Pro-*
- 13             *gram*
- 14       6026—*Bay Delta Multipurpose Water Management Subac-*
- 15             *count*
- 16       (1) *Item 3860-001-6026, Budget Act of 2004 (Ch. 208,*
- 17             *Stats. 2004), as reappropriated by Item 3860-491,*
- 18             *Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005) and*
- 19             *2007 (Chs. 171 and 172, Stats. 2007), for the Drinking*
- 20             *Water Quality Program*
- 21       (2) *Item 3860-001-6026, Budget Act of 2006 (Chs. 47 and*
- 22             *48, Stats. 2006), for the Drinking Water Quality Pro-*
- 23             *gram*
- 24       6027—*Interim Water Supply and Water Quality Infrastruc-*
- 25             *ture and Management Subaccount*
- 26       (1) *Item 3860-101-6027, Budget Act of 2002 (Ch. 379,*
- 27             *Stats. 2002), as reappropriated by Item 3860-492,*
- 28             *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and*
- 29             *Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,*
- 30             *Stats. 2007), for the Interim Reliable Water Supply*
- 31             *Program*
- 32       (2) *Item 3860-101-6027, Budget Act of 2006 (Chs. 47 and*
- 33             *48, Stats. 2006), for the Interim Reliable Water Supply*
- 34             *Program*
- 35       6031—*Water Security, Clean Drinking Water, Coastal and*
- 36             *Beach Protection Fund of 2002*
- 37       (1) *Item 3860-101-6031, Budget Act of 2004 (Ch. 208,*
- 38             *Stats. 2004), as reappropriated by Item 3860-491,*
- 39             *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*
- 40             *for the Drought Panel Recommendations Program*

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37

SEC. 250. Item 3860-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-495—*Reversion, Department of Water Resources. As of June 30, 2009, the amounts provided in the following citations shall revert to the fund balances of the funds from which the appropriations were made:*

- 6023—*Water Conservation Account*
  - (1) *Item 3860-101-6023, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), partially reverted by Item 3860-495, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)..... 1,098,393*
  - (2) *Item 3860-101-6023, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 3860-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)..... 14,999,000*
- 6031—*Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002*
  - (1) *Item 3860-001-6031, Budget Act of 2003 (Ch. 157, Stats. 2003) as reappropriated by Item 3860-491, Budget Act of 2004 (Ch. 208, Stats. 2004), and Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 3860-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 25,141,445*
  - (2) *Item 3860-101-6031, Budget Act of 2003 (Ch. 157, Stats. 2003) as reappropriated by Item 3860-491, Budget Act of 2004 (Ch. 208, Stats. 2004), Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and by Item 3860-492 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 6,886,269*

1       (3) *Item 3860-001-6031, Budget Act of 2007*  
 2       *(Chs. 171 and 172, Stats. 2007), as reap-*  
 3       *propriated by Item 3860-492, Budget*  
 4       *Act of 2008 (Chs. 268 and 269, Stats.*  
 5       *2008)..... 4,590,871*  
 6

7       *SEC. 251. Item 3900-101-6051 is added to Section 2.00 of the*  
 8       *Budget Act of 2009, to read:*  
 9

10      *3900-101-6051—For local assistance, State Air Resources*  
 11      *Board, payable from the Safe Drinking Water, Water*  
 12      *Quality and Supply, Flood Control, River and Coastal*  
 13      *Protection Fund of 2006..... 12,000,000*  
 14      *Schedule:*  
 15      *(1) Grants..... 12,000,000*  
 16

17      *SEC. 252. Item 3900-490 is added to Section 2.00 of the Budget*  
 18      *Act of 2009, to read:*  
 19

20      *3900-490—Reappropriation, Air Resources Board. The balances*  
 21      *of the appropriations provided in the following citations*  
 22      *are reappropriated for the purposes provided for in those*  
 23      *appropriations and shall be available for encumbrance*  
 24      *until June 30, 2010. Notwithstanding Section 16304.1 of*  
 25      *the Government Code, the funds shall be available for*  
 26      *disbursements in liquidation of encumbrances until June*  
 27      *30, 2016. This item conforms to the appropriation to Sec-*  
 28      *tion 39626.5 of the Health and Safety Code, added by*  
 29      *Chapter 181 of the Statutes of 2007.*  
 30      *6054—California Ports Infrastructure, Security and Air*  
 31      *Quality Improvement Account, Highway Safety, Traffic*  
 32      *Reduction, Air Quality, and Port Security Fund of 2006*  
 33      *(1) Item 3900-001-6054, Budget Act of 2008 (Chs. 268*  
 34      *and 268, Stats. 2008)*  
 35

36      *SEC. 253. Item 3910-001-0387 of Section 2.00 of the Budget*  
 37      *Act of 2009 is amended to read:*

1	3910-001-0387—For support of California Integrated Waste	
2	Management Board, payable from the Integrated Waste	
3	Management Account, Integrated Waste Management	
4	Fund.....	45,559,000
5	Schedule:	
6	(1) 11-Waste Reduction and Manage-	
7	ment.....	93,940,000
8		94,066,000
9	(2) 30.01-Administration.....	9,935,000
10	(3) 30.02-Distributed Administration.....	-9,935,000
11	(4) Reimbursements.....	-2,005,000
12	(5) Amount payable from the California	
13	Used Oil Recycling Fund (Item 3910-	
14	001-0100).....	-5,096,000
15	(6) Amount payable from the California	
16	Used Oil Recycling Fund (paragraph (4)	
17	of subdivision (a) of Section 48653 of	
18	the Public Resources Code).....	-192,000
19	(7) Amount payable from the California	
20	Used Oil Recycling Fund (paragraph (1)	
21	of subdivision (a) of Section 48653 of	
22	the Public Resources Code).....	-3,800,000
23	(8) Amount payable from the California	
24	Tire Recycling Management Fund	
25	(Item 3910-001-0226).....	-29,018,000
26	(9) Amount payable from the Recycling	
27	Market Development Revolving Loan	
28	Account, Integrated Waste Management	
29	Fund (Item 3910-001-0281).....	-1,003,000
30	(10) Amount payable from the Solid Waste	
31	Disposal Site Cleanup Trust Fund (Item	
32	3910-001-0386).....	-610,000
33	(11) Amount payable from the Integrated	
34	Waste Management Account, Integrated	
35	Waste Management Fund (Item 3910-	
36	006-0387).....	-640,000
37	(12) Amount payable from the Farm and	
38	Ranch Solid Waste Cleanup and	
39	Abatement Account (Item 3910-001-	
40	0558).....	-1,139,000

1	(13) Amount payable from the Federal Trust	
2	Fund (Item 3910-001-0890).....	-275,000
3		-401,000
4	(14) Amount payable from the Rigid Contain-	
5	er Account (Item 3910-001-3024).....	-165,000
6	(15) Amount payable from the Electronic	
7	Waste Recovery and Recycling Account	
8	(Item 3910-001-3065).....	-4,438,000

- 9 Provisions:
- 10 1. Notwithstanding subdivision (h) of Section 42023.1
- 11 of the Public Resources Code, the California Integrated
- 12 Waste Management Board may offset the costs of ad-
- 13 ministering the revolving loan program for Recycling
- 14 Market Development Zones with funds appropriated
- 15 in this item.
- 16 2. The amount appropriated in this item includes revenues
- 17 derived from the assessment of fines and penalties
- 18 imposed as specified in Section 13332.18 of the Gov-
- 19 ernment Code.

20

21 *SEC. 254. Item 3910-001-0890 of Section 2.00 of the Budget*

22 *Act of 2009 is amended to read:*

23		
24	3910-001-0890—For support of California Integrated Waste	
25	Management Board, for payment to Item 3910-001-0387,	
26	payable from the Federal Trust Fund.....	275,000
27		401,000
28		

29 *SEC. 255. Item 3930-001-0106 of Section 2.00 of the Budget*

30 *Act of 2009 is amended to read:*

31		
32	3930-001-0106—For support of Department of Pesticide Reg-	
33	ulation, payable from the Department of Pesticide Regula-	
34	tion Fund.....	50,422,000
35		48,598,000

36 Schedule:

37	(1) 10-Pesticide Programs.....	53,444,000
38		52,078,000
39	(2) 20.01-Administration.....	10,568,000
40		10,135,989

1	(3) 20.02-Distributed Administration.....	-10,568,000
2		-10,135,989
3	(4) Reimbursements.....	-765,000
4	(4.5) Amount payable from the California	
5	Environmental License Plate Fund	
6	(Item 3930-001-0140).....	-458,000
7	(5) Amount payable from the Federal Trust	
8	Fund (Item 3930-001-0890).....	-2,257,000

9 Provisions:  
10 1. The amount appropriated in this item includes revenues  
11 derived from the assessment of fines and penalties  
12 imposed as specified in Section 13332.18 of the Gov-  
13 ernment Code.

14  
15 *SEC. 256. Item 3930-001-0140 is added to Section 2.00 of the*  
16 *Budget Act of 2009, to read:*

17		
18	3930-001-0140—For support of Department of Pesticide Regu-	
19	lation, for payment to Item 3930-001-0106, payable from	
20	the California Environmental License Plate Fund.....	458,000
21		

22 *SEC. 257. Item 3940-001-0235 of Section 2.00 of the Budget*  
23 *Act of 2009 is amended to read:*

24		
25	3940-001-0235—For support of State Water Resources Control	
26	Board, for payment to Item 3940-001-0439, payable from	
27	the Public Resources Account, Cigarette and Tobacco	
28	Products Surtax Fund.....	2,342,000
29		2,039,000
30		

31 *SEC. 258. Item 3940-001-0439 of Section 2.00 of the Budget*  
32 *Act of 2009 is amended to read:*

33		
34	3940-001-0439—For support of State Water Resources Control	
35	Board.....	267,394,000
36		238,113,000
37		

37	Schedule:	
38	(1) 10-Water Quality.....	452,124,000
39		439,650,000
40	(2) 20-Water Rights.....	11,658,000

1	(3) 30.01-Administration.....	20,886,000
2	(4) 30.02-Distributed Administration.....	-20,886,000
3	(5) Reimbursements.....	-8,062,000
4		-8,932,000
5	(6) Amount payable from the General	
6	Fund (Item 3940-001-0001).....	-40,575,000
7	(7) Amount payable from the Unified Pro-	
8	gram Account (Item 3940-001-0028)....	-621,000
9	(8) Amount payable from the Waste Dis-	
10	charge Permit Fund (Item 3940-001-	
11	0193).....	-78,768,000
12	(9) Amount payable from the Marine Inva-	
13	sive Species Control Fund (Item 3940-	
14	001-0212).....	-103,000
15	(10) Amount payable from the Public Re-	
16	sources Account, Cigarette and Tobacco	
17	Products Surtax Fund (Item 3940-001-	
18	0235).....	-2,342,000
19		-2,039,000
20	(11) Amount payable from the Integrated	
21	Waste Management Account, Integrated	
22	Waste Management Fund (Item 3940-	
23	001-0387).....	-6,757,000
24	(12) Amount payable from the Water Recy-	
25	cling Subaccount (Item 3940-001-	
26	0419).....	-1,150,000
27	(13) Amount payable from the Drainage	
28	Management Subaccount (Item 3940-	
29	001-0422).....	-515,000
30	(14) Amount payable from the Seawater In-	
31	trusion Control Subaccount (Item 3940-	
32	001-0424).....	-222,000
33	(15) Amount payable from the Underground	
34	Storage Tank Tester Account (Item	
35	3940-001-0436).....	-64,000
36	(16) Amount payable from the 1984 State	
37	Clean Water Bond Fund (Item 3940-	
38	001-0740).....	-322,000

1	(17) Amount payable from the Federal	
2	Trust Fund (Item 3940-001-0890).....	-35,113,000
3		-51,353,000
4	(18) Amount payable from the Water Rights	
5	Fund (Item 3940-001-3058).....	-7,447,000
6	(19) Amount payable from the Watershed	
7	Protection Subaccount (Item 3940-001-	
8	6013).....	-250,000
9	(20) Amount payable from the Santa Ana	
10	River Watershed Subaccount (Item	
11	3940-001-6016).....	-250,000
12	(21) Amount payable from the Lake Elsinore	
13	and San Jacinto Watershed Subaccount	
14	(Item 3940-001-6017).....	-150,000
15	(22) Amount payable from the Nonpoint	
16	Source Pollution Control Subaccount	
17	(Item 3940-001-6019).....	-200,000
18	(23) Amount payable from the State Revolv-	
19	ing Fund Loan Subaccount (Item 3940-	
20	001-6020).....	-81,000
21	(24) Amount payable from the Wastewater	
22	Construction Grant Subaccount (Item	
23	3940-001-6021).....	-23,000
24	(25) Amount payable from the Coastal	
25	Nonpoint Source Control Subaccount	
26	(Item 3940-001-6022).....	-150,000
27	(26) Amount payable from the Water Secu-	
28	rity, Clean Drinking Water, Coastal and	
29	Beach Protection Fund of 2002 (Item	
30	3940-001-6031).....	-3,000,000
31	(27) Amount payable from the Safe Drinking	
32	Water, Water Quality and Supply,	
33	Flood Control, River and Coastal Pro-	
34	tection Fund of 2006 (Item 3940-001-	
35	6051).....	-4,073,000
36	(28) Amount payable from the Petroleum	
37	Underground Storage Tank Financing	
38	Account (Item 3940-001-8026).....	-618,000

1 (29) Amount payable from the State Water  
 2 Pollution Control Revolving Fund Ad-  
 3 ministration Fund (Item 3940-001-  
 4 9739)..... -5,532,000

5 Provisions:

6 1. Notwithstanding any other provision of law, upon ap-  
 7 proval and order of the Director of Finance, the State  
 8 Water Resources Control Board may borrow sufficient  
 9 funds for cash purposes from special funds that other-  
 10 wise provide support for the board. Any such loans  
 11 are to be repaid with interest at the rate earned in the  
 12 Pooled Money Investment Account.

13  
 14 *SEC. 259. Item 3940-001-0890 of Section 2.00 of the Budget*  
 15 *Act of 2009 is amended to read:*

16  
 17 3940-001-0890—For support of State Water Resources Control  
 18 Board, for payment to Item 3940-001-0439, payable from  
 19 the Federal Trust Fund..... 35,113,000  
 20 51,353,000

21  
 22 *SEC. 260. Item 3940-011-0439 is added to Section 2.00 of the*  
 23 *Budget Act of 2009, to read:*

24  
 25 3940-011-0439—For transfer by the Controller from the Un-  
 26 derground Storage Tank Cleanup Fund to the Under-  
 27 ground Storage Tank Cleanup Fund, School District Ac-  
 28 count..... (10,000,000)

29  
 30 *SEC. 261. Item 3940-012-0439 is added to Section 2.00 of the*  
 31 *Budget Act of 2009, to read:*

32  
 33 3940-012-0439—For transfer by the Controller from the Un-  
 34 derground Storage Tank Cleanup Fund to the Under-  
 35 ground Storage Tank Petroleum Contamination Orphan  
 36 Site Cleanup Fund..... (20,000,000)

37  
 38 *SEC. 262. Item 3940-101-0001 of Section 2.00 of the Budget*  
 39 *Act of 2009 is amended to read:*

1	3940-101-0001—For local assistance, State Water Resources	
2	Control Board.....	0
3	Schedule:	
4	(1) 10-Water Quality.....	12,500,000
5		42,500,000
6	(1.1) Amount payable from the School	
7	District Account, Underground Stor-	
8	age Tank Cleanup Fund (Item 3940-	
9	101-3134).....	-10,000,000
10	(1.2) Amount payable from the Under-	
11	ground Storage Tank Petroleum	
12	Contamination Orphan Site Cleanup	
13	Fund (Item 3940-101-3145).....	-20,000,000
14	(2) Amount payable from the State Water	
15	Pollution Control Revolving Fund Small	
16	Communities Community Grant Fund	
17	(Item 3940-101-3147).....	-1,000,000
18	(3) Amount payable from the Petroleum	
19	Underground Storage Tank Financing	
20	Account (Item 3940-101-8026).....	-11,500,000

22 SEC. 263. Item 3940-101-3134 is added to Section 2.00 of the  
 23 Budget Act of 2009, to read:

25	3940-101-3134—For local assistance, State Water Resources	
26	Control Board, for payment to Item 3940-101-0001,	
27	payable from the School District Account in the Under-	
28	ground Storage Tank Cleanup Fund .....	10,000,000

30 SEC. 264. Item 3940-101-3145 is added to Section 2.00 of the  
 31 Budget Act of 2009, to read:

33	3940-101-3145—For local assistance, State Water Resources	
34	Control Board, for payment to Item 3940-101-0001,	
35	payable from the Underground Storage Tank Petroleum	
36	Contamination Orphan Site Cleanup Fund.....	20,000,000

38 SEC. 265. Item 3940-496 is added to Section 2.00 of the Budget  
 39 Act of 2009, to read:

1 3940-496—*Reversion, State Water Resources Control Board.*  
 2 *As of June 30, 2009, the unencumbered balances of the*  
 3 *appropriations provided in the following citations shall*  
 4 *revert to the balance of the fund from which the appropri-*  
 5 *ations were made:*

6 6029—*California Clean Water, Clean Air, Safe Neighbor-*  
 7 *hood Parks, and Coastal Protection Fund*

8 (1) *\$646,000 or the unencumbered balance of funds ap-*  
 9 *propriated by Chapter 727 of the Statutes of 2002, as*  
 10 *reappropriated by Item 3940-490, Budget Act of 2007*  
 11 *(Chs. 171 and 172, Stats. 2007), corresponding to the*  
 12 *following allocation:*

13	(1) <i>Clean Beaches Program.....</i>	<i>78,000</i>
14	(2) <i>Small Community Wastewater</i>	
15	<i>Grant Program.....</i>	<i>14,000</i>
16	(3) <i>Urban Storm Water Grant Pro-</i>	
17	<i>gram.....</i>	<i>64,000</i>
18	(4) <i>Nonpoint Source Pollution Control</i>	
19	<i>Program.....</i>	<i>12,000</i>
20	(5) <i>Agricultural Water Quality Grant</i>	
21	<i>Program.....</i>	<i>8,000</i>
22	(6) <i>Small Community Groundwater</i>	
23	<i>Grant Program.....</i>	<i>186,000</i>
24	(7) <i>Integrated Watershed Management</i>	
25	<i>Plans: General.....</i>	<i>134,000</i>
26	(8) <i>Integrated Watershed Management</i>	
27	<i>Plans: Groundwater.....</i>	<i>150,000</i>

28 6031—*Water Security, Clean Drinking Water, Coastal and*  
 29 *Beach Protection Fund of 2002*

30 (1) *\$25,538,000 or the unencumbered balance of funds*  
 31 *from Item 3940-101-6031, Budget Act of 2003 (Ch.*  
 32 *157, Stats. 2003), as reappropriated by Item 3940-*  
 33 *491, Budget Act of 2004 (Ch. 208, Stats. 2004), from*  
 34 *bond allocation:*

35	(1) <i>79540(a)-Clean Water and Water</i>	
36	<i>Quality.....</i>	<i>1,144,000</i>
37	(2) <i>79543(1)-Santa Monica Bay</i>	
38	<i>Restoration.....</i>	<i>200,000</i>
39	(3) <i>79543(1)-Santa Monica Bay</i>	
40	<i>Restoration.....</i>	<i>298,000</i>

1	(4) 79564.1(a)(1)-Integrated Regional	
2	Water Management Southern Cali-	
3	fornia.....	12,102,000
4	(5) 79564.1(a)(2)-Integrated Regional	
5	Water Management Northern Cali-	
6	fornia.....	11,794,000
7	(2) \$78,000 or the unencumbered balance of funds from	
8	Item 3940-001-6031, Budget Act of 2006 (Chs. 47 and	
9	48, Stats. 2006), corresponding to the following allo-	
10	cation:	
11	(1) 79543-Coastal Water Quality.....	51,000
12	(2) 79564.1(a)(1)-Integrated Regional	
13	Water Management Southern Cali-	
14	fornia.....	5,000
15	(3) 79564.1(a)(2)-Integrated Regional	
16	Water Management Northern Cali-	
17	fornia.....	5,000
18	(4) 79550(g)-Urban and Agriculture	
19	Water Conservation, Recycling, and	
20	Other Water Use Efficiency.....	17,000
21	(3) \$858,000 or the unencumbered balance of funds from	
22	Item 3940-001-6031, Budget Act of 2007, (Chs. 171	
23	and 172, Stats. 2007), corresponding to the following	
24	allocation:	
25	(1) 79543-Coastal Water Quality.....	40,000
26	(2) 79543(1)-Santa Monica Bay	
27	Restoration.....	588,000
28	(3) 79564.1(a)(1)-Integrated Regional	
29	Water Management Southern Cali-	
30	fornia.....	86,000
31	(4) 79564.1(a)(2)-Integrated Regional	
32	Water Management Northern Cali-	
33	fornia.....	86,000
34	(5) 79550(g)-Urban and Agriculture	
35	Water Conservation, Recycling, and	
36	Other Water Use Efficiency.....	58,000

37  
38 SEC. 266. Item 3960-001-0001 of Section 2.00 of the Budget  
39 Act of 2009 is amended to read:

1 3960-001-0001—For support of Department of Toxic Sub-  
2 stances Control, for payment to Item 3960-001-0014..... 22,275,000  
3 18,258,000

4 Provisions:

5 1. The Director of Toxic Substances Control may expend  
6 from this item: ~~(a)~~ \$11,690,000 for the following ac-  
7 tivities at the federal Stringfellow Superfund site: ~~(1)~~  
8 (a) operation and maintenance of pretreatment plants  
9 to treat contaminated groundwater extracted from the  
10 site, ~~(2)~~ (b) site maintenance and groundwater moni-  
11 toring, and ~~(3)~~ (c) implementation of work to stabilize  
12 the site, and ~~(b)~~ \$3,112,000 for the operation of the  
13 ~~Illegal Drug Laboratory Removal Program.~~

14 2. Notwithstanding any other provision of law, the funds  
15 appropriated for removal and remedial action at the  
16 federal Stringfellow Superfund site shall be available  
17 for encumbrance for three fiscal years subsequent to  
18 the fiscal year in which the funds are appropriated,  
19 and disbursements in liquidation of encumbrances  
20 shall be pursuant to Section 16304.1 of the Govern-  
21 ment Code.

22 3. ~~Of the amount appropriated in this item, \$750,000~~  
23 ~~shall be used for the purposes of emergency response~~  
24 ~~activity pursuant to Section 25354 of the Health and~~  
25 ~~Safety Code, in lieu of the appropriation made pursuant~~  
26 ~~to that section.~~

27 4. The amount appropriated in this item includes  
28 ~~\$5,462,000~~ \$6,568,000 for emergency response activ-  
29 ities at the BKK Landfill. This appropriation is subject  
30 to the condition that, to the extent that funds are ex-  
31 pended for purposes for which any private or public  
32 entity is or may be held financially liable, the Depart-  
33 ment of Toxic Substances Control shall take all reason-  
34 able actions to recover the amount of that expenditure  
35 from one or more of those entities, and that the  
36 amounts so recovered be paid to the General Fund in  
37 reimbursement of the amount of that expenditure.  
38 Additionally, those recovered funds shall be spent  
39 before funds from the General Fund, consistent with

- 1 the language in any settlement agreements between
- 2 the department and the potentially responsible parties.
- 3 5. As of June 30, ~~2009~~ 2010, or earlier, any unspent funds
- 4 in Provision 4 shall revert to the General Fund if the
- 5 Director of Toxic Substances Control and the Director
- 6 of Finance agree that sufficient funds have been pro-
- 7 vided by the other potentially responsible parties.
- 8 6. The Director of Toxic Substances Control shall send
- 9 a letter notifying the chairpersons of the fiscal commit-
- 10 tees of each house of the Legislature that act on the
- 11 department’s budget and the Legislative Analyst’s
- 12 Office within 30 days of receiving any moneys from
- 13 potentially responsible parties for the BKK Landfill.
- 14

15 *SEC. 267. Item 3960-001-0014 of Section 2.00 of the Budget*  
 16 *Act of 2009 is amended to read:*

17

18	3960-001-0014—For support of Department of Toxic Substances	
19	Control, payable from the Hazardous Waste Control Ac-	
20	count.....	50,290,000
21	Schedule:	
22	(1) 12-Site Mitigation and Brownfields	
23	Reuse.....	92,608,000
24	(2) 13-Hazardous Waste Management.....	65,141,000
25	(3) 19.01-Administration.....	33,198,000
26	(4) 19.02-Distributed Administration.....	-33,198,000
27	(5) 20-Science, Pollution Prevention and	
28	Technology.....	19,715,000
29	(6) 21-State Certified Unified Program.....	1,964,000
30	(7) Reimbursements.....	-12,869,000
31	(8) Amount payable from General Fund	
32	(Item 3960-001-0001).....	<del>-22,275,000</del>
33		-18,258,000
34	(9) Amount payable from Unified Program	
35	Account (Item 3960-001-0028).....	-1,003,000
36	(10) Amount payable from Illegal Drug Lab	
37	Cleanup Account (Item 3960-001-	
38	0065).....	-2,018,000

1	(11) Amount payable from California Used	
2	Oil Recycling Fund (Item 3960-001-	
3	0100).....	-418,000
4	(12) Amount payable from Toxic Sub-	
5	stances Control Account (Item 3960-	
6	001-0557).....	<del>-54,238,000</del>
7		-58,255,000
8	(13) Amount payable from Federal Trust	
9	Fund (Item 3960-001-0890).....	-30,983,000
10	(14) Amount payable from Environmental	
11	Quality Assessment Fund (Item 3960-	
12	001-3035).....	-560,000
13	(15) Amount payable from Electronic Waste	
14	Recovery and Recycling Account (Item	
15	3960-001-3065).....	-2,810,000
16	(16) Amount payable from State Certified	
17	Unified Program Agency Account (Item	
18	3960-001-3084).....	-1,964,000

19 Provisions:

- 20 1. Notwithstanding any other provision of law, upon ap-  
 21 proval and order of the Director of Finance, the Depart-  
 22 ment of Toxic Substances Control may borrow suffi-  
 23 cient funds from special funds that otherwise provide  
 24 support for the department for cashflow purposes. Any  
 25 such loans are to be repaid with interest at the rate  
 26 earned by the Pooled Money Investment Account.
- 27 2. Notwithstanding any other provision of law, upon re-  
 28 quest of the Director of Toxic Substances Control, and  
 29 approval of the Department of Finance, the Controller  
 30 shall increase the appropriation in this item in an  
 31 amount necessary to pay the State Board of Equaliza-  
 32 tion any additional costs the board may incur to make  
 33 refunds required by Chapter 737 of the Statutes of  
 34 1998, provided sufficient funds are available for such  
 35 purposes and the board provides workload information  
 36 that justifies the increase.

37  
38 *SEC. 268. Item 3960-001-0557 of Section 2.00 of the Budget*  
39 *Act of 2009 is amended to read:*

1	3960-001-0557—For support of Department of Toxic Sub-	
2	stances Control, for payment to Item 3960-001-0014,	
3	payable from the Toxic Substances Control Account.....	54,238,000
4		58,255,000

5 Provisions:

- 6 1. The amount appropriated in this item includes revenues
- 7 derived from the assessment of fines and penalties
- 8 imposed as specified in Section 13332.18 of the Gov-
- 9 ernment Code.
- 10 2. The amount appropriated in this item includes state
- 11 oversight costs at military installations. The expendi-
- 12 ture of these funds shall not relieve the federal govern-
- 13 ment of the responsibility to pay for all state oversight
- 14 costs. The Department of Toxic Substances Control
- 15 shall take all steps necessary to recover these costs
- 16 from the federal government, including, but not limited
- 17 to, filing civil actions authorized by state and federal
- 18 law.
- 19 3. *The Director of Toxic Substances Control may expend*
- 20 *from this Item \$2,833,000 for the operation of the Ille-*
- 21 *gal Drug Laboratory Removal Program.*
- 22 4. *Of the amount appropriated in this item, \$1,184,000*
- 23 *shall be used for the purposes of emergency response*
- 24 *activity pursuant to Section 25354 of the Health and*
- 25 *Safety Code in lieu of the appropriation made pursuant*
- 26 *to that section.*

27  
28 *SEC. 269. Item 3980-001-0001 of Section 2.00 of the Budget*  
29 *Act of 2009 is amended to read:*

30		
31	3980-001-0001—For support of Office of Environmental Health	
32	Hazard Assessment.....	8,340,000
33		2,543,000

34 Schedule:

- 35 (1) 10-Health Risk Assessment..... 19,809,000
- 36 21,633,000
- 37 (2) Reimbursements..... -3,387,000
- 38 (3) Amount payable from the Unified Pro-
- 39 gram Account (Item 3980-001-0028).... -141,000

1	(4) Amount payable from the Motor Vehicle	
2	Account, State Transportation Fund	
3	(Item 3980-001-0044).....	<del>-2,557,000</del>
4		-3,793,000
5	(5) Amount payable from the California	
6	Used Oil Recycling Fund (Item 3980-	
7	001-0100).....	-582,000
8	(6) Amount payable from the Department	
9	of Pesticide Regulation Fund (Item	
10	3980-001-0106).....	<del>-1,026,000</del>
11		-3,460,000
12	(6.5) Amount payable from the Air Pollution	
13	Control Fund (Item 3980-001-0115)....	-586,000
14	(7) Amount payable from the California	
15	Environmental License Plate Fund (Item	
16	3980-001-0140).....	-893,000
17	(7.5) Amount payable from the Fish and	
18	Game Preservation Fund (Item 3980-	
19	001-0200).....	-359,000
20	(8) Amount payable from the Oil Spill Pre-	
21	vention and Administration Fund (Item	
22	3980-001-0320).....	-125,000
23	(9) Amount payable from the Integrated	
24	Waste Management Account (Item	
25	3980-001-0387).....	-359,000
26	(10) Amount payable from the Toxic Sub-	
27	stances Control Account (Item 3980-	
28	001-0557).....	<del>-558,000</del>
29		-693,000
30	(11) Amount payable from the Federal Trust	
31	Fund (Item 3980-001-0890).....	-414,000
32	(12) Amount payable from the Safe Drinking	
33	Water and Toxic Enforcement Fund	
34	(Item 3980-001-3056).....	<del>-1,427,000</del>
35		-4,298,000

37 SEC. 270. Item 3980-001-0044 of Section 2.00 of the Budget  
 38 Act of 2009 is amended to read:

1 3980-001-0044—For support of Office of Environmental Health  
 2 Hazard Assessment, for payment to Item 3980-001-0001,  
 3 payable from the Motor Vehicle Account, State Transporta-  
 4 tion Fund..... 2,557,000  
 5 3,793,000  
 6

7 *SEC. 271. Item 3980-001-0106 of Section 2.00 of the Budget*  
 8 *Act of 2009 is amended to read:*  
 9

10 3980-001-0106—For support of Office of Environmental Health  
 11 Hazard Assessment, for payment to Item 3980-001-0001,  
 12 payable from the Department of Pesticide Regulation  
 13 Fund..... 1,026,000  
 14 3,460,000  
 15

16 *SEC. 272. Item 3980-001-0115 is added to Section 2.00 of the*  
 17 *Budget Act of 2009, to read:*  
 18

19 3980-001-0115—For support of Office of Environmental Health  
 20 Hazard Assessment, for payment to Item 3980-001-0001,  
 21 payable from the Air Pollution Control Fund ..... 586,000  
 22

23 *SEC. 273. Item 3980-001-0200 is added to Section 2.00 of the*  
 24 *Budget Act of 2009, to read:*  
 25

26 3980-001-0200—For support of Office of Environmental Health  
 27 Hazard Assessment, for payment to Item 3980-001-0001,  
 28 payable from the Fish and Game Preservation Fund..... 359,000  
 29

30 *SEC. 274. Item 3980-001-0557 of Section 2.00 of the Budget*  
 31 *Act of 2009 is amended to read:*  
 32

33 3980-001-0557—For support of Office of Environmental Health  
 34 Hazard Assessment, for payment to Item 3980-001-0001,  
 35 payable from the Toxic Substances Control Account..... 558,000  
 36 693,000  
 37

38 *SEC. 275. Item 3980-001-3056 of Section 2.00 of the Budget*  
 39 *Act of 2009 is amended to read:*

1 3980-001-3056—For support of Office of Environmental Health  
 2 Hazard Assessment, for payment to Item 3980-001-0001,  
 3 payable from the Safe Drinking Water and Toxic Enforce-  
 4 ment Fund..... 1,427,000  
 5 4,298,000  
 6

7 *SEC. 276. Item 4120-101-0001 of Section 2.00 of the Budget*  
 8 *Act of 2009 is amended to read:*  
 9

10 4120-101-0001—For local assistance, Emergency Medical  
 11 Services Authority, grants to local agencies..... 8,508,000  
 12 5,558,000

13 Schedule:

- 14 (1) 10-Emergency Medical Services Author-  
 15 ity..... 12,512,000  
 16 9,562,000
- 17 (2) Reimbursements..... -3,300,000
- 18 (3) Amount payable from the Federal Trust  
 19 Fund (Item 4120-101-0890)..... -704,000

20 Provisions:

- 21 1. The General Fund support for poison control centers  
 22 shall augment, but not replace, local expenditures for  
 23 existing poison control center services. These funds  
 24 shall be used primarily to increase services to under-  
 25 served counties and populations and for poison preven-  
 26 tion and information services. The Director of the  
 27 Emergency Medical Services Authority may contract  
 28 with eligible poison control centers for the distribution  
 29 of these funds.
- 30 2. The Emergency Medical Services Authority shall use  
 31 the following guidelines in administering state-funded  
 32 grants to local agencies: (a) funding eligibility shall  
 33 be limited to rural multicounty regions that demon-  
 34 strate a heavy use of the emergency medical services  
 35 system by nonresidents, (b) local agencies shall pro-  
 36 vide matching funds of at least \$1 for each dollar of  
 37 state funds received, (c) state funding shall be used to  
 38 provide only essential minimum services necessary to  
 39 operate the system, as defined by the authority, (d) no  
 40 region shall receive both federal and state funds in the

1 same fiscal year for the same purpose, and (e) the  
2 Emergency Medical Services Authority shall monitor  
3 the use of the funds by recipients to ensure that these  
4 funds are used in an appropriate manner.

5 3. Each region shall be eligible to receive up to one-half  
6 of the total cost of a minimal system for that region,  
7 as defined by the Emergency Medical Services Author-  
8 ity. However, the authority may reallocate unclaimed  
9 funds among regions.

10 4. Notwithstanding Provision 2(b), each region with a  
11 population of 300,000 or less as of June 30, ~~2007~~ 2008,  
12 shall receive the full amount for which it is eligible if  
13 it provides a cash match of \$0.41 per capita or more.  
14 Failure to provide local cash contributions at the  
15 specified level shall result in a proportional reduction  
16 in state funding.

17 5. It is the intent of the Legislature that the Director of  
18 the Emergency Medical Services Authority provide  
19 assistance, when feasible, to poison control centers in  
20 seeking sources of funding other than General Fund  
21 support, including grants from health-related founda-  
22 tions, federal grants, and assistance from the California  
23 Children and Families Commission, or other relevant  
24 entities. It is also the intent of the Legislature that  
25 poison control centers assertively seek and obtain  
26 funding from foundations, private-sector entities, the  
27 federal government, and sources other than the General  
28 Fund.

29  
30 *SEC. 277. Item 4140-490 is added to Section 2.00 of the Budget*  
31 *Act of 2009, to read:*

32  
33 *4140-490—Reappropriation, Office of Statewide Health Plan-*  
34 *ning and Development. The balances of the appropriations*  
35 *provided in the following citations are reappropriated for*  
36 *the purposes provided for in those appropriations and shall*  
37 *be available for encumbrance or expenditure until June*  
38 *30, 2010:*

39 *3085—Mental Health Services Fund*

1 (1) Item 4140-001-3085, Budget Act of 2008 (Chs. 268  
2 and 269, Stats. 2008)

3  
4 SEC. 278. Item 4170-001-0001 of Section 2.00 of the Budget  
5 Act of 2009 is amended to read:

6		
7	4170-001-0001—For support of Department of Aging.....	4,227,000
8	Schedule:	
9	(1) 10-Nutrition.....	3,008,000
10	(2) 20-Senior Community Employment	
11	Service.....	697,000
12	(3) 30-Supportive Services and Centers.....	4,863,000
13	(4) 40-Special Projects.....	<del>8,270,000</del>
14		8,680,000
15	(5) 50.01-Administration.....	14,412,000
16	(6) 50.02-Distributed Administration.....	-14,412,000
17	(7) Reimbursements.....	-4,113,000
18	(8) Amount payable from the State HICAP	
19	Fund (Item 4170-001-0289).....	-223,000
20	(9) Amount payable from the Federal Trust	
21	Fund (Item 4170-001-0890).....	<del>-8,153,000</del>
22		-8,563,000
23	(10) Amount payable from the Federal Cita-	
24	tion Penalties Account, Special Deposit	
25	Fund (Item 4170-003-0942).....	-122,000
26		

27 SEC. 279. Item 4170-001-0890 of Section 2.00 of the Budget  
28 Act of 2009 is amended to read:

29		
30	4170-001-0890—For support of Department of Aging, for	
31	payment to Item 4170-001-0001, payable from the Federal	
32	Trust Fund.....	8,153,000
33		8,563,000

34 Provisions:

- 35 1. The Department of Finance may authorize the transfer
- 36 of funds between this item and Item 4170-101-0890
- 37 no sooner than 30 days after written notification to the
- 38 chairpersons of the fiscal committees of each house
- 39 of the Legislature and the Chairperson of the Joint
- 40 Legislative Budget Committee, or not sooner than

1 whatever lesser time the Chairperson of the Joint  
 2 Legislative Budget Committee may determine. The  
 3 notification shall include: (a) the amount of the pro-  
 4 posed transfer, (b) an identification of the purposes  
 5 for which the funds will be used, (c) documentation  
 6 that the proposed activities must be carried out in the  
 7 current year and that no other funds are available for  
 8 their support, and (d) the impact of any transfer on the  
 9 level of services.

10  
 11 *SEC. 280. Item 4170-101-0890 of Section 2.00 of the Budget*  
 12 *Act of 2009 is amended to read:*

13  
 14 4170-101-0890—For local assistance, Department of Aging,  
 15 for payment to Item 4170-101-0001, payable from the  
 16 Federal Trust Fund..... ~~142,000,000~~  
 17 *150,016,000*

18 Provisions:

- 19 1. Provision 1 of Item 4170-001-0890 is also applicable  
 20 to this item.
- 21 2. Notwithstanding subdivision (e) of Section 28.00, the  
 22 Department of Finance, upon notification by the Cali-  
 23 fornia Department of Aging, may authorize augmenta-  
 24 tions in this item for federal Title III, Title VII, HICAP  
 25 one-time only allocations, and for unexpended  
 26 2008–09 federal grant funds. *The Department of Fi-*  
 27 *nance shall provide notification of the augmentation*  
 28 *to the Joint Legislative Budget Committee within 10*  
 29 *working days from the date of the Department of Fi-*  
 30 *nance approval of the adjustment.*
- 31 3. Notwithstanding Section 26.00, the Department of  
 32 Finance, upon notification by the California Depart-  
 33 ment of Aging, may authorize transfers between Pro-  
 34 gram 10-Nutrition and Program 30-Supportive Ser-  
 35 vices and Centers in response to budget revisions  
 36 submitted by the Area Agencies on Aging.
- 37 4. *Unspent federal stimulus funds authorized in the*  
 38 *American Recovery and Reinvestment Act of 2009*  
 39 *(P.L. 111-5) for Nutrition and Senior Community*  
 40 *Services Employment Programs, budgeted in the*

1 2008–09 and 2009–10 fiscal years, are available for  
2 encumbrance or expenditure through September 30,  
3 2010.

4  
5 *SEC. 281. Item 4200-001-0367 of Section 2.00 of the Budget*  
6 *Act of 2009 is amended to read:*

7  
8 4200-001-0367—For support of Department of Alcohol and  
9 Drug Programs, for payment to Item 4200-001-3146,  
10 payable from the Indian Gaming Special Distribution  
11 Fund..... 4,241,000  
12 4,250,000

13  
14 *SEC. 282. Item 4200-001-0890 of Section 2.00 of the Budget*  
15 *Act of 2009 is amended to read:*

16  
17 4200-001-0890—For support of Department of Alcohol and  
18 Drug Programs, for payment to Item 4200-001-3146,  
19 payable from the Federal Trust Fund..... 23,823,000  
20 23,979,000

21 Provisions:  
22 1. Upon order of the Department of Finance, the Con-  
23 troller shall transfer funds as necessary between this  
24 item and Item 4200-101-0890. In determining which  
25 transfers are necessary pursuant to this provision, the  
26 department shall assess those programs and operations  
27 that have the most critical need. In making this assess-  
28 ment, the department shall consider such factors as  
29 caseload requirements, availability of personnel to  
30 provide essential services, other funding sources, and  
31 relevant information provided by affected state agen-  
32 cies.

33  
34 *SEC. 283. Item 4200-001-3019 of Section 2.00 of the Budget*  
35 *Act of 2009 is repealed.*

36  
37 ~~4200-001-3019—For support of Department of Alcohol and~~  
38 ~~Drug Programs, for payment to Item 4200-001-3146,~~  
39 ~~payable from the Substance Abuse Treatment Trust~~  
40 ~~Fund..... 3,171,000~~

1 Provisions:

2 1. Funds appropriated in this item are in lieu of the  
3 amounts that otherwise would have been appropriated  
4 for administration pursuant to Section 11999.6 of the  
5 Health and Safety Code.  
6

7 *SEC. 284. Item 4200-001-3113 of Section 2.00 of the Budget*  
8 *Act of 2009 is amended to read:*  
9

10	4200-001-3113—For support of Department of Alcohol and	
11	Drug Programs, for payment to Item 4200-001-3146,	
12	payable from the Residential and Outpatient Program Li-	
13	censing Fund.....	3,219,000
14		3,816,000

15  
16 *SEC. 285. Item 4200-001-3146 of Section 2.00 of the Budget*  
17 *Act of 2009 is amended to read:*  
18

19	4200-001-3146—For support of Department of Alcohol and	
20	Drug Programs, payable from the Drug and Alcohol Pre-	
21	vention and Treatment Fund.....	0

22 Schedule:

23	(1) 15-Alcohol and Other Drug Services	
24	Program.....	48,250,000
25		45,515,000
26	(2) 30.01-Administration.....	11,711,000
27		11,711,000
28	(3) 30.02-Distributed Administration.....	
29		-11,711,000
30	(4) Reimbursements.....	-5,227,000
31		-5,319,000
32	(4.5) Amount payable from the General	
33	Fund (Item 4200-001-0001).....	-5,082,000
34		-4,664,000
35	(5) Amount payable from the Driving-Un-	
36	der-the-Influence Program Licensing	
37	Trust Fund (Item 4200-001-0139).....	-1,613,000
38	(6) Amount payable from the Narcotic	
39	Treatment Program Licensing Trust	
40	Fund (Item 4200-001-0243).....	-1,367,000

1	(7) Amount payable from Indian Gaming	
2	Special Distribution Fund (Item 4200-	
3	001-0367).....	-4,241,000
4		-4,250,000
5	(8) Amount payable from the Audit Repay-	
6	ment Trust Fund (Item 4200-001-	
7	0816).....	-69,000
8	(9) Amount payable from the Federal Trust	
9	Fund (Item 4200-001-0890).....	-23,823,000
10		-23,979,000
11	<del>(10) Amount payable from the Substance</del>	
12	<del>Abuse Treatment Trust Fund (Item</del>	
13	<del>4200-001-3019).....</del>	<del>-3,171,000</del>
14	(11) Amount payable from the Mental	
15	Health Services Fund (Item 4200-001-	
16	3085).....	-288,000
17	(12) Amount payable from the Gambling	
18	Addiction Program Fund (Item 4200-	
19	001-3110).....	-150,000
20	(13) Amount payable from Residential and	
21	Outpatient Program Licensing Fund	
22	(Item 4200-001-3113).....	-3,219,000
23		-3,816,000

24 Provisions:

25 1. Upon approval by the Department of Finance, the  
26 Controller shall transfer such funds as are necessary  
27 between this item and Items 4200-101-3146, 4200-  
28 102-3146, 4200-103-3146, and 4200-104-3146. In  
29 determining which transfers are necessary pursuant to  
30 this provision, the department shall assess those pro-  
31 grams and operations that have the most critical need.  
32 In making the assessment, the department shall consid-  
33 er such factors as caseload requirements, availability  
34 of personnel to provide essential services, other fund-  
35 ing sources, and relevant information provided by af-  
36 fected state agencies.

37  
38 *SEC. 286. Item 4200-101-3019 of Section 2.00 of the Budget*  
39 *Act of 2009 is repealed.*

1 ~~4200-101-3019—For local assistance, Department of Alcohol~~  
 2 ~~and Drug Programs, for payment to Item 4200-101-3146,~~  
 3 ~~payable from the Substance Abuse Treatment Fund.....~~ 86,863,000  
 4 ~~Provisions:~~  
 5 ~~1. Funds appropriated in this item are in lieu of the~~  
 6 ~~amounts that otherwise would have been appropriated~~  
 7 ~~for local assistance pursuant to Section 11999.6 of the~~  
 8 ~~Health and Safety Code.~~

10 *SEC. 287. Item 4200-101-3146 of Section 2.00 of the Budget*  
 11 *Act of 2009 is amended to read:*

13 4200-101-3146—For local assistance, Department of Alcohol  
 14 and Drug Programs, payable from the Drug and Alcohol  
 15 Prevention and Treatment Fund..... 0  
 16 Schedule:  
 17 (1) 15-Alcohol and Other Drug Services  
 18 Program..... 420,254,000  
 19 382,791,000  
 20 (2) Reimbursements..... -10,807,000  
 21 -60,207,000  
 22 (2.1) Amount payable from the General  
 23 Fund (Item 4200-101-0001)..... -83,665,000  
 24 (2.5) Amount payable from the Indian  
 25 Gaming Special Distribution Fund  
 26 (Item 4200-101-0367)..... -4,000,000  
 27 (3) Amount payable from the Federal  
 28 Trust Fund (Item 4200-101-0890)..... -234,919,000  
 29 ~~(4) Amount payable from the Substance~~  
 30 ~~Abuse Treatment Fund (Item 4200-~~  
 31 ~~101-3019).....~~  
 32 ~~-86,863,000~~

33 Provisions:  
 34 1. Upon approval by the Department of Finance, the  
 35 Controller shall transfer such funds as are necessary  
 36 between this item and Items 4200-001-3146, 4200-  
 37 102-3146, 4200-103-3146, and 4200-104-3146. In  
 38 determining which transfers are necessary pursuant to  
 39 this provision, the department shall assess those pro-  
 40 grams and operations that have the most critical need.

1 In making this assessment, the department shall con-  
 2 sider such factors as caseload requirements, availabil-  
 3 ity of personnel to provide essential services, other  
 4 funding sources, and relevant information provided  
 5 by affected state agencies.  
 6 2. Upon approval by the Department of Finance, one or  
 7 more short-term loans not to exceed a cumulative total  
 8 of \$59,745,000 may be made available from the Gen-  
 9 eral Fund when there is a delay in the allocation of  
 10 federal Substance Abuse Prevention and Treatment  
 11 (SAPT) Block Grant funds to California. Each loan  
 12 shall be repaid, with interest calculated pursuant to  
 13 subdivision (a) of Section 16314 of the Government  
 14 Code, upon receipt of the federal SAPT Block Grant.  
 15

16 *SEC. 288. Item 4200-102-3146 of Section 2.00 of the Budget*  
 17 *Act of 2009 is amended to read:*  
 18

19 4200-102-3146—For local assistance, Department of Alcohol  
 20 and Drug Programs, payable from the Drug and Alcohol  
 21 Prevention and Treatment Fund, for perinatal substance  
 22 abuse treatment programs (Drug Medi-Cal)..... 0

23 Schedule:

24 (1) 15-Alcohol and Other Drug Services	
25 Program.....	7,732,000
26	5,714,000
27 (2) Reimbursements.....	-3,866,000
28	-3,519,000
29 (3) Amount payable from the General Fund	
30 (Item 4200-102-0001).....	-3,866,000
31	-2,195,000

32 Provisions:

33 1. Upon approval by the Department of Finance, the  
 34 Controller shall transfer such funds as are necessary  
 35 between this item and Items 4200-001-3146, 4200-  
 36 101-3146, 4200-103-3146, and 4200-104-3146. In  
 37 determining which transfers are necessary pursuant to  
 38 this provision, the department shall assess those pro-  
 39 grams and operations that have the most critical need.  
 40 In making this assessment, the department shall con-



- 1 Provisions:  
2 1. Upon approval by the Department of Finance, the  
3 Controller shall transfer such funds as are necessary  
4 between this item and Items 4200-001-3146, 4200-  
5 101-3146, 4200-102-3146, and 4200-104-3146. In  
6 determining which transfers are necessary pursuant to  
7 this provision, the department shall assess those pro-  
8 grams and operations that have the most critical need.  
9 In making this assessment, the department shall con-  
10 sider such factors as caseload requirements, availabil-  
11 ity of personnel to provide essential services, other  
12 funding sources, and relevant information provided  
13 by affected state agencies.  
14 2. The funds appropriated in this item are available to  
15 provide funding for the state’s share of expenditures  
16 for substance abuse services provided to persons eligi-  
17 ble for Medi-Cal.  
18 3. Notwithstanding subdivision (a) of Section 1.80 and  
19 Section 26.00, the Department of Finance may autho-  
20 rize a transfer of expenditure authority between this  
21 item and Item 4200-102-3146 so that the funds appro-  
22 priated in either item may be used to pay the state and  
23 federal share of prior fiscal years’ allowable Medi-Cal  
24 costs that exceed the amount encumbered in prior fis-  
25 cal years. The department shall notify the Legislature  
26 within 10 days after authorizing a transfer pursuant to  
27 this provision unless prior notification of the transfer  
28 has been included in the Medi-Cal estimates submitted  
29 pursuant to Section 14100.5 of the Welfare and Insti-  
30 tutions Code.  
31 4. Notwithstanding any other provision of law, both the  
32 federal and nonfederal shares of any moneys recovered  
33 for previously paid Drug Medi-Cal program services  
34 provided pursuant to Chapter 7 (commencing with  
35 Section 14000) of Part 3 of Division 9 of the Welfare  
36 and Institutions Code are hereby appropriated and shall  
37 be expended as soon as practicable for Drug Medi-Cal  
38 program services, as defined in the Welfare and Insti-  
39 tutions Code.  
40

1 SEC. 290. Item 4200-105-0001 of Section 2.00 of the Budget  
2 Act of 2009 is repealed.

3  
4 ~~4200-105-0001—For transfer, as an expenditure, upon order of  
5 the Department of Finance, to the Substance Abuse Treat-  
6 ment Trust Fund..... 90,034,000~~

7 Provisions:  
8 1. ~~The amount of the transfer may be modified by the  
9 Department of Finance to accommodate administrative  
10 and workload adjustments.~~

11  
12 SEC. 291. Item 4260-001-0001 of Section 2.00 of the Budget  
13 Act of 2009 is amended to read:

14  
15 4260-001-0001—For support of Department of Health Care  
16 Services..... ~~134,563,000~~  
17 *135,071,000*

18 Schedule:  
19 (1) 20-Health Care Services..... ~~387,240,000~~  
20 *389,070,000*  
21 (2) 30.01-Administration..... 26,053,000  
22 (3) 30.02-Distributed Administration..... -26,555,000  
23 (4) Reimbursements..... ~~-21,204,000~~  
24 *-21,244,000*  
25 (5) Amount payable from the Breast Cancer  
26 Control Account (Item 4260-001-  
27 0009)..... -95,000  
28 (6) Amount payable from the Childhood  
29 Lead Poisoning Prevention Fund (Item  
30 4260-001-0080)..... -151,000  
31 (7) Amount payable from the Unallocated  
32 Account, Cigarette and Tobacco Prod-  
33 ucts Surtax Fund (Item 4260-001-  
34 0236)..... ~~-741,000~~  
35 *-541,000*  
36 (8) Amount payable from the Federal  
37 Trust Fund (Item 4260-001-0890)..... ~~-228,992,000~~  
38 *-230,474,000*  
39 (9) Amount payable from the Mental Health  
40 Services Fund (Item 4260-001-3085).... -992,000

- 1 Provisions:
- 2 1. Effective February 1, 2009, the State Department of
- 3 Health Care Services shall report biennially in writing
- 4 on the results of the additional positions established
- 5 under the 2003 Medi-Cal Anti-Fraud Initiative to the
- 6 chairpersons of the committees in each house of the
- 7 Legislature that consider appropriations and the
- 8 Chairperson of the Joint Legislative Budget Commit-
- 9 tee. The report shall include the results of the most
- 10 recently completed biennial error rate study and ran-
- 11 dom claim sampling process, the number of positions
- 12 filled by division, and, for each of the components of
- 13 the initiative, the amount of savings and cost avoidance
- 14 achieved and estimated, the number of providers
- 15 sanctioned, and the number of claims and beneficiary
- 16 records reviewed.
- 17 2. Of the funds appropriated for new information technol-
- 18 ogy projects, no funds may be expended on a project
- 19 prior to approval of a feasibility study report concern-
- 20 ing that project by the office of the State Chief Infor-
- 21 mation Officer. The State Department of Health Care
- 22 Services shall notify the fiscal committees of both
- 23 houses of the Legislature that a feasibility study report
- 24 has been approved for a project within 30 days of the
- 25 report's approval by the office of the State Chief Infor-
- 26 mation Officer, and shall include with the notification
- 27 a copy of the approved feasibility study report that
- 28 reflects any changes.

29

30 *SEC. 292. Item 4260-001-0236 of Section 2.00 of the Budget*

31 *Act of 2009 is amended to read:*

32

33 4260-001-0236—For support of Department of Health Care

34 Services, for payment to Item 4260-001-0001, payable

35 from the Unallocated Account, Cigarette and Tobacco

36 Products Surtax Fund..... 741,000

37 541,000

38

39 *SEC. 293. Item 4260-001-0890 of Section 2.00 of the Budget*

40 *Act of 2009 is amended to read:*

1 4260-001-0890—For support of Department of Health Care  
 2 Services, for payment to Item 4260-001-0001, payable  
 3 from the Federal Trust Fund..... 228,992,000  
 4 230,474,000

5 Provisions:

6 1. Of the funds appropriated in this item, \$1,069,000  
 7 shall be available for administration, research, and  
 8 training projects. Notwithstanding Section 28.00, the  
 9 State Department of Health Care Services shall report  
 10 under that section any new project over \$200,000 or  
 11 any increase in excess of \$400,000 for an identified  
 12 project.

13  
 14 *SEC. 294. Item 4260-101-0080 of Section 2.00 of the Budget*  
 15 *Act of 2009 is amended to read:*

16  
 17 4260-101-0080—For local assistance, Department of Health  
 18 Care Services, for payment to Item 4260-101-0001,  
 19 payable from the Childhood Lead Poisoning Prevention  
 20 Fund..... 160,000  
 21 115,000

22  
 23 *SEC. 295. Item 4260-101-0232 of Section 2.00 of the Budget*  
 24 *Act of 2009 is amended to read:*

25  
 26 4260-101-0232—For local assistance, Department of Health  
 27 Care Services, for payment to Item 4260-101-0001,  
 28 payable from the Hospital Services Account, Cigarette  
 29 and Tobacco Products Surtax Fund..... 23,559,000  
 30 95,078,000

31  
 32 *SEC. 296. Item 4260-101-0236 of Section 2.00 of the Budget*  
 33 *Act of 2009 is repealed.*

34  
 35 ~~4260-101-0236—For local assistance, Department of Health~~  
 36 ~~Care Services, for payment to Item 4260-101-0001, payable~~  
 37 ~~from the Unallocated Services Account, Cigarette and To-~~  
 38 ~~bacco Products Surtax Fund..... 21,519,000~~  
 39

1 SEC. 297. Item 4260-101-0890 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	4260-101-0890—For local assistance, Department of Health	
5	Care Services, for payment to Item 4260-101-0001,	
6	payable from the Federal Trust Fund.....	22,440,653,000
7		26,620,577,000

8 Provisions:  
9 1. Any of the provisions in Item 4260-101-0001 that are  
10 relevant to this item also apply to this item.

11  
12 SEC. 298. Item 4260-102-0001 of Section 2.00 of the Budget  
13 Act of 2009 is amended to read:

14		
15	4260-102-0001—For local assistance, Department of Health	
16	Care Services, Program 20.10.030-Benefits (Medical Care	
17	and Services), for supplemental reimbursement for debt	
18	service pursuant to Section 14085.5 of the Welfare and	
19	Institutions Code.....	51,604,000
20		54,198,000

21 Provisions:  
22 1. Notwithstanding any other provision of law, the De-  
23 partment of Finance may authorize transfer of expen-  
24 diture authority between this item and Items 4260-101-  
25 0001, 4260-111-0001, 4260-113-0001, and 4260-117-  
26 0001 in order to effectively administer the programs  
27 funded in these items. The Department of Finance  
28 shall notify the Legislature within 10 days of authoriz-  
29 ing such a transfer unless prior notification of the  
30 transfer has been included in the Medi-Cal estimates  
31 submitted pursuant to Section 14100.5 of the Welfare  
32 and Institutions Code. The 10-day notification to the  
33 Legislature shall include the reasons for the transfer,  
34 the fiscal assumptions used in calculating the transfer  
35 amount, and any potential effects on the program from  
36 which funds are being transferred or reduced.

37  
38 SEC. 299. Item 4260-102-0890 of Section 2.00 of the Budget  
39 Act of 2009 is amended to read:

1 4260-102-0890—For local assistance, Department of Health  
 2 Care Services, Program 20.10.030-Benefits (Medical Care  
 3 and Services), payable from the Federal Trust Fund, for  
 4 supplemental reimbursement for debt service pursuant to  
 5 Section 14085.5 of the Welfare and Institutions Code..... 51,604,000  
 6 54,198,000

7 Provisions:

- 8 1. Any of the provisions in Item 4260-102-0001 that are
- 9 relevant to this item also apply to this item.

10  
 11 *SEC. 300. Item 4260-106-0890 of Section 2.00 of the Budget*  
 12 *Act of 2009 is amended to read:*

13  
 14 4260-106-0890—For local assistance, Department of Health  
 15 Care Services, Program 20.10.030-Benefits (Medical Care  
 16 and Services), payable from the Federal Trust Fund..... 12,365,000  
 17 14,708,000

18  
 19 *SEC. 301. Item 4260-111-0080 of Section 2.00 of the Budget*  
 20 *Act of 2009 is amended to read:*

21  
 22 4260-111-0080—For local assistance, Department of Health  
 23 Care Services, for payment to Item 4260-111-0001,  
 24 payable from the Childhood Lead Poisoning Prevention  
 25 Fund..... 11,000  
 26 8,000

27  
 28 *SEC. 302. Item 4260-111-0233 of Section 2.00 of the Budget*  
 29 *Act of 2009 is repealed.*

30  
 31 ~~4260-111-0233—For local assistance, Department of Health~~  
 32 ~~Care Services, for payment to Item 4260-111-0001, payable~~  
 33 ~~from the Physician Services Account, Cigarette and Tobac-~~  
 34 ~~co Products Surtax Fund..... 774,000~~

35  
 36 *SEC. 303. Item 4260-111-0236 of Section 2.00 of the Budget*  
 37 *Act of 2009 is amended to read:*

1 4260-111-0236—For local assistance, Department of Health  
 2 Care Services, for payment to Item 4260-111-0001,  
 3 payable from the Unallocated Account, Cigarette and To-  
 4 bacco Products Surtax Fund..... 13,081,000  
 5 10,000,000  
 6

7 *SEC. 304. Item 4260-111-0890 of Section 2.00 of the Budget*  
 8 *Act of 2009 is amended to read:*  
 9

10 4260-111-0890—For local assistance, Department of Health  
 11 Care Services, for payment to Item 4260-111-0001,  
 12 payable from the Federal Trust Fund..... 145,915,000  
 13 148,517,000

- 14 Provisions:
- 15 1. Of the funds appropriated in this item, \$408,000 shall  
 16 be available for administration, research, and training  
 17 projects. Notwithstanding Section 28.00, the State  
 18 Department of Health Care Services shall report under  
 19 that section any new project over \$200,000 or any in-  
 20 crease in excess of \$400,000 for an identified project.
  - 21 2. Any of the provisions in Item 4260-111-0001 that are  
 22 relevant to this item also apply to this item.

23  
 24 *SEC. 305. Item 4260-113-0890 of Section 2.00 of the Budget*  
 25 *Act of 2009 is amended to read:*  
 26

27 4260-113-0890—For local assistance, Department of Health  
 28 Care Services, for payment to Item 4260-113-0001,  
 29 payable from the Federal Trust Fund..... 389,541,000  
 30 324,726,000

- 31 Provisions:
- 32 1. Any of the provisions in Item 4260-113-0001 that are  
 33 relevant to this item also apply to this item.

34  
 35 *SEC. 306. Item 4260-117-0001 of Section 2.00 of the Budget*  
 36 *Act of 2009 is amended to read:*

1	4260-117-0001—For local assistance, Department of Health	
2	Care Services, for implementation of the Health Insurance	
3	Portability and Accountability Act.....	3,667,000
4		4,187,000

5	Schedule:	
6	(1) 20.10.010-Eligibility (County Adminis-	
7	tration).....	4,732,000
8	(2) 20.10.020-Fiscal Intermediary Manage-	
9	ment.....	14,207,000
10		16,076,000
11	(3) Amount payable from the Federal Trust	
12	Fund (Item 4260-117-0890).....	-15,272,000
13		-16,621,000

- 14 Provisions:
- 15 1. The funding appropriated in this item is limited to the
  - 16 amount specified in Section 17.00. These funds are to
  - 17 be used in support of compliance activities related to
  - 18 the federal Health Insurance Portability and Account-
  - 19 ability Act (HIPAA) of 1996.
  - 20 2. Notwithstanding subdivision (a) of Section 1.80 and
  - 21 Section 26.00, the Department of Finance may autho-
  - 22 rize transfer of expenditure authority between Sched-
  - 23 ules (1) and (2). The Department of Finance shall no-
  - 24 tify the Legislature within 10 days of authorizing such
  - 25 transfer unless prior notification of the transfer has
  - 26 been included in the Medi-Cal estimates submitted
  - 27 pursuant to Section 14100.5 of the Welfare and Insti-
  - 28 tutions Code.
  - 29 3. Notwithstanding any other provision of law, the De-
  - 30 partment of Finance may authorize the transfer of ex-
  - 31 penditure authority between this item and Items 4260-
  - 32 101-0001, 4260-102-0001, 4260-111-0001, and 4260-
  - 33 113-0001 in order to effectively administer the pro-
  - 34 grams funded in these items. The Department of Fi-
  - 35 nance shall notify the Legislature within 10 days of
  - 36 authorizing such transfer unless prior notification of
  - 37 the transfer has been included in the Medi-Cal esti-
  - 38 mates submitted pursuant to Section 14100.5 of the
  - 39 Welfare and Institutions Code. The 10-day notification
  - 40 to the Legislature shall include the reasons for the

1 transfer, the fiscal assumptions used in calculating the  
2 transfer amount, and any potential fiscal effects on the  
3 program from which funds are being transferred or  
4 reduced.

5

6 *SEC. 307. Item 4260-117-0890 of Section 2.00 of the Budget*  
7 *Act of 2009 is amended to read:*

8

9 4260-117-0890—For local assistance, Department of Health  
10 Care Services, for payment to Item 4260-117-0001,  
11 payable from the Federal Trust Fund, for implementation  
12 of the Health Insurance Portability and Accountability  
13 Act..... 15,272,000  
14 16,621,000

15 Provisions:

- 16 1. The funding appropriated in this item is limited to the  
17 amount specified in Section 17.00. These funds are to  
18 be used in support of compliance activities related to  
19 the federal Health Insurance Portability and Account-  
20 ability Act (HIPAA) of 1996.
- 21 2. Any of the provisions in Item 4260-117-0001 that are  
22 relevant to this item also apply to this item.

23

24 *SEC. 308. Item 4260-495 is added to Section 2.00 of the Budget*  
25 *Act of 2009, to read:*

26

27 4260-495—*Reversion, Department of Health Care Services. As*  
28 *of June 30, 2009, the balances of the appropriations pro-*  
29 *vided for in the following citations shall revert to the funds*  
30 *from which the appropriations were made:*

31 0001—*General Fund*

32 (1) *Item 4260-001-0001, Budget Act of 2008 (Chs. 268*  
33 *and 269, Stats. 2008). Funds appropriated for the*  
34 *National Cooperative Bank Development Corporation*  
35 *Contract within the Assisted Living Waiver Pilot Pro-*  
36 *ject*

37 0890—*Federal Trust Fund*

38 (1) *Item 4260-001-0890, Budget Act of 2008 (Chs. 268*  
39 *and 269, Stats. 2008). Funds appropriated for the*  
40 *National Cooperative Bank Development Corporation*

1 Contract within the Assisted Living Waiver Pilot Pro-  
2 ject

3  
4 SEC. 309. Item 4265-001-0070 of Section 2.00 of the Budget  
5 Act of 2009 is amended to read:

6  
7 4265-001-0070—For support of Department of Public Health,  
8 for payment to Item 4265-001-0001, payable from the  
9 Occupational Lead Poisoning Prevention Account..... 2,741,000  
10 3,241,000

11 Provisions:  
12 1. The amount appropriated in this item includes revenues  
13 derived from the assessment of fines and penalties  
14 imposed as specified in Section 13332.18 of the Gov-  
15 ernment Code.

16  
17 SEC. 310. Item 4265-001-0099 of Section 2.00 of the Budget  
18 Act of 2009 is amended to read:

19  
20 4265-001-0099—For support of Department of Public Health,  
21 for payment to Item 4265-001-0001, payable from the  
22 Health Statistics Special Fund..... 23,974,000  
23 23,762,000

24  
25 SEC. 311. Item 4265-001-0203 of Section 2.00 of the Budget  
26 Act of 2009 is amended to read:

27  
28 4265-001-0203—For support of Department of Public Health,  
29 for payment to Item 4265-001-0001, payable from the  
30 Genetic Disease Testing Fund..... 18,043,000  
31 18,480,000

32  
33 SEC. 312. Item 4265-001-0234 of Section 2.00 of the Budget  
34 Act of 2009 is amended to read:

35  
36 4265-001-0234—For support of Department of Public Health,  
37 for payment to Item 4265-001-0001, payable from the  
38 Research Account, Cigarette and Tobacco Products Surtax  
39 Fund..... 5,840,000  
40 5,267,000

1  
 2 *SEC. 313. Item 4265-001-0890 of Section 2.00 of the Budget*  
 3 *Act of 2009 is amended to read:*

4

5	4265-001-0890—For support of Department of Public Health,	
6	for payment to Item 4265-001-0001, payable from the	
7	Federal Trust Fund.....	217,659,000
8		219,476,000

- 9 Provisions:
- 10 1. Of the funds appropriated in this item, \$52,612,000
  - 11 shall be available for administration, research, and
  - 12 training projects. Notwithstanding Section 28.00, the
  - 13 State Department of Public Health shall report under
  - 14 that section any new project over \$200,000 or any in-
  - 15 crease in excess of \$400,000 for an identified project.
  - 16 2. The Department of Finance may authorize the transfer
  - 17 of expenditure authority from this item to Item 4265-
  - 18 111-0890 in order to reflect modifications in the use
  - 19 of federal bioterrorism grants. Transfers pursuant to
  - 20 this provision may not be approved sooner than 30
  - 21 days after notification in writing is provided to the
  - 22 chairpersons of the committees in each house of the
  - 23 Legislature that consider appropriations and the
  - 24 Chairperson of the Joint Legislative Budget Commit-
  - 25 tee, or no sooner than whatever lesser time the chair-
  - 26 person of the joint committee, or his or her designee,
  - 27 may in each instance determine.
  - 28 3. Notwithstanding any other provision of law, federal
  - 29 moneys made available for bioterrorism preparedness
  - 30 pursuant to this act shall be available for expenditure
  - 31 or encumbrance until August 30, 2010.
  - 32 4. The State Department of Public Health shall notify
  - 33 the fiscal and relevant policy committees of the Legis-
  - 34 lature in a timely manner regarding the federal govern-
  - 35 ment’s approval of the state’s application for coopera-
  - 36 tive agreement for funding from the federal Centers
  - 37 for Disease Control and Prevention’s Public Health
  - 38 Preparedness and Response to Bioterrorism Program.
  - 39 The notification shall include a summary of all policy
  - 40 and fiscal changes made by the federal government to

1 the state’s application. If additional changes are made  
2 throughout the fiscal year, the department shall notify  
3 the fiscal and relevant policy committees of the Legis-  
4 lature in a similar manner.

5  
6 *SEC. 314. Item 4265-001-3098 of Section 2.00 of the Budget*  
7 *Act of 2009 is amended to read:*

8  
9 4265-001-3098—For support of Department of Public Health,  
10 for payment to Item 4265-001-0001, payable from the  
11 State Department of Public Health Licensing and Certifi-  
12 cation Program Fund..... 88,729,000  
13 90,202,000  
14

15 *SEC. 315. Item 4265-111-0009 of Section 2.00 of the Budget*  
16 *Act of 2009 is amended to read:*

17  
18 4265-111-0009—For local assistance, Department of Public  
19 Health, for payment to Item 4265-111-0001, payable from  
20 the Breast Cancer Control Account..... 10,736,000  
21 24,536,000

22 *Provisions:*  
23 *1. Of the amount appropriated in this item, up to*  
24 *\$6,300,000 shall be available for costs and claims in-*  
25 *curring in the 2008–09 fiscal year.*  
26

27 *SEC. 316. Item 4265-111-0231 of Section 2.00 of the Budget*  
28 *Act of 2009 is amended to read:*

29  
30 4265-111-0231—For local assistance, Department of Public  
31 Health, for payment to Item 4265-111-0001, payable from  
32 the Health Education Account, Cigarette and Tobacco  
33 Products Surtax Fund..... 47,354,000  
34 54,154,000  
35

36 *SEC. 317. Item 4265-111-0232 of Section 2.00 of the Budget*  
37 *Act of 2009 is repealed.*

1 ~~4265-111-0232—For local assistance, Department of Public~~  
 2 ~~Health, for payment to Item 4265-111-0001, payable from~~  
 3 ~~the Hospital Services Account, Cigarette and Tobacco~~  
 4 ~~Products Surtax Fund..... 21,106,000~~

5  
 6 *SEC. 318. Item 4265-111-0233 of Section 2.00 of the Budget*  
 7 *Act of 2009 is repealed.*

8  
 9 ~~4265-111-0233—For local assistance, Department of Public~~  
 10 ~~Health, for payment to Item 4265-111-0001, payable from~~  
 11 ~~the Physician Services Account, Cigarette and Tobacco~~  
 12 ~~Products Surtax Fund..... 3,470,000~~

13  
 14 *SEC. 319. Item 4265-111-0236 of Section 2.00 of the Budget*  
 15 *Act of 2009 is amended to read:*

16  
 17 ~~4265-111-0236—For local assistance, Department of Public~~  
 18 ~~Health, for payment to Item 4265-111-0001, payable from~~  
 19 ~~the Unallocated Account, Cigarette and Tobacco Products~~  
 20 ~~Surtax Fund..... 29,302,000~~  
 21 ~~23,340,000~~

22  
 23 *SEC. 320. Item 4265-111-0890 of Section 2.00 of the Budget*  
 24 *Act of 2009 is amended to read:*

25  
 26 ~~4265-111-0890—For local assistance, Department of Public~~  
 27 ~~Health, for payment to Item 4265-111-0001, payable~~  
 28 ~~from the Federal Trust Fund..... 1,310,207,000~~  
 29 ~~1,375,555,000~~

30 Provisions:

- 31 1. Of the funds appropriated in this item, \$61,868,000
- 32 shall be available for administration, research, and
- 33 training projects. Notwithstanding the provisions of
- 34 Section 28.00, the State Department of Public Health
- 35 shall report under that section any new project over
- 36 \$200,000 or any increase in excess of \$400,000 for an
- 37 identified project.
- 38 2. Notwithstanding any other provision of law, federal
- 39 moneys made available for bioterrorism preparedness



1 SEC. 324. Item 4265-115-6031 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 4265-115-6031—For transfer by the Controller from the Water  
5 Security, Clean Drinking Water, Coastal and Beach Pro-  
6 tection Fund of 2002 to the Safe Drinking Water State  
7 Revolving Loan Fund..... 17,000,000  
8 32,499,000

9 Provisions:  
10 1. The amount appropriated in this item shall be available  
11 for transfer until June 30, 2012.

12  
13 SEC. 325. Item 4265-116-0890 of Section 2.00 of the Budget  
14 Act of 2009 is amended to read:

15  
16 4265-116-0890—For transfer by the Controller to various  
17 federal funds..... (10,114,000)  
18 (15,264,000)

19 Provisions:  
20 1. Pursuant to Chapter 734, of the Statutes of 1997, the  
21 State Department of Public Health may transfer funds  
22 appropriated in this item to the Administration Account  
23 (0625), Water System Reliability Account (0626),  
24 Small System Technical Assistance Account (0628),  
25 and the Public Water System, Safe Drinking Water  
26 State Revolving Fund (7500) for the purpose of admin-  
27 istering the California Safe Drinking Water Act. In  
28 addition, the State Department of Public Health may  
29 transfer funds between the—above—mentioned  
30 above-mentioned funds.  
31 2. Upon notification to the Department of Finance, the  
32 State Department of Public Health may increase the  
33 amount appropriated in this item for transfer to the  
34 funds cited in Provision 1.

35  
36 SEC. 326. Item 4265-301-0001 of Section 2.00 of the Budget  
37 Act of 2009 is repealed.

38  
39 4265-301-0001—For capital outlay, Department of Public  
40 Health..... 3,117,000

1       Schedule:

2       (1) ~~94.65.010-Upgrade Viral and Rickettsial~~

3           ~~Disease Laboratory, Richmond—Con-~~

4           ~~struction.....~~                           3,117,000

5

6       *SEC. 327. Item 4265-401 of Section 2.00 of the Budget Act of*

7       *2009 is amended to read:*

8

9       4265-401—Notwithstanding Provision 2 of Item 4260-011-0099

10       of the Budget Act of 2004 (Ch. 208, Stats. 2004) and Pro-

11       vision 1 of *Item 4260-011-0099* of the Budget Act of 2005

12       (Chs. 38 and 39, Stats. 2005), the \$1,500,000 loan autho-

13       rized to the Medical Marijuana Program Fund shall be

14       fully repaid to the Health Statistics Special Fund by June

15       30, 2012, with interest calculated at the rate earned by the

16       Pooled Money Investment Account at the time of the loan.

17

18       *SEC. 328. Item 4265-495 is added to Section 2.00 of the Budget*

19       *Act of 2009, to read:*

20

21       4265-495—*Reversion, Department of Public Health. As of June*

22       *30, 2009, the unencumbered balances of the appropriations*

23       *provided in the following citations shall revert to the fund*

24       *balance of the fund from which the appropriations were*

25       *made:*

26       6031—*Water Security, Clean Drinking Water, Coastal and*

27       *Beach Protection Fund of 2002*

28       (1) *Item 4260-111-6031, Budget Act of 2005 (Chs. 38 and*

29       *39, Stats. 2005), as reappropriated by Item 4260-491,*

30       *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and*

31       *Item 4265-492, Budget Act of 2007 (Chs. 171 and 172,*

32       *Stats. 2007)*

33       (2) *Item 4260-111-6031, Budget Act of 2006 (Chs. 47 and*

34       *48, Stats. 2006), as reappropriated by Item 4265-492,*

35       *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*

36       (3) *Item 4265-111-6031, Budget Act of 2007 (Chs. 171*

37       *and 172, Stats. 2007)*

38       (4) *Item 4265-111-6031, Budget Act of 2008 (Chs. 268*

39       *and 269, Stats. 2008)*

- 1 (5) *Item 4260-115-6031, Budget Act of 2005 (Chs. 38 and*
- 2 *39, Stats. 2005), as reappropriated by Item 4260-491,*
- 3 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and*
- 4 *Item 4265-492, Budget Act of 2007 (Chs. 171 and 172,*
- 5 *Stats. 2007)*
- 6 (6) *Item 4260-115-6031, Budget Act of 2006 (Chs. 47 and*
- 7 *48, Stats. 2006), as reappropriated by Item 4265-492,*
- 8 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
- 9 (7) *Item 4265-115-6031, Budget Act of 2007 (Chs. 171*
- 10 *and 172, Stats. 2007)*
- 11 (8) *Item 4265-115-6031, Budget Act of 2008 (Chs. 268*
- 12 *and 269, Stats. 2008)*

13  
 14 *SEC. 329. Item 4265-496 is added to Section 2.00 of the Budget*  
 15 *Act of 2009, to read:*

16  
 17 *4265-496—Reversion, Department of Public Health. As of June*  
 18 *30, 2009, the balances specified below of the appropri-*  
 19 *ations provided in the following citations shall revert to the*  
 20 *balance in the fund from which the appropriations were*  
 21 *made:*  
 22 *6051—Safe Drinking Water, Water Quality and Supply,*  
 23 *Flood Control, River and Coastal Protection Fund of 2006*  
 24 *(1) Item 4265-111-6051, Budget Act of 2007 (Chs. 171*  
 25 *and 172, Stats. 2007), up to \$35,600,000 appropriated*  
 26 *in Program 20.60-Environmental Health*

27  
 28 *SEC. 330. Item 4265-497 is added to Section 2.00 of the Budget*  
 29 *Act of 2009, to read:*

30  
 31 *4265-497—Reversion, Department of Public Health. As of June*  
 32 *30, 2009, the unencumbered balances of the appropriations*  
 33 *provided in the following citations shall revert to the fund*  
 34 *balance from which the appropriations were made:*  
 35 *0009—Breast Cancer Control Account*  
 36 *(1) Item 4265-001-0009, Budget Act of 2007 (Chs. 171*  
 37 *and 172, Stats. 2007)*  
 38 *(2) Item 4265-111-0009, Budget Act of 2007 (Chs. 171*  
 39 *and 172, Stats. 2007)*

40

1 SEC. 331. Item 4270-001-0001 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	4270-001-0001—For support of California Medical Assistance	
5	Commission.....	1,293,000
6	Schedule:	
7	(1) 10-California Medical Assistance Com-	
8	mission.....	2,557,000
9		2,586,000
10	(2) Reimbursements.....	-1,264,000
11		-1,293,000
12		

13 SEC. 332. Item 4280-101-0236 of Section 2.00 of the Budget  
14 Act of 2009 is repealed.

15		
16	4280-101-0236—For local assistance, Managed Risk Medical	
17	Insurance Board, for the Healthy Families Program.....	175,000
18	Schedule:	
19	(1) 40-Healthy Families Program.....	175,000
20		

21 SEC. 333. Item 4280-101-0890 of Section 2.00 of the Budget  
22 Act of 2009 is amended to read:

23		
24	4280-101-0890—For local assistance, Managed Risk Medical	
25	Insurance Board, for payment to Item 4280-101-0001,	
26	payable from the Federal Trust Fund, for the Healthy	
27	Families Program.....	751,191,000
28		700,472,000

- 29 Provisions:
- 30 1. Upon order of the Department of Finance, the Con-
  - 31 troller shall transfer such funds as are necessary be-
  - 32 tween this item and Item 4280-102-0890 in order to
  - 33 effectively administer the Healthy Families Program.

34  
35 SEC. 334. Item 4280-102-0890 of Section 2.00 of the Budget  
36 Act of 2009 is amended to read:

1 4280-102-0890—For local assistance, Managed Risk Medical  
 2 Insurance Board, for payment to Item 4280-102-0001,  
 3 payable from the Federal Trust Fund, for Healthy Families  
 4 Program administrative contracts..... 40,534,000  
 5 36,212,000

6 Provisions:  
 7 1. Upon order of the Department of Finance, the Con-  
 8 troller shall transfer such funds as are necessary be-  
 9 tween this item and Item 4280-101-0890 in order to  
 10 effectively administer the Healthy Families Program.

11  
 12 *SEC. 335. Item 4280-103-0890 of Section 2.00 of the Budget*  
 13 *Act of 2009 is amended to read:*

14  
 15 4280-103-0890—For local assistance, Managed Risk Medical  
 16 Insurance Board, for payment to Item 4280-103-3055,  
 17 payable from the Federal Trust Fund, for the County  
 18 Health Initiative Matching Fund Program..... 1,247,000  
 19 1,039,000

20 Provisions:  
 21 1. Provisions 1, 2, and 3 of Item 4280-103-3055 also  
 22 apply to this item.

23  
 24 *SEC. 336. Item 4280-103-3055 of Section 2.00 of the Budget*  
 25 *Act of 2009 is amended to read:*

26  
 27 4280-103-3055—For local assistance, Managed Risk Medical  
 28 Insurance Board, for the County Health Initiative Matching  
 29 Fund Program..... 672,000  
 30 559,000

31 Schedule:  
 32 (1) 50-County Health Initiative Matching  
 33 Fund Program..... 1,919,000  
 34 1,598,000  
 35 (2) Amount payable from the Federal Trust  
 36 Fund (Item 4280-103-0890)..... -1,247,000  
 37 -1,039,000

38 Provisions:  
 39 1. Upon order of the Department of Finance, the Con-  
 40 troller shall transfer such funds as are necessary be-

1           tween this item and Item 4280-003-0890 or Item 4280-  
2           003-3055 in order to effectively administer the County  
3           Health Initiative Matching Fund program. The Depart-  
4           ment of Finance may also authorize the establishment  
5           of positions in order to allow the Managed Risk  
6           Medical Insurance Board to effectively administer the  
7           County Health Initiative Matching Fund program.

8           2. Funds in this item are subject to the availability, as  
9           determined by the Department of Finance, of federal  
10          State Children’s Health Insurance Program funds not  
11          needed for state-funded health programs, including,  
12          but not limited to, the Healthy Families Program and,  
13          as funded by the federal State Children’s Health Insur-  
14          ance Program, the Access for Infants and Mothers  
15          Program, and the Medi-Cal program. To determine  
16          the availability of funds, all entities participating in  
17          the County Health Initiative Matching Fund program,  
18          as a condition of receiving funds, shall submit, on or  
19          before August 1 and February 1 of each year, an esti-  
20          mate of expenditures under this item to the Managed  
21          Risk Medical Insurance Board. The Managed Risk  
22          Medical Insurance Board shall reflect this information  
23          in the November and May estimates provided to the  
24          Department of Finance.

25          3. To provide for the effective use of federal State Chil-  
26          dren’s Health Insurance Program funds in the County  
27          Health Initiative Matching Fund program and  
28          notwithstanding Section 28.00, this item may be re-  
29          duced or increased by the Department of Finance not  
30          sooner than 30 days after notification in writing to the  
31          chairpersons of the committees in each house of the  
32          Legislature that consider appropriations and the  
33          Chairperson of the Joint Legislative Budget Commit-  
34          tee, or such lesser time as the chairperson of the joint  
35          committee, or his or her designee, may in each instance  
36          determine.

37  
38          *SEC. 337. Item 4280-104-0236 of Section 2.00 of the Budget*  
39          *Act of 2009 is repealed.*

1	<del>4280-104-0236—For local assistance, Managed Risk Medical</del>	
2	<del>Insurance Board, for the Healthy Families Program Rural</del>	
3	<del>Health Demonstration Project.....</del>	<del>729,000</del>
4	<del>Schedule:</del>	
5	<del>(1) 40-Healthy Families Program.....</del>	<del>2,083,000</del>
6	<del>(2) Amount payable from Federal Trust</del>	
7	<del>Fund (Item 4280-104-0890).....</del>	<del>-1,354,000</del>

8  
9     ~~SEC. 338. Item 4280-104-0890 of Section 2.00 of the Budget~~  
10 ~~Act of 2009 is repealed.~~

12	<del>4280-104-0890—For local assistance, Managed Risk Medical</del>	
13	<del>Insurance Board, for payment to Item 4280-104-0236,</del>	
14	<del>payable from the Federal Trust Fund, for the Healthy</del>	
15	<del>Families Program Rural Health Demonstration Project.....</del>	<del>1,354,000</del>

16  
17     ~~SEC. 339. Item 4280-111-0232 of Section 2.00 of the Budget~~  
18 ~~Act of 2009 is repealed.~~

20	<del>4280-111-0232—For transfer by the Controller from the Hos-</del>	
21	<del>pital Services Account, Cigarette and Tobacco Products</del>	
22	<del>Surtax Fund to the Perinatal Insurance Fund, for the Access</del>	
23	<del>for Infants and Mothers Program.....</del>	<del>(44,035,000)</del>
24	<del>Provisions:</del>	
25	<del>1. In order to effectively administer the Access for Infants</del>	
26	<del>and Mothers Program, the Department of Finance may</del>	
27	<del>decrease or increase this item in order to conform the</del>	
28	<del>appropriation to revised subvention estimates.</del>	

29  
30     ~~SEC. 340. Item 4280-111-0233 of Section 2.00 of the Budget~~  
31 ~~Act of 2009 is amended to read:~~

33	<del>4280-111-0233—For transfer by the Controller from the</del>	
34	<del>Physician Services Account, Cigarette and Tobacco</del>	
35	<del>Products Surtax Fund to the Perinatal Insurance Fund, for</del>	
36	<del>the Access for Infants and Mothers Program.....</del>	<del>(12,770,000)</del>
37		<del>(4,819,000)</del>
38	<del>Provisions:</del>	
39	<del>1. In order to effectively administer the Access for Infants</del>	
40	<del>and Mothers Program, the Department of Finance may</del>	

1 decrease or increase this item in order to conform the  
2 appropriation to revised subvention estimates.

3  
4 *SEC. 341. Item 4280-111-0236 of Section 2.00 of the Budget*  
5 *Act of 2009 is amended to read:*

6  
7 4280-111-0236—For transfer by the Controller from the Unal-  
8 located Account, Cigarette and Tobacco Products Surtax  
9 Fund to the Perinatal Insurance Fund, for the Access for  
10 Infants and Mothers Program..... (~~904,000~~)  
11 (~~19,447,000~~)

12 Provisions:  
13 1. In order to effectively administer the Access for Infants  
14 and Mothers Program, the Department of Finance may  
15 decrease or increase this item in order to conform the  
16 appropriation to revised subvention estimates.

17  
18 *SEC. 342. Item 4280-112-0232 of Section 2.00 of the Budget*  
19 *Act of 2009 is amended to read:*

20  
21 4280-112-0232—For transfer by the Controller from the Hos-  
22 pital Services Account, Cigarette and Tobacco Products  
23 Surtax Fund to the Major Risk Medical Insurance Fund,  
24 for the Major Risk Medical Insurance Program..... (~~6,818,000~~)  
25 (~~2,928,000~~)

26  
27 *SEC. 343. Item 4280-112-0233 of Section 2.00 of the Budget*  
28 *Act of 2009 is amended to read:*

29  
30 4280-112-0233—For transfer by the Controller from the  
31 Physician Services Account, Cigarette and Tobacco  
32 Products Surtax Fund to the Major Risk Medical Insurance  
33 Fund, for the Major Risk Medical Insurance Program..... (~~2,121,000~~)  
34 (~~12,206,000~~)

35  
36 *SEC. 344. Item 4280-112-0236 is added to Section 2.00 of the*  
37 *Budget Act of 2009, to read:*

1 4280-112-0236—For transfer by the Controller from the Unal-  
 2 located Account, Cigarette and Tobacco Products Surtax  
 3 Fund to the Major Risk Medical Insurance Fund, for the  
 4 Major Risk Medical Insurance Program..... (5,212,000)

5  
 6 *SEC. 345. Item 4280-112-3133 of Section 2.00 of the Budget*  
 7 *Act of 2009 is amended to read:*

8  
 9 4280-112-3133—For transfer by the Controller from the Man-  
 10 aged Care Administrative Fines and Penalties Fund to the  
 11 Major Risk Medical Insurance Fund, for the Major Risk  
 12 Medical Insurance Program..... ~~(500,000)~~  
 13 (774,000)

14 Provisions:

- 15 1. In order to effectively administer the Major Risk  
 16 Medical Insurance Program, the Department of Fi-  
 17 nance may decrease or increase this item in order to  
 18 conform to the revised transfer estimate from the  
 19 Managed Care Administrative Fines and Penalties  
 20 Fund.

21  
 22 *SEC. 346. Item 4300-003-0001 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*

24  
 25 4300-003-0001—For support of Department of Developmental  
 26 Services, for Developmental Centers..... ~~355,995,000~~  
 27 278,036,000

28 Schedule:

- 29 (1) 20-Developmental Centers Program.... ~~672,131,000~~  
 30 656,425,000  
 31 (2) Reimbursements..... ~~-315,618,000~~  
 32 -377,871,000  
 33 (3) Amount payable from the Federal Trust  
 34 Fund (Item 4300-003-0890)..... -518,000

35 Provisions:

- 36 1. A loan shall be available from the General Fund to the  
 37 State Department of Developmental Services not to  
 38 exceed a cumulative total of \$77,000,000. The loan  
 39 funds will be transferred to this item as needed to meet  
 40 cashflow needs due to delays in collecting reimburse-

- 1           ments from the Health Care Deposit Fund, and subject  
2           to the repayment provisions of Section 16351 of the  
3           Government Code.
- 4        2. Upon order of the Department of Finance, the Con-  
5        troller shall transfer such funds as are necessary be-  
6        tween this item and Item 4300-001-0001 in order to  
7        appropriately align General Fund and Medi-Cal reim-  
8        bursements from the State Department of Health Care  
9        Services with budgeted activities. Within 10 working  
10       days after approval of a transfer as authorized by this  
11       provision, the Department of Finance shall notify the  
12       chairpersons of the fiscal committees of each house  
13       of the Legislature and the Chairperson of the Joint  
14       Legislative Budget Committee of the transfer, includ-  
15       ing the amount transferred, how the amount was deter-  
16       mined, and how the amount will be utilized.
- 17       3. Upon order of the Department of Finance, the Con-  
18       troller shall transfer such funds as are necessary be-  
19       tween this item and Item 4300-101-0001. Within 10  
20       working days after approval of a transfer as authorized  
21       by this provision, the Department of Finance shall  
22       notify the chairpersons of the fiscal committees in each  
23       house of the Legislature and the Chairperson of the  
24       Joint Legislative Budget Committee of the transfer,  
25       including the amount transferred, how the amount  
26       transferred was determined, and how the amount  
27       transferred will be utilized.
- 28       4. The State Department of Developmental Services  
29       (DDS) shall notify the chairperson of each fiscal  
30       committee and policy committee of each house of the  
31       Legislature of specific outcomes resulting from cita-  
32       tions and the results of annual surveys conducted by  
33       the State Department of Public Health, as well as  
34       findings of any other ~~government~~ *governmental*  
35       agency authorized to conduct investigations or surveys  
36       of state developmental centers. The DDS shall forward  
37       the notifications, including a copy of the specific  
38       findings, to the chairpersons of the committees within  
39       10 working days of its receipt of these findings. The  
40       DDS also shall forward these findings, within three

1 working days of submission, to the appropriate inves-  
 2 tigating agency. In addition, the DDS shall provide  
 3 notification to the chairpersons of the committees,  
 4 within three working days, of its receipt of information  
 5 concerning any investigation initiated by the United  
 6 States Department of Justice and the private nonprofit  
 7 corporation designated by the Governor pursuant to  
 8 Division 4.7 (commencing with Section 4900) of the  
 9 Welfare and Institutions Code or concerning any  
 10 findings or recommendations resulting from any of  
 11 these investigations.

12  
 13 *SEC. 347. Item 4300-004-0001 of Section 2.00 of the Budget*  
 14 *Act of 2009 is amended to read:*

15

16	4300-004-0001—For support of Department of Developmental	
17	Services (Proposition 98), for Developmental Centers.....	7,539,000
18		7,321,000
19	Schedule:	
20	(1) 20-Developmental Centers Program.....	10,299,000
21		9,848,000
22	(a) 20.17-AB 1202 Con-	
23	tracts.....	780,000
24	(b) 20.66-Medi-Cal Eligi-	
25	ble Services.....	9,519,000
26		9,068,000
27	(2) Reimbursements.....	-2,760,000
28		-2,527,000
29	Provisions:	
30	1. Of the amount appropriated in this item, \$2,760,000	
31	is to be used to provide the General Fund match for	
32	Medi-Cal Eligible Services.	

33  
 34 *SEC. 348. Item 4300-101-0172 of Section 2.00 of the Budget*  
 35 *Act of 2009 is amended to read:*

1 4300-101-0172—For local assistance, Department of Develop-  
 2 mental Services, for payment to Item 4300-101-0001,  
 3 payable from the Developmental Disabilities Program  
 4 Development Fund..... 1,592,000  
 5 2,492,000

6 Provisions:

7 1. Notwithstanding any other provision of law, the De-  
 8 partment of Finance may authorize expenditures for  
 9 the State Department of Developmental Services in  
 10 excess of the amount appropriated no sooner than 30  
 11 days after notification in writing of the necessity  
 12 therefor is provided to the chairpersons of the fiscal  
 13 committees in each house of the Legislature and the  
 14 Chairperson of the Joint Legislative Budget Commit-  
 15 tee, or no sooner than such lesser time as the chairper-  
 16 son of the joint committee, or his or her designee, may  
 17 in each instance determine.  
 18

19 *SEC. 349. Item 4300-101-0496 is added to Section 2.00 of the*  
 20 *Budget Act of 2009, to read:*

21  
 22 4300-101-0496—For local assistance, Department of Develop-  
 23 mental Services, for payment to Item 4300-101-0001,  
 24 payable from the Developmental Disabilities Services Ac-  
 25 count..... 150,000  
 26

27 *SEC. 350. Item 4300-101-0890 of Section 2.00 of the Budget*  
 28 *Act of 2009 is amended to read:*

29  
 30 4300-101-0890—For local assistance, Department of Develop-  
 31 mental Services, for Regional Centers, for payment to Item  
 32 4300-101-0001, payable from the Federal Trust Fund..... 51,234,000  
 33 78,118,000

34 Provisions:

35 1. Upon order of the Department of Finance, the Con-  
 36 troller shall transfer such funds as are necessary be-  
 37 tween this item and Item 4300-001-0890 in order to  
 38 effectively administer the Early Intervention federal  
 39 grant program (Part C of the Individuals with Disabil-  
 40 ities Education Act).



1 Schedule:

2 (1) 55.25.270-Fairview: Upgrade Fire

3 Alarm System—Working drawings and

4 construction..... 9,147,000

5 (2) 55.50.470-Porterville: Renovate Satellite

6 Kitchens and Dining Rooms—Construc-

7 tion..... 19,691,000

8 (3) 55.55.350-Sonoma: Install Medical

9 Gases and Oxygen Piping—Working

10 drawings and construction..... 3,842,000

11 321,000

12 Provisions:

13 †. Notwithstanding any other provision of law, the project

14 funded in Schedule (2) shall be considered part of the

15 Porterville: New Main Kitchen project funded in Item

16 4300-301-0660 of the Budget Act of 2006 (Chs. 47

17 and 48, Stats. 2006):

18

19 *SEC. 354. Item 4440-001-0890 of Section 2.00 of the Budget*

20 *Act of 2009 is amended to read:*

21

22 4440-001-0890—For support of Department of Mental Health,

23 for payment to Item 4440-001-0001, payable from the

24 Federal Trust Fund..... 3,506,000

25 3,524,000

26 Provisions:

27 1. Upon order of the Department of Finance, the Con-

28 troller shall transfer such funds as are necessary be-

29 tween this item and Item 4440-101-0890.

30

31 *SEC. 355. Item 4440-001-3085 of Section 2.00 of the Budget*

32 *Act of 2009 is amended to read:*

33

34 4440-001-3085—For support of Department of Mental Health,

35 for payment to Item 4440-001-0001, payable from the

36 Mental Health Services Fund..... 38,860,000

37 40,124,000

38 Provisions:

39 1. Funds appropriated in this item are in lieu of the

40 amounts that otherwise would have been appropriated

- 1 for administration pursuant to subdivision (d) of Sec-
- 2 tion 5892 of the Welfare and Institutions Code.
- 3 2. Notwithstanding any other provision of law, the De-
- 4 partment of Finance may increase the funding provided
- 5 in this item to further the implementation of the Mental
- 6 Health Services Act (Proposition 63, as approved by
- 7 the voters at the November 2, 2004, statewide general
- 8 election). Any increase may occur not sooner than 30
- 9 days after written notification has been provided to
- 10 the chairpersons of the committees in each house of
- 11 the Legislature that consider appropriations, the
- 12 chairpersons of the committees and the appropriate
- 13 subcommittees in each house of the Legislature that
- 14 consider the State Budget, and the Chairperson of the
- 15 Joint Legislative Budget Committee identifying the
- 16 need for that increase and the expenditure plan for the
- 17 additional funds.
- 18 3. The State Department of Mental Health shall annually
- 19 provide to the Department of Finance a Fund Condi-
- 20 tion Statement of the Housing Support Account (spe-
- 21 cial deposit account) which shall be annually published
- 22 in the Governor’s January 10 Budget. It is the intent
- 23 of the Legislature to utilize this information to track
- 24 the fiscal allocations made for the Housing Initiative
- 25 Program as established under the Mental Health Ser-
- 26 vices Act.

27  
 28 *SEC. 356. Item 4440-011-0001 of Section 2.00 of the Budget*  
 29 *Act of 2009 is amended to read:*  
 30

31	4440-011-0001—For support of the State Hospitals, Depart-	
32	ment of Mental Health.....	1,175,178,000
33		1,193,423,000
34	Schedule:	
35	(1) 20.10-Long-Term Care Services—	
36	Lanterman-Petris-Short Act.....	89,878,000
37		81,443,000

1	(2) 20.20-Long-Term Care Services—	
2	Penal Code and Judicially Commit-	
3	ted.....	1,050,464,000
4		1,043,384,000
5	(3) 20.30-Long-Term Care Services—De-	
6	partment of Corrections and Rehabili-	
7	tation.....	128,141,000
8		153,466,000
9	(4) Reimbursements.....	-93,305,000
10		-84,732,000
11	(5) <i>Amount payable from California State</i>	
12	<i>Lottery Education Fund.....</i>	-138,000
13	Provisions:	
14	1. Upon order of the Department of Finance, and follow-	
15	ing 30-day notification to the Joint Legislative Budget	
16	Committee, the Controller shall transfer between this	
17	item and Item 4440-016-0001 those funds that are	
18	necessary for direct community services, as well as	
19	administrative and ancillary services related to the	
20	provision of direct services.	
21	2. Upon approval of the State Department of Mental	
22	Health, a portion of the funds appropriated in Schedule	
23	(2) shall be available to reimburse counties for the cost	
24	of treatment and legal services to patients in the five	
25	State Department of Mental Health State Hospitals,	
26	pursuant to Section 4117 of the Welfare and Institu-	
27	tions Code. Expenditures made under this item shall	
28	be charged to either the fiscal year in which the claim	
29	is received or the fiscal year in which the Controller	
30	issues the warrant. Claims filed by local jurisdictions	
31	for legal services may be scheduled by the Controller	
32	for payment.	
33	3. The reimbursements identified in Schedule (4) shall	
34	include amounts received by the State Department of	
35	Mental Health as a result of billing for Lanterman-	
36	Petris-Short (LPS) Act state hospital bed day expendi-	
37	tures attributable to conservatees who are gravely	
38	disabled as defined in subparagraph (B) of paragraph	
39	(1) of subdivision (h) of Section 5008 of the Welfare	
40	and Institutions Code (Murphy Conservatee).	

- 1       4. The Controller shall transfer the total amount at-  
2       tributable in the 2009–10 fiscal year to patient-gener-  
3       ated collections for Lanterman-Petris-Short (LPS) Act  
4       patients as revenue to the General Fund.
- 5       5. Notwithstanding any other provision of law, funds  
6       appropriated to accommodate projected hospital pop-  
7       ulation levels in excess of those that actually material-  
8       ize, if any, shall revert to the General Fund. However,  
9       the Department of Finance may approve an increase  
10      in expenditures that are not related to caseload for the  
11      state hospitals through the redirection of funding that  
12      is reasonably believed not to be needed for accommo-  
13      dating projected hospital population levels if the ap-  
14      proval is made in writing and filed with the Chairper-  
15      son of the Joint Legislative Budget Committee and  
16      the chairpersons of the committees of each house of  
17      the Legislature that consider appropriations not later  
18      than 30 days prior to the effective date of the approval,  
19      or prior to whatever lesser time the Chairperson of the  
20      Joint Legislative Budget Committee, or his or her de-  
21      signee, may in each instance determine. All notifica-  
22      tions shall include (a) the reason for the proposed  
23      redirection of caseload funding to expenditures that  
24      are not related to caseload, (b) the approved amount,  
25      and (c) the basis of the Director of Finance’s determi-  
26      nation that the funding is not needed for accommodat-  
27      ing projected hospital population levels.
- 28      6. Notwithstanding Section 26.00, the Department of  
29      Finance may authorize the transfer of expenditure au-  
30      thority between Schedules (1), (2), and (3) in order to  
31      accurately reflect caseload in these programs.
- 32      7. Of the amount appropriated in this item, \$4,280,000  
33      is available only to provide appropriate treatment to  
34      individuals found incompetent to stand trial and who  
35      have not been committed to a state hospital. These  
36      funds may be encumbered no earlier than 30 days, or  
37      a lesser amount of time as determined by the Chairper-  
38      son of the Joint Legislative Budget Committee or his  
39      or her designee, after the Department of Finance pro-  
40      vides a written expenditure plan for these funds to the

1 chairpersons of the fiscal committees in each house  
2 of the Legislature, and to the Chairperson of the Joint  
3 Legislative Budget Committee.

- 4 8. The State Department of Mental Health shall provide
- 5 the fiscal and policy committees of the Legislature,
- 6 including the Chairperson of the Joint Legislative
- 7 Budget Committee, and the Department of Finance
- 8 with a quarterly update on the progress of the hiring
- 9 plan to ensure appropriate active treatment for patients,
- 10 state licensure requirements, and in meeting the Con-
- 11 sent Judgment with the United States Department of
- 12 Justice regarding the federal Civil Rights of Institution-
- 13 alized Persons Act (CRIPA). This quarterly update
- 14 shall be provided within 10 working days of the close
- 15 of the quarter to ensure the exchange of timely and
- 16 relevant information.

17  
18 *SEC. 357. Item 4440-101-0001 of Section 2.00 of the Budget*  
19 *Act of 2009 is amended to read:*

21	4440-101-0001—For local assistance, Department of Mental	
22	Health.....	288,015,000
23		352,697,000
24	Schedule:	
25	(1) 10.25-Community Services—Other	
26	Treatment.....	629,875,000
27		586,638,000
28	(2) 10.30-Community Services—	
29	EPSDT.....	824,513,000
30		1,003,988,000
31	(3) 10.47-Community Services—Children’s	
32	Mental Health Services.....	310,000
33	(4) 10.97-Community Services—Healthy	
34	Families Program.....	31,981,000
35		32,683,000
36	(5) 10.98-Community Services—Continued	
37	Implementation of the MHSA.....	40,000,000
38		0
39	(6) Reimbursements.....	-1,238,664,000
40		-1,270,922,000

- 1 Provisions:
- 2 1. Augmentations to reimbursements in this item from
- 3 the Office of Emergency Services for Disaster Relief
- 4 are exempt from Section 28.00. The State Department
- 5 of Mental Health shall provide written notification to
- 6 the Joint Legislative Budget Committee describing
- 7 the nature and planned expenditure of these augmen-
- 8 tations when the amount received exceeds \$200,000.
- 9 2. It is the intent of the Legislature that local expenditures
- 10 for mental health services for Medi-Cal eligible indi-
- 11 viduals serve as the match to draw down maximum
- 12 federal financial participation to continue the Short-
- 13 Doyle/Medi-Cal program.
- 14 3. It is the intent of the Legislature for counties to consid-
- 15 er ways to provide services similar to those established
- 16 pursuant to the Mentally Ill Offender Crime Reduction
- 17 Grant Program using Mental Health Services Act
- 18 Funds, as referenced in Section 5813.5 of the Welfare
- 19 and Institutions Code and as appropriate under this
- 20 act.
- 21 4. *Notwithstanding any other provision of law, an addi-*
- 22 *tional \$34,897,000 (\$15,796,000 General Fund) in*
- 23 *expenditures for Schedule (2) has been deferred until*
- 24 *the 2010–11 fiscal year. This deferral includes funding*
- 25 *for the 2006–07 cost settlement and county shares of*
- 26 *costs.*

27

28 *SEC. 358. Item 4440-101-0890 of Section 2.00 of the Budget*

29 *Act of 2009 is amended to read:*

30

31 4440-101-0890—For local assistance, Department of Mental

32 Health, payable from the Federal Trust Fund..... 59,457,000

33 60,691,000

34 Schedule:

35 (1) 10.25-Community Services—Other

36 Treatment..... 52,075,000

37 52,343,000

38 (2) 10.75-Community Services—Homeless

39 Mentally Disabled..... 7,382,000

40 8,348,000

Provisions:

- 1. The funds appropriated in this item are for assistance to local agencies in the establishment and operation of mental health services, in accordance with Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.
- 2. The State Department of Mental Health may authorize advance payments of federal grant funds on a monthly basis to the counties for grantees. These advance payments may not exceed one-twelfth of Section 2.00 of the individual grant award for the 2009–10 fiscal year.
- 3. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-001-0890.

SEC. 359. Item 4440-101-3085 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-3085—For local assistance, Department of Mental Health, payable from the Mental Health Services Fund....	238,804,000
	12,150,000

Schedule:

- (1) 10.98-Community Services—Continued  
Implementation of the Mental Health Services Act..... 12,150,000  
52,150,000
- (2) ~~10.30-Community Services—EPSDT~~..... 226,654,000
- (3) ~~Reimbursements~~..... -40,000,000

Provisions:

- ~~1. It is the intent of the Legislature to appropriately fund the Early and Periodic Screening Diagnostic and Treatment Program using General Fund support to obtain federal matching funds in the event Mental Health Services Act funds are not available for this purpose.~~

SEC. 360. Item 4700-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	4700-001-0890—For support of Department of Community	
2	Services and Development, payable from the Federal Trust	
3	Fund.....	12,304,000
4		28,368,000
5	Schedule:	
6	(1) 20-Energy Programs.....	9,486,000
7		25,550,000
8	(2) 40-Community Services.....	3,346,000
9	(3) 50.01-Administration.....	4,838,000
10	(4) 50.02-Distributed Administration.....	-4,838,000
11	(5) Reimbursements.....	-528,000
12	Provisions:	
13	1. On a federal fiscal year basis, the Department of	
14	Community Services and Development shall make the	
15	following program allocation for the community ser-	
16	vices block grant, as a percentage of the total block	
17	grant:	
18	(a) Administration.....	5 percent

19  
20 *SEC. 361. Item 4700-101-0890 of Section 2.00 of the Budget*  
21 *Act of 2009 is amended to read:*

23	4700-101-0890—For local assistance, Department of Commu-	
24	nity Services and Development, for assistance to individ-	
25	uals and payments to service providers, payable from the	
26	Federal Trust Fund.....	154,286,000
27		309,565,000
28	Schedule:	
29	(1) 20-Energy Programs.....	92,154,000
30		158,282,000
31	(2) 40-Community Services.....	62,132,000
32		151,283,000
33	Provisions:	
34	1. On a federal fiscal year basis, the <del>department</del> <i>Depart-</i>	
35	<i>ment of Community Services and Development</i> shall	
36	make the following program allocations for the com-	
37	munity services block grant as a percentage of the total	
38	block grant:	
39	(a) Discretionary.....	5 percent

- 1 (b) Migrant and seasonal farmwork-
- 2 ers..... 10 percent
- 3 (c) Native American Indian pro-
- 4 grams..... 3.9 percent
- 5 ~~(d) Community action agencies and~~
- 6 ~~rural community services..... 76.1 percent~~
- 7 (d) *Community action agencies and*
- 8 *rural community services..... 76.1 percent*

9 All grantees under the community services block  
 10 grant program are subject to standard state contracting  
 11 procedures required under the program.

- 12 2. Funds scheduled in ~~Item 4700-101-0890~~ *this item* may
- 13 be transferred to Item 4700-001-0890 for the adminis-
- 14 tration of the Low Income Home Energy Assistance
- 15 Program, subject to approval of the Department of
- 16 Finance.

17  
 18 *SEC. 362. Item 5160-001-0001 of Section 2.00 of the Budget*  
 19 *Act of 2009 is amended to read:*

20  
 21 5160-001-0001—For support of Department of Rehabilitation... 58,071,000

22 Schedule:

- 23 (1) 10-Vocational Rehabilitation Ser-
- 24 vices..... ~~385,972,000~~
- 25 ~~429,572,000~~
- 26 (2) 30-Independent Living Services..... ~~3,307,000~~
- 27 ~~5,175,000~~
- 28 (3) 40.01-Administration..... 33,475,000
- 29 (4) 40.02-Distributed Administration..... -33,475,000
- 30 (6) Reimbursements..... -7,900,000
- 31 (7) Amount payable from the Vending
- 32 Stand Fund (Item 5160-001-0600)..... -3,361,000
- 33 (8) Amount payable from the Federal
- 34 Trust Fund (Item 5160-001-0890)..... ~~-319,727,000~~
- 35 ~~-365,195,000~~
- 36 (9) Amount payable from the Mental Health
- 37 Services Fund (Item 5160-001-3085).... -220,000

38 Provisions:

- 39 1. Upon order of the Director of Finance, the Controller
- 40 shall transfer such funds as are necessary between this

- 1 item and Item 4300-101-0001 to provide for the
- 2 transportation costs to and from work activity pro-
- 3 grams of clients who are receiving vocational rehabil-
- 4 itation services through the Vocational Rehabilita-
- 5 tion/Work Activity Program (VR/WAP).
- 6 2. The Department of Rehabilitation shall maximize its
- 7 use of certified time as a match for federal vocational
- 8 rehabilitation funds. To the extent that certified time
- 9 is available, it shall be used in lieu of the General Fund
- 10 moneys.
- 11 3. Upon order of the Director of Finance, the Controller
- 12 shall transfer the General Fund share of budgeted client
- 13 costs as necessary between this item and Item 4300-
- 14 101-0001 to provide for the net transfer of clients, re-
- 15 sulting from program closures, between the Depart-
- 16 ment of Rehabilitation and the State Department of
- 17 Developmental Services. The amount transferred shall
- 18 be based on the amount budgeted per client by each
- 19 department for the remainder of the fiscal year.

20

21 *SEC. 363. Item 5160-001-0890 of Section 2.00 of the Budget*

22 *Act of 2009 is amended to read:*

23

24 5160-001-0890—For support of Department of Rehabilitation,

25 for payment to Item 5160-001-0001, payable from the

26 Federal Trust Fund..... 319,727,000

27 365,195,000

28 Provisions:

- 29 1. The amount appropriated in this item that is payable
  - 30 from federal Social Security Act funds for vocational
  - 31 rehabilitation services for SSI/SSDI recipients shall
  - 32 be expended only to the extent that funds received
  - 33 exceed the amount appropriated in Item 5160-101-
  - 34 0890 that is payable from the federal Social Security
  - 35 Act funds. It is the intent of the Legislature that first
  - 36 priority of federal Social Security Act funding be
  - 37 given to independent living centers in the amount of
  - 38 federal Social Security Act funding appropriated in
  - 39 Item 5160-101-0890.
- 40

1 SEC. 364. Item 5160-101-0890 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	5160-101-0890—For local assistance, Department of Rehabil-	
5	itation, payable from the Federal Trust Fund.....	15,736,000
6		19,028,000
7	Schedule:	
8	(1) 30-Independent Living Services.....	15,736,000
9		19,028,000

10  
11 SEC. 365. Item 5175-001-0001 of Section 2.00 of the Budget  
12 Act of 2009 is amended to read:

13		
14	5175-001-0001—For support of Department of Child Support	
15	Services.....	27,883,000
16		24,645,000
17	Schedule:	
18	(1) 10-Child Support Services.....	82,644,000
19		73,121,000
20	(2) Reimbursements.....	-123,000
21	(3) Amount payable from the Federal Trust	
22	Fund (Item 5175-001-0890).....	-54,638,000
23		-48,353,000

24  
25 SEC. 366. Item 5175-001-0890 of Section 2.00 of the Budget  
26 Act of 2009 is amended to read:

27		
28	5175-001-0890—For support of Department of Child Support	
29	Services, for payment to Item 5175-001-0001, payable	
30	from the Federal Trust Fund.....	54,638,000
31		48,353,000

32  
33 SEC. 367. Item 5175-101-0001 of Section 2.00 of the Budget  
34 Act of 2009 is amended to read:

35		
36	5175-101-0001—For local assistance, Department of Child	
37	Support Services.....	264,172,000
38		226,971,000

1	Schedule:	
2	(1) 10-Child Support Services.....	841,701,000
3		813,190,000
4	(a) 10.01-Child Support	
5	Administration.....	749,310,000
6		750,055,000
7	(b) 10.03-Child Support	
8	Automation.....	92,391,000
9		63,135,000
10	(2) Amount payable from the Federal	
11	Trust Fund (Item 5175-101-0890).....	-434,066,000
12		-442,756,000
13	(3) Amount payable from the Child Sup-	
14	port Collections Recovery Fund (Item	
15	5175-101-8004).....	-143,463,000

16 Provisions:

17 1. No funds appropriated in this item shall be encumbered

18 unless every rule or regulation adopted and every child

19 support services letter or similar instruction issued by

20 the Department of Child Support Services that adds

21 to the costs of the child support program is approved

22 by the Department of Finance as to the availability of

23 funds before it becomes effective. In making the deter-

24 mination as to availability of funds to meet the expen-

25 ditures of a rule, regulation, or child support services

26 letter that would increase the costs of the program, the

27 Department of Finance shall consider the amount of

28 the proposed increase on an annualized basis, the effect

29 the change would have on the expenditure limitations

30 for the program set forth in this act, the extent to which

31 the rule, regulation, or child support services letter

32 constitutes a deviation from the premises under which

33 the expenditure limitations were prepared, and any

34 additional factors relating to the fiscal integrity of the

35 program or the state’s fiscal situation.

36 Notwithstanding Section 28.00, the availability of

37 funds contained in this item for child support program

38 rules, regulations, or child support services letters that

39 add to program costs funded from the General Fund

40 in excess of \$500,000 on an annual basis, including

- 1 those that are the result of federal regulations but ex-  
2 cluding those that are (a) specifically required as a re-  
3 sult of the enactment of a federal or state law, or (b)  
4 included in the appropriation made by this act, shall  
5 not be approved by the Department of Finance sooner  
6 than 30 days after notification in writing of the neces-  
7 sity therefor to the chairpersons of the committees in  
8 each house of the Legislature that consider appropri-  
9 ations and the Chairperson of the Joint Legislative  
10 Budget Committee, or such lesser time as the chairper-  
11 son of the joint committee, or his or her designee, may  
12 in each instance determine. Funds appropriated in this  
13 item are for the child support program consisting of  
14 state and federal statutory law, regulations, and court  
15 decisions, if funds necessary to carry out those deci-  
16 sions are specifically appropriated in this act.
- 17 2. Notwithstanding any other provision of law, a loan  
18 not to exceed \$136,000,000 shall be made available  
19 from the General Fund, from funds not otherwise ap-  
20 propriated, to cover the federal share of costs of the  
21 program when the federal funds have not been received  
22 by this state prior to the usual time for transmitting  
23 that federal share to the counties of this state or to  
24 cover the federal share of child support collections for  
25 which the federal funds have been reduced prior to the  
26 collections being received from the counties. This loan  
27 from the General Fund shall be repaid when the federal  
28 share of costs for the program becomes available or  
29 when the collections are received from the counties.
- 30 3. The Department of Finance may authorize the estab-  
31 lishment of positions and transfer of amounts from  
32 this item to Item 5175-001-0001 in order to allow the  
33 state to perform the functions or oversee the functions  
34 of the local child support agency in the event a county  
35 fails to perform that function or is out of compliance  
36 with state performance standards.
- 37 4. It is the intent of the Legislature that the California  
38 Child Support Automation Project receive the highest  
39 commitment and priority of all of the state's child  
40 support automation activities.



1           ment of Finance shall provide notification of the ad-  
 2           justment to the Joint Legislative Budget Committee  
 3           within 10 working days from the date of Department  
 4           of Finance approval of the adjustment.  
 5           4. From the federal funds appropriated in Schedule (1)(b)  
 6           of Item 5175-101-0001 (10.03-Child Support Automa-  
 7           tion), an amount not to exceed \$78,811,000 shall be  
 8           available for expenditure or encumbrance until June  
 9           30, 2010. The Department of Finance shall provide  
 10          notification to the Joint Legislative Budget Committee  
 11          of the amount of the carryover within 10 working days  
 12          from the date that the amount of the carryover is deter-  
 13          mined. Notwithstanding Section 28.00 or any other  
 14          provision of law, upon request of the Department of  
 15          Child Support Services, the Department of Finance  
 16          may increase or decrease the expenditure authority in  
 17          this item to offset any increases or decreases in collec-  
 18          tions deposited in the Child Support Collections Re-  
 19          covery Fund and appropriated in Item 5175-101-8004.  
 20          The Department of Finance shall provide notification  
 21          of the adjustment to the Joint Legislative Budget  
 22          Committee within 10 working days from the date of  
 23          Department of Finance approval of the adjustment.  
 24

25           *SEC. 369. Item 5180-101-0890 of Section 2.00 of the Budget*  
 26           *Act of 2009 is amended to read:*

27  
 28           5180-101-0890—For local assistance, Department of Social  
 29           Services, for payment to Item 5180-101-0001, payable  
 30           from the Federal Trust Fund..... ~~3,936,766,000~~  
 31           4,466,139,000

- 32           Provisions:
- 33           1. Provisions 1, 4, 6, 7, 8, and 9 of Item 5180-101-0001
  - 34           also apply to this item.
  - 35           2. The Director of Finance may authorize the transfer of
  - 36           amounts from this item to Item 5180-001-0890 in order
  - 37           to fund the costs of the administrative hearing process
  - 38           associated with changes in aid payments in the Cal-
  - 39           WORKs program.

- 1        3. For the purpose of broadening access to federal Child
- 2        and Adult Care Food Program benefits for low-income
- 3        children in proprietary child care centers, the State
- 4        Department of Social Services may transfer up to
- 5        \$10,000,000 of the funds appropriated in this item for
- 6        Program 16.30—CalWORKs, from the Temporary
- 7        Assistance for Needy Families (TANF) block grant to
- 8        the Social Services Block Grant (Title XX) pursuant
- 9        to authorization in the federal Personal Responsibility
- 10       and Work Opportunity Reconciliation Act of 1996
- 11       (P.L. 104-193). The Title XX funds shall be pooled
- 12       with TANF funds appropriated in this item for Cal-
- 13       WORKs Child Care. This transfer shall occur only if
- 14       the Director of Finance approves the pooling of Title
- 15       XX funds with Child Care and Development Fund or
- 16       TANF funds, or both.
- 17       4. Upon request of the State Department of Social Ser-
- 18       vices, the Director of Finance may increase or decrease
- 19       the expenditure authority in this item to offset any in-
- 20       creases or decreases in collections deposited in the
- 21       Child Support Collections Recovery Fund and appro-
- 22       priated in Item 5180-101-8004. The Department of
- 23       Finance shall provide notification of the adjustment
- 24       to the Joint Legislative Budget Committee within 10
- 25       working days from the date of Department of Finance
- 26       approval of the adjustment.

27  
 28        *SEC. 370. Item 5180-141-0001 of Section 2.00 of the Budget*  
 29        *Act of 2009 is amended to read:*

30  
 31        5180-141-0001—For local assistance, Department of Social

32        Services.....	542,393,000
33	568,580,000
34        Schedule:	
35        (1) 16.75-County Administration and	
36            Automation Projects.....	<del>1,339,015,000</del>
37	1,395,917,000
38        (2) Reimbursements.....	<del>-72,503,000</del>
39	-68,867,000

1 (3) Amount payable from the Federal  
 2 Trust Fund (Item 5180-141-0890)..... ~~-724,119,000~~  
 3 ~~-758,470,000~~

4 Provisions:

- 5 1. Notwithstanding Chapter 1 (commencing with Section  
 6 18000) of Part 6 of Division 9 of the Welfare and In-  
 7 stitutions Code, a loan not to exceed \$127,000,000  
 8 shall be made available from the General Fund, from  
 9 funds not otherwise appropriated, to cover the federal  
 10 share of costs of a program when the federal funds  
 11 have not been received by this state prior to the usual  
 12 time for transmitting that federal share to the counties  
 13 of this state. This loan from the General Fund shall be  
 14 repaid when the federal share of costs for the program  
 15 or programs becomes available.
- 16 2. In the event of declared disaster and upon county re-  
 17 quest, the State Department of Social Services may  
 18 act in the place of any county and assume direct respon-  
 19 sibility for the administration of eligibility and grant  
 20 determination. Upon recommendation of the Director  
 21 of Social Services, the Department of Finance may  
 22 authorize the transfer of funds from ~~Items 5180-141-~~  
 23 ~~0001 this item~~ and *Item* 5180-141-0890, to Items 5180-  
 24 001-0001 and 5180-001-0890, for this purpose.
- 25 3. Provision 1 of Item 5180-101-0001 also applies to this  
 26 item.
- 27 4. Pursuant to public assistance caseload estimates reflect-  
 28 ed in the annual Governor’s Budget, the Department  
 29 of Finance may approve expenditures in those amounts  
 30 made necessary by changes in caseload that are in ex-  
 31 cess of amounts appropriated in this act. If the Depart-  
 32 ment of Finance determines that the estimate of expen-  
 33 ditures will exceed the expenditures authorized for  
 34 this item, the department shall so report to the Legisla-  
 35 ture. At the time the report is made, the amount of the  
 36 appropriation made by this item shall be increased by  
 37 the amount of the excess unless and until otherwise  
 38 provided by law.
- 39 5. Nonfederal funds appropriated in this item which have  
 40 been budgeted to meet the state’s Temporary Assis-



1	5180-151-0001—For local assistance, Department of Social	
2	Services.....	634,529,000
3		763,375,000
4	Schedule:	
5	(1) 25.30-Children and Adult Services	
6	and Licensing.....	<del>2,185,920,000</del>
7		2,159,705,000
8	(2) 25.35-Special Programs.....	26,525,000
9		26,853,000
10	(3) Reimbursements.....	-143,099,000
11		-153,144,000
12	(4) Amount payable from the Child Health	
13	and Safety Fund (Item 5180-151-	
14	0279).....	-1,264,000
15	(5) Amount payable from the State Chil-	
16	dren’s Trust Fund (Item 5180-151-	
17	0803).....	-3,755,000
18	(6) Amount payable from the Federal	
19	Trust Fund (Item 5180-151-	
20	0890).....	-1,313,798,000
21		-1,261,020,000
22	(7) Amount payable from the Child Welfare	
23	Services Program Improvement Fund	
24	(Item 5180-151-8023).....	-4,000,000
25	<del>(8) Amount payable from the Proposition</del>	
26	<del>10 Health and Human Services Fund</del>	
27	<del>(Item 5180-151-3148).....</del>	<del>-112,000,000</del>
28	Provisions:	
29	1. Provision 1 of Item 5180-101-0001 also applies to this	
30	item.	
31	2. Notwithstanding Chapter 1 (commencing with Section	
32	18000) of Part 6 of Division 9 of the Welfare and In-	
33	stitutions Code, a loan not to exceed \$50,000,000 shall	
34	be made available from the General Fund from funds	
35	not otherwise appropriated, to cover the federal share	
36	of costs of a program when the federal funds have not	
37	been received by this state prior to the usual time for	
38	transmitting that federal share to the counties of this	
39	state. That loan from the General Fund shall be repaid	

- 1 when the federal share of costs for the program be-
- 2 comes available.
- 3 3. The Department of Finance may authorize the estab-
- 4 lishment of positions and transfer of amounts from
- 5 this item to Item 5180-001-0001, in order to allow the
- 6 state to perform the facilities evaluation function of
- 7 Community Care Licensing in the event the counties
- 8 fail to perform that function.
- 9 4. Nonfederal funds appropriated in this item which have
- 10 been budgeted to meet the state’s Temporary Assis-
- 11 tance for Needy Families maintenance-of-effort require-
- 12 ment established pursuant to the federal Personal Re-
- 13 sponsibility and Work Opportunity Reconciliation Act
- 14 of 1996 (P.L. 104-193) may not be expended in any
- 15 way that would cause their disqualification as a feder-
- 16 ally allowable maintenance-of-effort expenditure.
- 17 5. The Department of Finance may authorize the estab-
- 18 lishment of positions and transfer of amounts from
- 19 this item to Item 5180-001-0001, in order to allow the
- 20 state to perform the adoptions function in the event
- 21 that a county notifies the State Department of Social
- 22 Services that it intends to cease performing that func-
- 23 tion.
- 24 6. (a) Of the amount appropriated in this item,
- 25 \$57,836,000 shall be provided to counties to fund
- 26 additional child welfare services activities and
- 27 shall be allocated based on child welfare services
- 28 caseload and county unit costs. However, no
- 29 county shall receive less than \$100,000. These
- 30 funds shall be expressly targeted for emergency
- 31 response, family reunification, family mainte-
- 32 nance, and permanent placement services and
- 33 shall be used to supplement, and shall not be used
- 34 to supplant, child welfare services funds. A
- 35 county is not required to provide a match of the
- 36 funds received pursuant to this provision if the
- 37 county appropriates the required full match for
- 38 the county’s child welfare services program exclu-
- 39 sive of the funds received pursuant to this provi-
- 40 sion. These funds are available only to counties

1 that have certified that they are fully utilizing the  
2 Child Welfare Services/Case Management System  
3 (CWS/CMS) or have entered into an agreed-upon  
4 plan with the State Department of Social Services  
5 outlining the steps that will be taken to achieve  
6 full utilization. The department shall reallocate  
7 any funds that counties choose not to accept under  
8 this provision, to other counties based on the allo-  
9 cation formula specified in this provision.

10 (b) The department, in collaboration with the County  
11 Welfare Directors Association and representatives  
12 from labor groups representing social workers,  
13 shall develop the definition of full utilization of  
14 the CWS/CMS, the method for measuring full  
15 utilization, the process for the state and counties  
16 to work together to move counties toward full  
17 utilization, and measurements of progress toward  
18 full utilization.

19 7. The State Department of Social Services shall consult  
20 with the counties, children’s advocates, and current  
21 and former foster youth in the development and imple-  
22 mentation of permanency and youth services initia-  
23 tives.

24 8. Upon request by the Department of Finance, the Con-  
25 troller shall transfer funds between this item and Item  
26 5180-153-0001 as needed to reflect the estimated ex-  
27 penditure amounts for each county that opts into the  
28 Title IV-E Child Welfare Waiver Demonstration Pro-  
29 ject pursuant to Section 18260 of the Welfare and In-  
30 stitutions Code. The Department of Finance shall re-  
31 port to the Legislature the amount to be transferred  
32 pursuant to this provision. The transfer shall be autho-  
33 rized at the time the report is made.

34 9. It is the intent of the Legislature to fund Program  
35 25.30-Children and Adult Services Licensing of this  
36 item using General Fund moneys in the event the  
37 Proposition 10 funds identified in Item 5180-151-3148  
38 are not available for this purpose.  
39

1 SEC. 373. Item 5180-151-0890 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 5180-151-0890—For local assistance, Department of Social  
5 Services, for payment to Item 5180-151-0001, payable  
6 from the Federal Trust Fund..... ~~1,313,798,000~~  
7 *1,261,020,000*

8 Provisions:  
9 1. Provisions 1, 3, 5, 6, and 8 of Item 5180-151-0001  
10 also apply to this item.

11  
12 SEC. 374. Item 5180-153-0890 of Section 2.00 of the Budget  
13 Act of 2009 is amended to read:

14  
15 5180-153-0890—For local assistance, Department of Social  
16 Services, for payment to Item 5180-153-0001, payable  
17 from the Federal Trust Fund..... ~~481,417,000~~  
18 *503,274,000*

19 Provisions:  
20 1. Upon request by the Department of Finance, the Con-  
21 troller shall transfer funds between this item and Items  
22 5180-101-0890, 5180-141-0890, and 5180-151-0890  
23 as needed to reflect the estimated expenditure amounts  
24 for each county that opts into the Title IV-E Child  
25 Welfare Waiver Demonstration Project pursuant to  
26 Section 18260 of the Welfare and Institutions Code.  
27 In addition, funds appropriated in this item may also  
28 be transferred to Item 5180-151-0890 for the Child  
29 Welfare Services Outcome Improvement Project. The  
30 Department of Finance shall report to the Legislature  
31 the amount to be transferred pursuant to this provision.  
32 The transfer shall be authorized at the time the report  
33 is made.

34  
35 SEC. 375. Item 5225-001-0001 of Section 2.00 of the Budget  
36 Act of 2009 is amended to read:

37  
38 5225-001-0001—For support of Department of Corrections  
39 and Rehabilitation..... ~~6,887,426,000~~  
40 *6,161,656,000*

1	Schedule:	
2	(1) 10-Corrections and Rehabilitation Ad-	
3	ministration.....	396,054,000
4		382,569,000
5	(3) 15-Corrections Standards Authority.....	11,945,000
6	(4) 20-Juvenile Operations.....	255,030,000
7		254,146,000
8	(5) 21-Juvenile Education, Vocations, and	
9	Offender Programs.....	13,125,000
10	(6) 22-Juvenile Paroles.....	33,747,000
11		33,555,000
12	(7) 23-Juvenile Health Care.....	82,699,000
13		84,907,000
14	(8) 25-Adult Corrections and Rehabilita-	
15	tion Operations.....	5,118,266,000
16		5,152,129,000
17	(9) 30-Parole Operations—Adult.....	826,375,000
18		788,099,000
19	(10) 35-Board of Parole Hearings.....	126,328,000
20		110,931,000
21	(11) 40-Community Partnerships.....	16,629,000
22		15,517,000
23	(12) 45-Education, Vocations, and Offender	
24	Programs—Adult.....	612,378,000
25		554,916,000
26	(13) Reimbursements.....	-128,461,000
27		-486,583,000
28	(13.5) 97.20.001-Unallocated Reduc-	
29	tion.....	-400,000,000
30		-677,502,000
31	(14) Amount payable from the Corrections	
32	Training Fund (Item 5225-001-0170)....	-2,693,000
33	(15) Amount payable from the Federal Trust	
34	Fund (Item 5225-001-0890).....	-7,292,000
35	(16) Amount payable from the Inmate	
36	Welfare Fund (Item 5225-001-	
37	0917).....	-66,704,000
38		-66,113,000

- 1 Provisions:
- 2 1. Any funds recovered as a result of audits of locally
- 3 operated return-to-custody centers shall revert to the
- 4 General Fund.
- 5 2. When contracting with counties for vacant jail beds
- 6 for any inmate under the jurisdiction of the Secretary
- 7 of the Department of Corrections and Rehabilitation,
- 8 the department shall not reimburse counties more than
- 9 the average amount it costs the state to provide the
- 10 same services in comparable state institutions. This
- 11 restriction shall not apply to any existing contract, but
- 12 shall apply to the extension or renewal of that contract.
- 13 In addition, the total operational cost of incarcerating
- 14 state inmates in leased county jail beds (which includes
- 15 state costs, but is exclusive of one-time and capital
- 16 outlay costs) shall not exceed the department's average
- 17 cost for operating comparable institutions.
- 18 3. Notwithstanding any other provision of law, but sub-
- 19 ject to providing 30 days' prior notification to the Joint
- 20 Legislative Budget Committee, funds appropriated in
- 21 Schedule (8) or (9), or both, may be transferred to Item
- 22 5225-101-0001, Schedule (7), upon order of the Direc-
- 23 tor of Finance, to provide funds for the reimbursement
- 24 of counties for the cost of holding parole violators in
- 25 local jail.
- 26 4. Not later than 60 days following enactment of this act,
- 27 and subsequently on February 10 and upon release of
- 28 the May Revision, the Secretary of the Department of
- 29 Corrections and Rehabilitation shall submit to the Di-
- 30 rector of Finance the Post Assignment Schedule for
- 31 each adult institution, reconciled to budgeted authority
- 32 and consistent with approved programs, along with
- 33 allotments consistent with the reconciled Post Assign-
- 34 ment Schedule for each adult institution.
- 35 5. Not later than February 17, 2010, the Secretary of the
- 36 Department of Corrections and Rehabilitation shall
- 37 submit to the chairpersons and vice chairpersons of
- 38 the committees in both houses of the Legislature that
- 39 consider the State Budget and to the Legislative Ana-
- 40 lyst's Office an operating budget for each of the cor-

- 1           rectional facilities under the control of the department.  
2           Specifically, the report shall include: (a) ~~year-end~~  
3           ~~yearend~~ expenditures by program for each institution  
4           in the 2008–09 fiscal year, (b) allotments and projected  
5           expenditures by program for each institution in the  
6           2009–10 fiscal year, (c) the number of authorized and  
7           vacant positions, estimated overtime budget, estimated  
8           benefits budget, and operating expense and equipment  
9           budget for each institution, and (d) a list of all capital  
10          outlay projects occurring or projected to occur during  
11          the 2009–10 fiscal year.
- 12          6. Funds appropriated to accommodate projected adult  
13          institutional and parolee population levels in excess  
14          of those that actually materialize, if any, shall revert  
15          to the General Fund.
- 16          7. ~~Of the amount appropriated in Schedule (1),~~  
17          ~~\$3,270,000 is for contract costs to provide employees~~  
18          ~~of the Department of Corrections and Rehabilitation~~  
19          ~~with tuberculosis testing and Hepatitis B vaccinations.~~  
20          ~~Any funds not expended for this purpose by June 30,~~  
21          ~~2010, shall revert to the General Fund. The Department~~  
22          ~~of Corrections and Rehabilitation shall report actual~~  
23          ~~contract expenditures to the Department of Finance.~~  
24          ~~No later than January 10, 2010, the Department of~~  
25          ~~Corrections and Rehabilitation (DCR), in consultation~~  
26          ~~with the Office of the Receiver, shall report to the~~  
27          ~~budget committees of both houses of the Legislature~~  
28          ~~on its overtime expenditures for security staff (correc-~~  
29          ~~tional officers, sergeants, and lieutenants) in the~~  
30          ~~2008–09 and 2009–10 fiscal years, including both~~  
31          ~~security staff under the direction of the DCR and the~~  
32          ~~Office of the Receiver. This report shall (a) identify~~  
33          ~~the total budgeted resources available to DCR and~~  
34          ~~the Office of the Receiver for security staff overtime~~  
35          ~~(including funding for correctional relief officers and~~  
36          ~~overtime funding for medical guarding and transporta-~~  
37          ~~tion), (b) compare the total budgeted resources to ac-~~  
38          ~~tual overtime expenditures and describe how DCR~~  
39          ~~and the Office of the Receiver accommodated any~~  
40          ~~identified funding shortfall, (c) identify the estimated~~

- 1 amount by which different factors (such as vacancy  
2 rates) drive overtime costs, (d) provide an estimate of  
3 the DCR's and the Office of the Receiver's actual need  
4 for overtime funding, and (e) include a plan for how  
5 DCR and the Office of the Receiver will control over-  
6 time expenditures in the future.
- 7 8. Notwithstanding any other provision of law, and no  
8 sooner than 30 days after notifying the Joint Legisla-  
9 tive Budget Committee and the chairpersons of the  
10 fiscal committees in each house of the Legislature, the  
11 Department of Finance may reduce the amount appro-  
12 priated in this item commensurate with savings identi-  
13 fied by the Department of Corrections and Rehabilita-  
14 tion related to the implementation of reforms to the  
15 Division of Juvenile Justice during the 2009–10 fiscal  
16 year. Program reductions may be made to Programs  
17 20, 21, 22, and 23. Reductions shall not be made below  
18 funding levels needed to maintain compliance with the  
19 Farrell Remedial Plans.
- 20 9. (a) The funds appropriated in this item are restricted  
21 for use by the Department of Corrections and  
22 Rehabilitation for the specific programmatic and  
23 operational purposes specified in the Supplemental  
24 Report of the Budget Act of 2009. The depart-  
25 ment shall provide two reports identifying its  
26 progress toward expending these funds during  
27 the 2009–10 fiscal year to the Joint Legislative  
28 Budget Committee and the fiscal committees of  
29 both houses of the Legislature. The first report  
30 shall be due February 1, 2010, and shall separate-  
31 ly detail the activities of the first two quarters of  
32 the 2009–10 fiscal year. The second report shall  
33 be due May 1, 2010, and shall display the activi-  
34 ties for the third quarter of the 2009–10 fiscal  
35 year. The funds identified in the Supplemental  
36 Report of the Budget Act of 2009 shall be utilized  
37 for the purposes specified, and any unspent funds  
38 shall revert to the General Fund.
- 39 (b) In situations where fluctuations in population re-  
40 sult in lower expenditure levels as identified in

1           *the department's population budget change pro-*  
2           *posals, these savings shall be captured in the*  
3           *population funding estimates and may be used to*  
4           *offset other population-related expenditure in-*  
5           *creases.*

6           (c) *After providing a 30-day notification period to*  
7           *the Joint Legislative Budget Committee, the de-*  
8           *partment may expend funds identified in the Sup-*  
9           *plemental Report of the Budget Act of 2009 on*  
10           *other identified needs.*

11       10. *The Department of Corrections and Rehabilitation*  
12       *(DCR) shall continue its efforts in consultation with*  
13       *legislative staff and the Department of Finance to*  
14       *create a more accurate and transparent population*  
15       *budget request for caseload-related funding. In partic-*  
16       *ular, DCR shall identify appropriate funding formulas*  
17       *to use to estimate staffing levels and funding associat-*  
18       *ed with changes in the projected inmate, parolee, and*  
19       *ward populations. These formulas shall be presented*  
20       *to the Legislature no later than January 10, 2010, so*  
21       *as to be considered during budget deliberations. If*  
22       *approved, these formulas shall be incorporated into*  
23       *DCR's budget request the following year.*

24       11. *The Budget Act of 2009 reflects a \$249,510,000 reduc-*  
25       *tion in inmate and parolee programs designed to re-*  
26       *duce recidivism. The Department of Corrections and*  
27       *Rehabilitation shall implement these reductions con-*  
28       *sistent with the following requirements: (a) the depart-*  
29       *ment shall prioritize the preservation of programs for*  
30       *which there is evidence-based on studies of the pro-*  
31       *grams operated by the department or in the national*  
32       *literature—that they are effective at reducing recidi-*  
33       *vism, (b) the department shall seek to achieve savings*  
34       *through more efficient operations in the delivery of*  
35       *these programs, (c) the department shall seek to place*  
36       *inmates and parolees into programs for which they*  
37       *are best suited by prioritizing the placement of offend-*  
38       *ers who are assessed as higher risk to reoffend,*  
39       *demonstrate a significant need for the services provid-*  
40       *ed for a particular program, and who have a sufficient*

1 amount of time left to serve in prison to reasonably  
 2 complete the program or, at a minimum, make a rea-  
 3 sonable amount of progress that it is possible to have  
 4 an impact on their likelihood of recidivating, (d) the  
 5 department shall seek to prioritize the elimination of  
 6 vacant positions over laying off existing staff, (e) the  
 7 department shall seek to use available resources to  
 8 maximize the number of inmates and parolees who  
 9 have access to and complete programs, and (f) the  
 10 department shall seek to maximize the use of federal  
 11 or other funds to maintain or enhance inmate and  
 12 parolee programs. No later than August 15, 2009, the  
 13 department shall report to the Joint Legislative Budget  
 14 Committee a detailed plan as to how it will achieve  
 15 \$249,510,000 in savings from inmate and parolee  
 16 programs, as well as how that plan is consistent with  
 17 the requirements of this provision. No later than April  
 18 15, 2010, the department shall report to the joint  
 19 committee regarding its progress in achieving these  
 20 savings.

21  
 22 *SEC. 376. Item 5225-001-0917 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*

24  
 25 5225-001-0917—For support of Department of Corrections  
 26 and Rehabilitation, for payment to Item 5225-001-0001,  
 27 payable from the Inmate Welfare Fund..... 66,704,000  
 28 66,113,000

29  
 30 *SEC. 377. Item 5225-002-0001 of Section 2.00 of the Budget*  
 31 *Act of 2009 is amended to read:*

32  
 33 5225-002-0001—For support of Department of Corrections  
 34 and Rehabilitation..... 2,262,086,000  
 35 2,221,944,000

36 Schedule:  
 37 (1) 10-Corrections and Rehabilitation Ad-  
 38 ministration..... 8,548,000  
 39 8,614,000

1	(2) 25-Adult Corrections and Rehabilita-	
2	tion operations.....	261,530,000
3		261,419,000
4	(3) 50.10-Medical Services—Adult.....	1,207,604,000
5		1,184,953,000
6	(4) 50.20-Dental Services—Adult.....	180,917,000
7		179,754,000
8	(5) 50.30-Mental Health Services—	
9	Adult.....	357,381,000
10		341,358,000
11	(6) 50.40-Ancillary Health Care Ser-	
12	vices—Adult.....	195,710,000
13	(7) 50.50-Dental and Mental Health Ser-	
14	vices Administration—Adult.....	52,667,000
15		52,407,000
16	(8) Reimbursements.....	-2,271,000

17 Provisions:

- 18 1. On February 14, 2006, the United States District Court  
19 in the case of Plata v. Schwarzenegger (No. C01-1351  
20 THE) suspended the exercise by the Secretary of the  
21 Department of Corrections and Rehabilitation of all  
22 powers related to the administration, control, manage-  
23 ment, operation, and financing of the California prison  
24 medical health care system. The court ordered that all  
25 such powers vested in the Secretary of the Department  
26 of Corrections and Rehabilitation were to be performed  
27 by a Receiver appointed by the court commencing  
28 April 17, 2006, until further order of the court. The  
29 Director of the Division of Correctional Health Care  
30 Services of the Department of Corrections and Reha-  
31 bilitation is to administer this item to the extent direct-  
32 ed by the Receiver.
- 33 2. Notwithstanding any other provision of law, the De-  
34 partment of Corrections and Rehabilitation is not re-  
35 quired to competitively bid for health services con-  
36 tracts in cases where contracting experience or history  
37 indicates that only one qualified bid will be received.
- 38 3. Notwithstanding Section 13324 of the Government  
39 Code or Section 32.00 of this act, no state employee  
40 shall be held personally liable for any expenditure or

- 1 the creation of any indebtedness in excess of the  
2 amounts appropriated therefor as a result of complying  
3 with the directions of the Receiver or orders of the  
4 United States District Court in *Plata v. Schwarzenegger*.  
5
- 6 4. The amounts appropriated in Schedules (2), (3), and  
7 (6) are available for expenditure by the Receiver appointed  
8 by the *Plata v. Schwarzenegger* court to carry out its mission  
9 to deliver constitutionally adequate medical care to inmates.  
10
- 11 5. The amounts appropriated in Schedules (1), (4), (5),  
12 and (7) are available for expenditure by the Department  
13 of Corrections and Rehabilitation to provide mental health  
14 and dental services only.
- 15 6. (a) *The funds appropriated in this item are restricted*  
16 *for use by the Department of Corrections and*  
17 *Rehabilitation for the specific programmatic and*  
18 *operational purposes specified in the Supplemental*  
19 *Report of the Budget Act of 2009. The department*  
20 *shall provide two reports identifying its*  
21 *progress toward expending these funds during*  
22 *the 2009–10 fiscal year to the Joint Legislative*  
23 *Budget Committee and the fiscal committees of*  
24 *both houses of the Legislature. The first report*  
25 *shall be due February 1, 2010, and shall separately*  
26 *detail the activities of the first two quarters of*  
27 *the 2009–10 fiscal year. The second report shall*  
28 *be due May 1, 2010, and shall display the activities*  
29 *for the third quarter of the 2009–10 fiscal*  
30 *year. The funds identified in the Supplemental*  
31 *Report of the Budget Act of 2009 shall be utilized*  
32 *for the purposes specified, and any unspent funds*  
33 *shall revert to the General Fund.*
- 34 (b) *In situations where fluctuations in population result*  
35 *in lower expenditure levels as identified in the department's*  
36 *population budget change proposals, these savings shall be*  
37 *captured in the population funding estimates and may be used*  
38 *to offset other population-related expenditure increases.*  
39  
40

1 (c) After providing a 30-day notification period to  
 2 the Joint Legislative Budget Committee, the de-  
 3 partment may expend funds identified in the Sup-  
 4 plemental Report of the Budget Act of 2009 on  
 5 other identified needs.  
 6

7 SEC. 378. Item 5225-011-0001 of Section 2.00 of the Budget  
 8 Act of 2009 is amended to read:  
 9

10 5225-011-0001—For support of Department of Corrections  
 11 and Rehabilitation (Proposition 98)..... 48,558,000  
 12 49,696,000

13 Schedule:

14 (1) 21-Juvenile Education, Vocations, and  
 15 Offender Programs..... 48,558,000  
 16 49,696,000

17 Provisions:

18 1. Notwithstanding any other provision of law, and no  
 19 sooner than 30 days after notifying the Joint Legisla-  
 20 tive Budget Committee, and the chairpersons of the  
 21 fiscal committees in each house of the Legislature, the  
 22 Department of Finance may reduce the amount appro-  
 23 priated in this item commensurate with savings identi-  
 24 fied by the Department of Corrections and Rehabilita-  
 25 tion related to the implementation of reforms to the  
 26 Division of Juvenile Justice during the 2009–10 fiscal  
 27 year. Program reductions may be made to Program  
 28 21. Reductions shall not be made below funding levels  
 29 needed to maintain compliance with the Farrell Reme-  
 30 dial Plans.  
 31

32 SEC. 379. Item 5225-101-0001 of Section 2.00 of the Budget  
 33 Act of 2009 is amended to read:  
 34

35 5225-101-0001—For local assistance, Department of Correc-  
 36 tions and Rehabilitation..... 79,226,000  
 37 74,889,000

38 Schedule:

39 (1) 15-Corrections Standards Authority..... 835,000  
 40 (2) 20-Juvenile Operations..... 78,000

1	(3) 22-Juvenile Paroles.....	1,403,000
2	(4) 25.15.010-Adult Corrections and Reha-	
3	bilitation Operations—Transportation	
4	of Inmates.....	278,000
5	(5) 25.15.020-Adult Corrections and Reha-	
6	bilitation Operations—Return of Fugi-	
7	tives.....	2,593,000
8	(6) 25.30-Adult Corrections and Rehabilita-	
9	tion Operations—County Charges.....	20,819,000
10	(7) 30-Parole Operations—Adult.....	<del>53,220,000</del>
11		48,883,000

Provisions:

1. The amount appropriated in Schedules (4), (5), (6), and (7) is provided for the following purposes:
  - (a) To pay the transportation costs of prisoners to and between state prisons, including the return of parole violators to prison and for the conveying of persons under provisions of Division 3 (commencing with Section 3000) of the Welfare and Institutions Code and the Western Interstate Corrections Compact (Section 11190 of the Penal Code), in accordance with Section 26749 of the Government Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which those transportation costs are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.
  - (b) To pay the expenses of returning fugitives from justice from outside the state, in accordance with Sections 1389, 1549, and 1557 of the Penal Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which expenses are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Con-

1 troller, and any restitution received by the state  
2 for those expenses shall be credited to the appro-  
3 priation of the year in which the Controller's re-  
4 ceipt is issued. Claims filed by local jurisdictions  
5 directly with the Controller may be paid by the  
6 Controller.

7 (c) To pay county charges, payable under Sections  
8 4700.1, 4750 to 4755, inclusive, and 6005 of the  
9 Penal Code. Claims shall be filed by local juris-  
10 dictions within six months after the end of the  
11 month in which a service is performed by the  
12 coroner, a hearing is held on the return of a writ  
13 of habeas corpus, the district attorney declines to  
14 prosecute a case referred by the Department of  
15 Corrections and Rehabilitation, a judgment is  
16 rendered for a court hearing or trial, an appeal  
17 ruling is rendered for the trial judgment, or an  
18 activity is performed as permitted by these sec-  
19 tions. Expenditures shall be charged to either the  
20 fiscal year in which the claim is received by the  
21 Controller or the fiscal year in which the warrant  
22 is issued by the Controller. Claims filed by local  
23 jurisdictions directly with the Controller may be  
24 paid by the Controller.

25 (d) To reimburse counties for the cost of detaining  
26 state parolees pursuant to Section 4016.5 of the  
27 Penal Code. Claims shall be filed by local juris-  
28 dictions within six months after the end of the  
29 month in which the costs are incurred. Claims  
30 filed by local jurisdictions may not include  
31 booking fees, may not recover detention costs in  
32 excess of ~~\$84.29~~ \$77.17 per day, and shall be  
33 limited to the detention costs for those days on  
34 which parolees are held subject only to a Depart-  
35 ment of Corrections and Rehabilitation request  
36 pursuant to subdivision (b) of Section 4016.5 of  
37 the Penal Code. Expenditures shall be charged to  
38 either the fiscal year in which the claim is received  
39 by the Department of Corrections and Rehabilita-

- 1                   tion or the fiscal year in which the warrant is is-
- 2                   sued.
- 3       2. Notwithstanding any other provision of law, upon 30-
- 4       day prior notification to the Chairperson of the Joint
- 5       Legislative Budget Committee, funds appropriated in
- 6       Schedule (7) of this item may be transferred to
- 7       Schedule (8) or (9), or both, of Item 5225-001-0001,
- 8       upon order of the Director of Finance, to provide funds
- 9       for the reimbursement of counties for the cost of
- 10      holding parole violators in local jails or for the auditing
- 11      or monitoring of local assistance costs.
- 12      3. The amounts appropriated in Schedules (2) and (3)
- 13      are provided for the following purposes:
- 14      (a) To pay the transportation costs of persons commit-
- 15      ted to the Department of Corrections and Rehabil-
- 16      itation to or between its facilities, including the
- 17      return of parole violators, provided that expendi-
- 18      tures made under this item shall be charged to ei-
- 19      ther the fiscal year in which the claim is received
- 20      by the Controller or the fiscal year in which the
- 21      warrant is issued by the Controller. However,
- 22      claims shall be filed by local jurisdictions within
- 23      six months after the end of the month in which
- 24      the costs are incurred.
- 25      (b) To reimburse counties, pursuant to Section 1776
- 26      of the Welfare and Institutions Code, for the cost
- 27      of the detention of the Department of Corrections
- 28      and Rehabilitation parolees who are detained on
- 29      alleged parole violations, provided that expendi-
- 30      tures made under this item shall be charged to ei-
- 31      ther the fiscal year in which the claim is received
- 32      by the Controller or the fiscal year in which the
- 33      warrant is issued by the Controller. However,
- 34      claims shall be filed by local jurisdictions within
- 35      six months after the end of the month in which
- 36      the costs are incurred.

37

38       *SEC. 380. Item 5225-301-0001 of Section 2.00 of the Budget*

39       *Act of 2009 is amended to read:*

1	5225-301-0001—For capital outlay, Department of Corrections	
2	and Rehabilitation, payable from the General Fund.....	39,776,000
3		20,212,000
4	Schedule:	
5	(1) 61.01.001-Statewide: Budget Packages	
6	and Advance Planning—Study.....	2,000,000
7	(2) 61.01.115-Statewide: Reentry Facility	
8	Site Evaluations—Study and acquisition.....	5,000,000
9		
10	(3) 61.01.204-Statewide: Small Manage-	
11	ment Exercise Yards ( <del>PSU (Psychiatric</del>	
12	<del>Services Unit and SHU)—Preliminary</del>	
13	<del>Security Housing Unit)—Preliminary</del>	
14	<del>plans and working drawings.....</del>	<del>278,000</del>
15	(7) 61.08.061-California Institution for	
16	Men, Chino: Housing Unit Fire, Life,	
17	and Safety Modifications—Preliminary	
18	plans, working drawings, and construc-	
19	tion.....	1,777,000
20	(8) 61.13.016-California Institution for	
21	Women, Frontera: 20-Bed Psychiatric	
22	Services Unit—Construction.....	5,729,000
23		6,433,000
24	(9) 61.14.030-Minor Projects.....	3,848,000
25	(11) 61.15.039-California—Rehabilitation	
26	Center, Norco: Install Bar Screen—	
27	Construction.....	959,000
28	(12) 61.16.021-Sierra Conservation Center,	
29	Jamestown:—Effluent—Disposal	
30	Pipeline—Construction.....	4,851,000
31	(13) 61.18.008-Mule Creek State Prison,	
32	Ione: Wastewater Treatment Plant Im-	
33	provements—Construction.....	5,072,000
34	(14) 61.34.004-Ironwood State Prison,	
35	Blythe: Heating, Ventilation, and Air-	
36	Conditioning System—Working draw-	
37	ings.....	9,192,000

1	(15) 61.47.007-California State Prison-	
2	Sacramento, Represa: Enhanced Outpa-	
3	tient Program, Facility B, Treatment	
4	and Office Space—Working draw-	
5	ings.....	1,070,000
6		876,000

7 Provisions:

- 8 1. The funds appropriated in Schedule (1) are to be allo-
- 9 cated by the Department of Corrections and Rehabili-
- 10 tation, upon approval by the Department of Finance,
- 11 to develop design and cost information for new pro-
- 12 jects for which funds have not been previously appro-
- 13 priated, but for which preliminary plan funds, working
- 14 drawings funds, or working drawings and construction
- 15 funds are expected to be included in the 2010–11 or
- 16 2011–12 Budget Act, and for which cost estimates or
- 17 preliminary plans can be developed prior to legislative
- 18 hearings on the 2010–11 or 2011–12 Budget Acts, re-
- 19 spectively. Upon approval by the Department of Fi-
- 20 nance, these funds may also be used to develop scope
- 21 and cost information for projects authorized by Section
- 22 15819.40 of the Government Code. These funds may
- 23 be used for all of the following: budget package devel-
- 24 opment, environmental services, architectural program-
- 25 ming, engineering assessments, schematic design, and
- 26 preliminary plans. The amount appropriated in this
- 27 item for these purposes is not to be construed as a
- 28 commitment by the Legislature as to the amount of
- 29 capital outlay funds it will appropriate in any future
- 30 year. Before using these funds for preliminary plans,
- 31 the Department of Corrections and Rehabilitation shall
- 32 provide a 20-day notification to the Chairperson of
- 33 the Joint Legislative Budget Committee, the chairper-
- 34 sons of the respective fiscal committee of each house
- 35 of the Legislature, and the legislative members of the
- 36 State Public Works Board, discussing the scope, cost,
- 37 and future implications of the use of funds for prelim-
- 38 inary plans.
- 39 2. As used in this appropriation, studies shall include site
- 40 studies and suitability reports, environmental studies,

- 1 master planning, architectural programming and
- 2 schematics.
- 3 3. The unexpended portion of funds appropriated in
- 4 Schedules (8) and (15) shall be reverted if the projects
- 5 for which they are appropriated are removed from the
- 6 mental health bed plan, as approved by the Coleman
- 7 Court, and are no longer necessary to meet the mental
- 8 health space needs required by the Coleman Court.
- 9 4. The Department of Corrections and Rehabilitation
- 10 shall report to, in writing, the chairpersons of the
- 11 committees in each house of the Legislature that con-
- 12 sider appropriations and the Chairperson of the Joint
- 13 Legislative Budget Committee by May 1, 2010, on
- 14 the reconciliation of the funds appropriated in Schedule
- 15 (9).
- 16 5. The funds appropriated in Schedule (2) are to be allo-
- 17 cated by the Department of Corrections and Rehabili-
- 18 tation, upon approval of the Department of Finance,
- 19 for site investigation and real estate due diligence ac-
- 20 tivities preliminary to the site selection and acquisition
- 21 of interests in real property. In performing these activ-
- 22 ities the Department of Corrections and Rehabilitation
- 23 is authorized, upon approval of the State Public Works
- 24 Board, to enter into agreements for the acquisition of
- 25 an option to purchase real property.

26  
 27 *SEC. 381. Item 5225-301-0660 of Section 2.00 of the Budget*  
 28 *Act of 2009 is amended to read:*

29

30 5225-301-0660—For capital outlay, Department of Corrections	
31 and Rehabilitation, payable from the Public Buildings	
32 Construction Fund.....	14,950,000
33 Schedule:	
34 (1) 61.15.035-California Rehabilitation	
35 Center, Norco: Replace Men’s Dorms—	
36 Construction.....	14,950,000

- 37 Provisions:
- 38 1. The State Public Works Board may issue lease-revenue
  - 39 bonds, notes, or bond anticipation notes pursuant to
  - 40 Chapter 5 (commencing with Section 15830) of Part

- 1           10b of Division 3 of Title 2 of the Government Code
- 2           to finance the construction of the projects authorized
- 3           by this item.
- 4           2. The Department of Corrections and Rehabilitation and
- 5           the State Public Works Board are authorized and di-
- 6           rected to execute and deliver any and all leases, con-
- 7           tracts, agreements, or other documents necessary or
- 8           advisable to consummate the sale of bonds or other-
- 9           wise effectuate the financing of the scheduled projects.
- 10          3. The State Public Works Board shall not be deemed a
- 11          lead or responsible agency for purposes of the Califor-
- 12          nia Environmental Quality Act (Division 13 (commenc-
- 13          ing with Section 21000) of the Public Resources Code)
- 14          for any activities under the State Building Construction
- 15          Act of 1955 (Part 10b (commencing with Section
- 16          15800) of Division 3 of Title 2 of the Government
- 17          Code). This provision does not exempt the Department
- 18          of Corrections and Rehabilitation from the require-
- 19          ments of the California Environmental Quality Act.
- 20          This provision is declaratory of existing law.
- 21          4. Notwithstanding any other provision of law, the funds
- 22          appropriated in this item shall be available for expend-
- 23          iture during the 2009–10 fiscal year, except appropri-
- 24          ations for acquisitions which shall be available for
- 25          expenditure until June 30, 2012, appropriations for
- 26          working drawings which shall be available for expend-
- 27          iture until June 30, 2011, and appropriations for
- 28          construction which shall be available for expenditure
- 29          until June 30, 2014. In addition, the balance of the
- 30          funds appropriated for construction that have not been
- 31          allocated, through fund transfer or approval to bid, by
- 32          the Department of Finance on or before June 30, 2012,
- 33          shall revert as of that date to the fund from which the
- 34          appropriation was made.
- 35          5. *Notwithstanding any other provision of law, the De-*
- 36          *partment of Corrections and Rehabilitation shall not*
- 37          *encumber or expend funds for the San Quentin Con-*
- 38          *demned Inmate Complex project, as authorized in the*
- 39          *Budget Act of 2003 (Ch. 157, Stats. 2003) and the*
- 40          *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),*

1           until the following conditions have been met: (a) the  
 2           department determines it can legally double-cell con-  
 3           demned inmates, (b) federal court litigation on prison  
 4           overcrowding currently before the three-judge panel  
 5           convened under the Prison Litigation Reform Act (42  
 6           U.S.C. Sec. 1997 et seq.) in both *Plata v.*  
 7           *Schwarzenegger* and *Coleman v. Schwarzenegger* is  
 8           resolved, and (c) environmental impact review pur-  
 9           suant to the California Environmental Quality Act  
 10          (Division 13 (commencing with Section 21000) of the  
 11          Public Resources Code) is completed for any modifi-  
 12          cations to the proposed stormwater outfall.

13  
 14          SEC. 382. Item 5225-301-0747 of Section 2.00 of the Budget  
 15          Act of 2009 is amended to read:

16

17          5225-301-0747—For capital outlay, Department of Corrections	
18                  and Rehabilitation, payable from the 1988 Prison Construc-	
19                  tion Fund.....	1,646,000
20	750,000
21          Schedule:	
22          (1) 61.06.020-Deuel Vocational Institution,	
23                  Tracy: New Minimum Support Dining	
24                  Facility—Preliminary plans, working	
25                  drawings, and construction.....	1,646,000
26	750,000

27  
 28          SEC. 383. Item 5225-490 is added to Section 2.00 of the Budget  
 29          Act of 2009, to read:

30  
 31          5225-490—Reappropriation, Department of Corrections and  
 32          Rehabilitation. The balances of the appropriations provided  
 33          in the following citations are reappropriated for the pur-  
 34          poses provided in the appropriations and shall be available  
 35          for expenditure or encumbrance until June 30, 2010:  
 36          0001—General Fund  
 37          (1) Item 5225-101-0001, Budget Act of 2006 (Chs. 47 and  
 38          48, Stats. 2006). The balance of the funds appropriated  
 39          for the Juvenile Justice Community Reentry Challenge  
 40          Grant Program is reappropriated for that purpose

1           *and shall be available for expenditure or encumbrance*  
2           *until June 30, 2010.*

3  
4       *SEC. 384. Item 5225-491 is added to Section 2.00 of the Budget*  
5 *Act of 2009, to read:*

6  
7       *5225-491—Reappropriation, Department of Corrections and*  
8       *Rehabilitation. The balances of the appropriations provided*  
9       *in the following citations are reappropriated for the pur-*  
10       *poses and subject to the limitations, unless otherwise*  
11       *specified, provided for in the appropriations:*

12       *0001—General Fund*

13       *(1) Subdivision (a) of Section 28 of Chapter 7 of the*  
14       *Statutes of 2007*

15           *For capital outlay to renovate, improve, or expand*  
16           *infrastructure capacity at existing prison facilities.*  
17           *The balance of this appropriation shall be available*  
18           *for expenditure or encumbrance until June 30, 2013.*

19       *(2) Item 5225-301-0001, Budget Act of 2006 (Chs. 47 and*  
20       *48, Stats. 2006)*

21           *(6) 61.06.029-Deuel Vocational Institution, Tracy:*  
22           *Groundwater Treatment/Non-Potable Water*  
23           *Distribution System—Construction*

24       *(3) Item 5225-301-0001, Budget Act of 2008 (Chs. 268*  
25       *and 269, Stats. 2008)*

26           *(7) 61.07.107-Folsom State Prison, Represa: Reno-*  
27           *vate Branch Circuit Wiring, Building No.*  
28           *5—Construction*

29           *(9) 61.13.016-California Institution for Women,*  
30           *Frontera: 20-Bed Psychiatric Services*  
31           *Unit—Working drawings*

32       *(12) 61.15.039-California Rehabilitation Center,*  
33       *Norco: Install Bar Screen—Preliminary plans*  
34       *and working drawings*

35       *0660—Public Buildings Construction Fund*

36       *(1) Item 5225-301-0660, Budget Act of 2005 (Chs. 38 and*  
37       *39, Stats. 2005), as reappropriated by Item 5225-491,*  
38       *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

39       *(4) 61.35.007-Salinas Valley State Prison, Soledad:*  
40       *64 Bed Mental Health Facility—Construction*

1 0751—1990 Prison Construction Bond Fund  
 2 (1) Item 5225-301-0751, Budget Act of 2006 (Chs. 47 and  
 3 48, Stats. 2006)  
 4 (1) 61.31.002-Pleasant Valley State Prison, Coalinga:  
 5 Bar Screen, Prelift Station—Construction  
 6

7 SEC. 385. Item 5225-496 is added to Section 2.00 of the Budget  
 8 Act of 2009, to read:

9  
 10 5225-496—Reversion, Department of Corrections and Rehabil-  
 11 itation. As of June 30, 2009, the balances specified below  
 12 of the appropriations provided in the following citations  
 13 shall revert to the balance in the fund from which the ap-  
 14 propriations were made:

15 0001—General Fund  
 16 (1) \$20,000,000 from subdivision (a) of Section 28 of  
 17 Chapter 7 of the Statutes of 2007  
 18

19 SEC. 386. Item 6110-001-0001 of Section 2.00 of the Budget  
 20 Act of 2009 is amended to read:

21		
22	6110-001-0001—For support of Department of Education.....	40,401,000
23		38,210,000
24	Schedule:	
25	(2) 20-Instructional Support.....	155,628,000
26		158,747,000
27	(3) 30-Special Programs.....	51,273,000
28		54,632,000
29	(4) 40-Executive Management and Special	
30	Services.....	9,795,000
31	(6) 42.01-Department Management and	
32	Special Services.....	33,684,000
33	(7) 42.02-Distributed Department Manage-	
34	ment and Special Services.....	-33,684,000
35	(7.5) 97.20.001-Unallocated Reduction.....	-13,753,000
36	(8) Reimbursements.....	-16,163,000
37		-16,602,000
38	(9) Amount payable from Federal Trust	
39	Fund (Item 6110-001-0890).....	-145,715,000
40		-153,945,000

- 1 (10) Amount payable from Mental Health
- 2 Services Fund (Item 6110-001-3085).... -664,000
- 3 Provisions:
- 4 1. Notwithstanding Section 33190 of the Education Code,
- 5 or any other provision of law, the State Department
- 6 of Education shall expend no funds to prepare (a) a
- 7 statewide summary of student performance on school
- 8 district proficiency assessments or (b) a compilation
- 9 of information on private schools with five or fewer
- 10 pupils.
- 11 2. Funds appropriated in this item may be expended or
- 12 encumbered to make one or more payments under a
- 13 personal services contract of a visiting educator pur-
- 14 suant to Section 19050.8 of the Government Code, a
- 15 long-term special consultant services contract, or an
- 16 employment contract between an entity that is not a
- 17 state agency and a person who is under the direct or
- 18 daily supervision of a state agency, only if all of the
- 19 following conditions are met:
- 20 (a) The person providing service under the contract
- 21 provides full financial disclosure to the Fair Polit-
- 22 ical Practices Commission in accordance with the
- 23 rules and regulations of the commission.
- 24 (b) The service provided under the contract does not
- 25 result in the displacement of any represented civil
- 26 service employee.
- 27 (c) The rate of compensation for salary and health
- 28 benefits for the person providing service under
- 29 the contract does not exceed by more than 10
- 30 percent the current rate of compensation for salary
- 31 and health benefits determined by the Department
- 32 of Personnel Administration for civil service per-
- 33 sonnel in a comparable position. The payment of
- 34 any other compensation or any reimbursement
- 35 for travel or per diem expenses shall be in accor-
- 36 dance with the State Administrative Manual and
- 37 the rules and regulations of the California Victim
- 38 Compensation and Government Claims Board.
- 39 3. The funds appropriated in this item may not be expend-
- 40 ed for any REACH program.

- 1 4. The funds appropriated in this item may not be expend-  
2 ed for the development or dissemination of program  
3 advisories, including, but not limited to, program ad-  
4 visories on the subject areas of reading, writing, and  
5 mathematics, unless explicitly authorized by the State  
6 Board of Education.
- 7 5. Of the funds appropriated in this item, \$206,000 shall  
8 be available as matching funds for the Department of  
9 Rehabilitation to provide coordinated services to dis-  
10 abled pupils. Expenditure of the funds shall be identi-  
11 fied in the memorandum of understanding or other  
12 written agreement with the Department of Rehabilita-  
13 tion to ensure an appropriate match to federal vocation-  
14 al rehabilitation funds.
- 15 6. Of the funds appropriated in this item, no less than  
16 \$2,420,000 is available for support of child care ser-  
17 vices, including state preschool.
- 18 7. Of the funds appropriated in this item, \$164,000 is  
19 provided solely for the purpose of funding existing  
20 positions from within the State Department of Educa-  
21 tion to provide the Curriculum Development and  
22 Supplemental Materials Commission with subject  
23 matter specialists.
- 24 8. Of the funds appropriated in this item, \$411,000, as  
25 subsequently adjusted for employee compensation,  
26 shall be available for costs associated with the admin-  
27 istration of the High Priority Schools Grant Program  
28 pursuant to Article 3.5 (commencing with Section  
29 52055.600) of Chapter 6.1 of Part 28 of Division 4 of  
30 Title 2 of the Education Code and the Immediate Inter-  
31 vention/Underperforming Schools Program pursuant  
32 to Article 3 (commencing with Section 52053) of  
33 Chapter 6.1 of Part 28 of Division 4 of Title 2 of the  
34 Education Code.
- 35 9. By October 31 of each year, the State Department of  
36 Education (SDE) shall provide to the Department of  
37 Finance a file of all charter school average daily atten-  
38 dance (ADA) and state and local revenue associated  
39 with charter school general purpose entitlements as  
40 part of the P2 Revenue Limit File. By March 1, ~~2009~~

- 1            *of each year*, the SDE shall provide to the Department  
 2            of Finance a file of all charter school ADA and state  
 3            and local revenue associated with charter school gen-  
 4            eral purpose entitlements as part of the P1 Revenue  
 5            Limit File. It is the expectation that such reports will  
 6            be provided annually.
- 7            10. On or before April 15, ~~2009~~ *of each year*, the State  
 8            Department of Education (SDE) shall provide to the  
 9            Department of Finance an electronic file that includes  
 10           complete district- and county-level state appropriations  
 11           limit information reported to the SDE. The SDE shall  
 12           make every effort to ensure that all districts have sub-  
 13           mitted the necessary information requested on the  
 14           relevant reporting forms.
- 15           11. The State Department of Education shall make infor-  
 16           mation available to the Department of Finance, the  
 17           Legislative Analyst’s Office, and the budget commit-  
 18           tees of each house of the Legislature by October 31,  
 19           March 31, and May 31 of each year regarding the  
 20           amount of Proposition 98 savings estimated to be  
 21           available for reversion by June 30 of that year.
- 22           12. Of the reimbursement funds appropriated in this item,  
 23           \$2,000,000 shall be available to the State Department  
 24           of Education for nutrition education and physical ac-  
 25           tivity promotion pursuant to an interagency agreement  
 26           with the State Department of Public Health.
- 27           13. The report required by Section 60800 of the Education  
 28           Code for the physical performance test is not required  
 29           to be printed and mailed, but shall be compiled and  
 30           reported electronically.
- 31           14. Reimbursement expenditures pursuant to this item re-  
 32           sulting from the imposition by the State Department  
 33           of Education (SDE) of a commercial copyright fee  
 34           may not be expended sooner than 30 days after the  
 35           SDE submits to the Department of Finance a legal  
 36           opinion affirming the authority to impose such fees  
 37           and the arguments supporting that position against any  
 38           objections or legal challenges to the fee filed with the  
 39           SDE. Any funds received pursuant to imposition of a  
 40           commercial copyright fee may only be expended as

- 1 necessary for outside counsel contingent on a certifi-  
2 cation of the Superintendent of Public Instruction that  
3 sufficient expertise is not available within departmental  
4 legal staff. The SDE shall not expend greater than  
5 \$300,000 for such purposes without first notifying the  
6 Department of Finance of the necessity ~~thereof~~ *there-*  
7 *for*, and upon receiving approval in writing.
- 8 15. Of the funds appropriated in this item, \$300,000 is  
9 provided on a one-time basis for legal representation  
10 from the office of the Attorney General in litigation  
11 related to the California High School Exit Examina-  
12 tion. The State Department of Education (SDE) shall  
13 provide a report to the Department of Finance and the  
14 Legislature detailing the expenditures of these funds  
15 and providing an update on any such litigation on  
16 November 1, 2009, and every four months thereafter,  
17 with the final report due on June 30, 2010. The office  
18 of the Attorney General shall provide the SDE any  
19 information, including budget and expenditure data,  
20 necessary for the SDE to complete its reports to the  
21 Department of Finance and the Legislature.
- 22 16. Of the funds appropriated in this item, \$181,000 shall  
23 only be available to support a \$181,000 interagency  
24 agreement with the California Career Resource Net-  
25 work to provide continuing support for the operations  
26 of that organization.
- 27 17. Of the amount appropriated in this item, \$139,000  
28 from reimbursement funds may be expended for ad-  
29 ministering the Education Technology K–12 Voucher  
30 Program pursuant to the Microsoft settlement.
- 31 18. Of the funds appropriated in this item, up to  
32 \$1,011,000 is for dispute resolution services, including  
33 mediation and fair hearing services, provided through  
34 contract for special education programs.
- 35 19. Of the reimbursement funds appropriated in this item,  
36 \$422,000 shall be available to the State Department  
37 of Education (*SDE*) to contract for assistance in devel-  
38 oping an approved listing of food and beverage items  
39 that comply with the nutrition standards of Chapters  
40 235 and 237 of the Statutes of 2005. In order to fund

- 1 the development and maintenance of the approved  
 2 product listing, the ~~State Department of Education~~  
 3 *SDE* shall collect a fee, as it deems appropriate, from  
 4 vendors seeking to have their ~~product~~ *products* re-  
 5 viewed for potential placement on the approved prod-  
 6 uct listing. Reimbursements collected in the 2009–10  
 7 fiscal year may be used to offset costs incurred in the  
 8 2007–08 and 2008–09 fiscal years.
- 9 20. Of the funds appropriated in Schedule (2), up to  
 10 \$540,000 is for transfer by the Controller to the State  
 11 Instructional Materials Fund for allocation during the  
 12 ~~2008–09~~ *2009–10* fiscal year pursuant to Article 3  
 13 (commencing with Section 60240) of Chapter 2 of  
 14 Part 33 of Division 4 of Title 2 of the Education Code.  
 15 These funds shall be transferred in amounts claimed  
 16 by the State Department of Education (SDE), for direct  
 17 disbursement by the SDE from the Instructional Mate-  
 18 rials Fund.
- 19 21. Of the reimbursement funds appropriated in Schedule  
 20 (8), \$500,000 is for the support of “Green” California  
 21 Partnership Academies pursuant to legislation enacted  
 22 in the 2007–08 Regular Session. These funds shall be  
 23 available for expenditure until June 30, 2011.
- 24 22. Of the reimbursement funds appropriated in Schedule  
 25 (8), \$138,000 is for purposes of overseeing State Board  
 26 of Education-approved charter schools.
- 27 ~~23. Of the funds appropriated in this item, \$2,191,000 is~~  
 28 ~~available on a one-time basis for the State Department~~  
 29 ~~of Education (SDE) to fund 3.0 limited-term positions~~  
 30 ~~through June 30, 2010, and contract costs associated~~  
 31 ~~with the development of the California Longitudinal~~  
 32 ~~Teacher Integrated Data Education System~~  
 33 ~~(CALTIDES). By September 30, 2010, the SDE shall~~  
 34 ~~submit a detailed report of the expenditures authorized~~  
 35 ~~under this provision to the appropriate budget and~~  
 36 ~~policy committees of the Legislature, the Legislative~~  
 37 ~~Analyst’s Office, and the Department of Finance.~~
- 38 24. Of the reimbursement funds appropriated in this item,  
 39 \$474,000 is provided to the State Department of Edu-  
 40 cation for the oversight of State Board of Education-

1 authorized charter schools. The Department of Finance  
2 may administratively establish up to 5.0 positions for  
3 this purpose as workload materializes.

4 25. *Of the reimbursements appropriated in Schedule (8)*  
5 *of this item, \$439,000 and 2.0 limited-term positions*  
6 *until July 1, 2011, inclusive, pursuant to an agreement*  
7 *with the California Children and Families Commis-*  
8 *sion, shall be available to the State Department of*  
9 *Education to support the activities of the Early*  
10 *Learning Quality Improvement System Advisory*  
11 *Committee established by Chapter 307 of the Statutes*  
12 *of 2008.*

13  
14 *SEC. 387. Item 6110-001-0231 of Section 2.00 of the Budget*  
15 *Act of 2009 is amended to read:*

16		
17	6110-001-0231—For support of Department of Education,	
18	Program 20.10.045-Instructional Support, Curriculum	
19	Services-Health and Physical Education-Drug Free	
20	Schools, payable from the Health Education Account,	
21	Cigarette and Tobacco Products Surtax Fund, pursuant to	
22	Article 1 (commencing with Section 104420) of Chapter	
23	1 of Part 3 of the Health and Safety Code.....	927,000
24		864,000
25		

26 *SEC. 388. Item 6110-001-0890 of Section 2.00 of the Budget*  
27 *Act of 2009 is amended to read:*

28		
29	6110-001-0890—For support of Department of Education, for	
30	payment to Item 6110-001-0001, payable from the Federal	
31	Trust Fund.....	145,715,000
32		153,945,000

33 Provisions:

34 1. The funds appropriated in this item include federal  
35 Carl D. Perkins Vocational and Technical Education  
36 Act of 2006 funds for the 2007–08 fiscal year to be  
37 transferred to community colleges by means of intera-  
38 gency agreements. These funds shall be used by com-  
39 munity colleges for the administration of career tech-  
40 nical education programs.

- 1        2. Of the funds appropriated in this item, \$96,000 is
- 2            available to the Advisory Commission on Special Ed-
- 3            ducation for the in-state travel expenses of the commis-
- 4            sioners and the secretary to the commission.
- 5        3. Of the funds appropriated in this item, \$426,000 is
- 6            available for programs for homeless youth and adults
- 7            pursuant to the federal McKinney-Vento Homeless
- 8            Assistance Act (42 U.S.C. Sec. 11431 et seq.). The
- 9            State Department of Education shall consult with the
- 10           Department of Community Services and Development,
- 11           the State Department of Mental Health, the Department
- 12           of Housing and Community Development, and the
- 13           Commission for Economic Development in operating
- 14           this program.
- 15        4. Of the funds appropriated in this item, up to \$364,000
- 16            shall be used to provide in-service training for special
- 17            and regular educators and related persons, including,
- 18            but not limited to, parents, administrators, and organi-
- 19            zations serving severely disabled children. These funds
- 20            are also to provide up to 4.0 positions for this purpose.
- 21        5. Of the funds appropriated in this item, \$318,000 shall
- 22            be used to provide training in culturally nonbiased
- 23            assessment and specialized language skills to special
- 24            education teachers.
- 25        6. (a) Of the funds appropriated in this item,
- 26            ~~\$11,765,000~~ *\$12,015,000* is from the Child Care
- 27            and Development Block Grant Fund and is avail-
- 28            able for support of child care services. *Of this*
- 29            *amount, \$250,000 shall be available to support*
- 30            *a contract for consulting services to conduct a*
- 31            *study of the characteristics of families and costs*
- 32            *of care pursuant to Provision 13 of Item 6110-*
- 33            *196-0001. Of this amount the federal funds in this*
- 34            *item, \$1,533,000 is for 13.0 positions to address*
- 35            *compliance monitoring and overpayments, which*
- 36            *may contribute to early detection of fraud. All*
- 37            *federally subsidized child care agencies shall be*
- 38            *audited pursuant to federal regulations per Part*
- 39            *98 of Title 45 of the Code of Federal Regulations.*
- 40            The State Department of Education (SDE) shall

1 provide information to the Legislature and Depart-  
2 ment of Finance each year that quantifies by pro-  
3 gram provider-by-provider level data, including  
4 instances and amounts of overpayments and fraud,  
5 as documented by the SDE's compliance monitor-  
6 ing efforts for the prior fiscal year. Additionally,  
7 the SDE shall provide a copy of any federal re-  
8 ports submitted regarding improper payments and  
9 fraud to the Legislature and the Department of  
10 Finance.

11 (b) As a condition of receiving the resources specified  
12 in subdivision (a), every alternative payment  
13 agency and subsidized general child care agency  
14 will be audited each year using sufficient sampling  
15 of provider records of the following: (1) family  
16 fee determinations, (2) income eligibility, (3) rate  
17 limits, and (4) basis for hours of care, to determine  
18 compliance rates, any instances of misallocation  
19 of resources, and the amount of funds expected  
20 to be recovered from instances of both potential  
21 fraud and overpayment when no intent to defraud  
22 is suspected. This information will be contained  
23 in a separate report for each provider, with a sin-  
24 gle statewide summary report annually submitted  
25 to the Governor and the Legislature no later than  
26 April 15.

27 (c) *The SDE shall develop a plan by October 1, 2009,*  
28 *for reducing overpayments and recovering pay-*  
29 *ments from child care and development programs*  
30 *that the SDE has determined to have been made*  
31 *in error related either to potential fraud or over-*  
32 *payments. The plan shall be submitted to the De-*  
33 *partment of Finance by October 1, 2009, for*  
34 *consideration and potential inclusion in the Jan-*  
35 *uary Governor's Budget. The plan shall provide*  
36 *options and recommendations for payment recov-*  
37 *ery that seek to maximize California's receipt and*  
38 *use of federal funds and for implementing aggres-*  
39 *sive corrective measures to minimize payment*  
40 *errors. Those corrective measures may include*

1                    *rebidding contracts for contractors with high error*  
 2                    *rates and modifying the contract funding terms*  
 3                    *and conditions to require reductions to administrative*  
 4                    *allowances for contractors that exceed*  
 5                    *specified maximum error rates and prohibit payment*  
 6                    *to providers that continue to submit erroneous*  
 7                    *reports for reimbursement purposes. Prior*  
 8                    *to submitting recommendations, the SDE shall*  
 9                    *review options with the State Department of Social*  
 10                    *Services and representatives of alternate payment*  
 11                    *providers, counties that directly administer Stage*  
 12                    *1, and state-funded centers and family day care*  
 13                    *homes.*

- 14                    7. Of the funds appropriated in this item, \$1,066,000  
 15                    shall be used for administration of the federal Enhanc-  
 16                    ing Education Through Technology Grant Program.  
 17                    Of this amount:  
 18                    (a) \$150,000 is available only for contracted technical  
 19                    support and evaluation services.
- 20                    8. Of the funds appropriated in this item, \$9,206,000 is  
 21                    for dispute resolution services, including mediation  
 22                    and fair hearing services, provided through contract  
 23                    for the special education programs. The State Depart-  
 24                    ment of Education shall ensure the quarterly reports  
 25                    that the contractor submits on the results of its dispute  
 26                    resolution services include the same information as  
 27                    required by Provision 9 of Item 6110-001-0890 of  
 28                    Chapters 47 and 48 of the Statutes of 2006 and Section  
 29                    56504.5 of the Education Code and reflect year-to-  
 30                    date data and final yearend data.
- 31                    9. Of the amount provided in this item, \$881,000 is pro-  
 32                    vided for the purpose of monitoring local educational  
 33                    agency compliance with state and federal laws and  
 34                    regulations governing special education.
- 35                    10. Of the funds appropriated in this item, \$125,000 shall  
 36                    be allocated for increased travel costs associated with  
 37                    program reviews conducted by the Special Education  
 38                    Division Focused Monitoring and Technical Assistance  
 39                    units. Expenditure of these funds is subject to Depart-  
 40                    ment of Finance approval of an expenditure plan. The

- 1 expenditure plan shall include the proposed travel costs  
2 associated with focused monitoring and technical as-  
3 sistance provided by the State Department of Educa-  
4 tion. It shall also include the estimated type and num-  
5 ber of reviews to be conducted and shall provide an  
6 estimated average cost per type of review. Annual re-  
7 newal of this funding is subject to Department of Fi-  
8 nance approval of an annual focused monitoring final  
9 expenditure report. The report shall be submitted on  
10 or before September 30, 2009. It shall provide the total  
11 number of reviews conducted each fiscal year, the  
12 amount of staff and personnel days and hours associ-  
13 ated with each category of review, the travel costs as-  
14 sociated with the type and number of reviews conduct-  
15 ed, and an average cost per type of review.
- 16 11. Of the amount appropriated in this item, \$832,000  
17 (\$600,000 reimbursements and \$232,000 federal spe-  
18 cial education funds) shall be used to fund 6.0 posi-  
19 tions and implement the provisions of Chapter 914 of  
20 the Statutes of 2004 for increased monitoring of non-  
21 public, nonsectarian schools.
  - 22 12. Of the funds appropriated in this item, \$443,000 is for  
23 3.0 positions within the State Department of Education  
24 for increased monitoring associated with mental health  
25 services required by an individualized education plan  
26 pursuant to Chapter 493 of the Statutes of 2004.
  - 27 13. Of the funds appropriated in this item, \$1,726,000 is  
28 available on a one-time basis to implement the Child  
29 Nutrition Information and Payment System.
  - 30 14. Of the funds appropriated in this item, \$2,506,000  
31 shall be used for the administration of the 21st Century  
32 Community Learning Centers Program.
  - 33 15. Of the funds appropriated in this item, \$180,000 in  
34 federal Carl D. Perkins Vocational and Technical Ed-  
35 ucation Act of 2006 funding shall only be available to  
36 support a \$180,000 interagency agreement with the  
37 California Career Resource Network to provide con-  
38 tinuing support for the operations of that organization.
  - 39 16. Of the amount appropriated in this item, \$100,000 is  
40 available for an interagency agreement with the Cali-

- 1            fornia Career Resource Network to develop career re-  
 2            source materials and information pursuant to Provision  
 3            1 of Item 6330-001-0001.
- 4            17. ~~Of the funds appropriated in this item, \$945,000 is~~  
 5            ~~available on a one-time basis from federal Title II~~  
 6            ~~funds for the State Department of Education (SDE) to~~  
 7            ~~contract services for the development of the California~~  
 8            ~~Longitudinal Teacher Integrated Data Education Sys-~~  
 9            ~~tem (CALTIDES). By September 30, 2010, the SDE~~  
 10           ~~shall submit a detailed report of the expenditures au-~~  
 11           ~~thorized under this provision to the appropriate budget~~  
 12           ~~and policy committees of the Legislature, the Legisla-~~  
 13           ~~tive Analyst’s Office, and the Department of Finance.~~
- 14           18. The following funds appropriated in this item are for  
 15           the development of a comprehensive strategy to ad-  
 16           dress data reporting requirements and the development  
 17           of the California Longitudinal Pupil Achievement  
 18           Data System (CALPADS) to meet the requirements  
 19           of the federal No Child Left Behind Act of 2001 (P.L.  
 20           107-110) and Chapter 1002 of the Statutes of 2002:
- 21           (a) \$730,000 and 5.0 positions to support state oper-  
 22           ations for a comprehensive strategy to address  
 23           data reporting requirements.
- 24           (b) \$2,588,000 and 1.0 position to support state oper-  
 25           ations related to the development of CALPADS.  
 26           Up to \$1,158,000 may be used to support the in-  
 27           volvement of California School Information Ser-  
 28           vices staff in the development of CALPADS.
- 29           (c) \$115,000 and 1.0 position to support workload  
 30           associated with coordinating data collection and  
 31           sharing for CALPADS and for the federal Educa-  
 32           tion Data Exchange Network.
- 33           (d) *\$9,549,000 in one-time federal Title VI funds is*  
 34           *available for additional CALPADS implementa-*  
 35           *tion activities, including but not limited to, vendor*  
 36           *costs associated with system integration, project*  
 37           *management and oversight, Office of Technology*  
 38           *Services costs, data system validation and verifi-*  
 39           *cation, and costs associated with the administra-*

- 1                    *tion and review of data requests to ensure compli-*  
2                    *ance with state and federal privacy laws.*
- 3                    19. Of the funds appropriated in this item, \$378,000 and  
4                    4.0 positions are provided to support workload for the  
5                    federal School Improvement Grant (SIG) Program.  
6                    Funds shall be allocated pursuant to legislation.
- 7                    20. Of the funds appropriated in this item, \$736,000 is  
8                    available from the Child Care and Development Block  
9                    Grant Fund on a one-time basis to purchase hardware,  
10                    software, and to contract with a vendor to customize  
11                    a solution for replacement of the Provider Accounting  
12                    and Reporting Information System (PARI\$). The State  
13                    Department of Education (SDE) shall require the  
14                    vendor to propose a cost-effective solution in which  
15                    interim functions that are duplicative of the Financial  
16                    Information System for California (FI\$Cal) will be  
17                    decommissioned when FI\$Cal is fully implemented.  
18                    The SDE shall also require the vendor to address any  
19                    modifications to the child care contracting process that  
20                    may be implemented through legislation enacted dur-  
21                    ing the current legislative session or through regula-  
22                    tions deemed necessary to more fully utilize available  
23                    appropriations in the solution to rewrite PARI\$.
- 24                    21. Of the funds appropriated in this item, \$308,000 is  
25                    available from Title II funds for an interagency  
26                    agreement with the Commission on Teacher Creden-  
27                    tialing to support teacher misassignment monitoring  
28                    activities.
- 29                    22. Of the funds appropriated in this item, \$109,000 is  
30                    provided in federal Title III funds to make permanent  
31                    1.0 existing limited-term position to support the En-  
32                    glish language learner component of the Mathematics  
33                    and Reading Professional Development Program.
- 34                    23. Of the funds appropriated in this item, \$334,000 is  
35                    available on a one-time basis to fund the second year  
36                    of a three-year, independent evaluation as set forth in  
37                    legislation enacted in the 2007–08 Regular Session  
38                    related to federal school improvement.
- 39                    24. Of the funds appropriated in this item, ~~\$112,000~~  
40                    \$432,000 is available on a one-time basis to improve

- 1 and expand the direct certification and verification  
2 processes of students in child nutrition programs.
- 3 25. *Of the funds appropriated in this item, \$1,050,000 is*  
4 *provided from one-time funds for activities described*  
5 *in Chapter 666 of the Statutes of 2008.*
- 6 26. *Of the funds appropriated in this item, \$125,000 is*  
7 *available on an ongoing basis to support updates, as*  
8 *necessary, for existing parental notification and infor-*  
9 *mation templates and \$260,000 is available on a one-*  
10 *time basis to support the development of additional*  
11 *translations of parental notification and information*  
12 *templates. The State Department of Education shall*  
13 *submit, on or before September 1, 2010, a detailed*  
14 *report of expenditures of funds provided pursuant to*  
15 *this provision to the Department of Finance, the Leg-*  
16 *islative Analyst's Office, and the appropriate budget*  
17 *subcommittees of the Legislature. It is the intent of the*  
18 *Legislature that \$125,000 in ongoing funds be provid-*  
19 *ed for the 2009–10, 2010–11, and 2011–12 fiscal*  
20 *years.*
- 21 27. *Of the funds appropriated in this item, \$1,500,000 is*  
22 *available on a one-time basis from federal Statewide*  
23 *Longitudinal Data Systems funds for the State Depart-*  
24 *ment of Education for systems integration of the Cali-*  
25 *ifornia Longitudinal Teacher Integrated Data Educa-*  
26 *tion System.*
- 27 28. *Of the funds appropriated in this item, \$1,636,000 is*  
28 *available from federal Title II funds on a one-time*  
29 *basis for the State Department of Education to fund*  
30 *3.0 limited-term positions through June 30, 2010, and*  
31 *pay costs associated with the development of the Cal-*  
32 *ifornia Longitudinal Teacher Integrated Data Educa-*  
33 *tion System.*
- 34 29. *Of the funds appropriated in this item, \$1,100,000 is*  
35 *provided on a one-time basis, contingent on the receipt*  
36 *of Direct Certification, Team Nutrition, and Adminis-*  
37 *trative Review and Training grants from the United*  
38 *States Department of Agriculture, to develop and im-*  
39 *plement school district training needed to implement*

1 federal requirements associated with the Child Nutri-  
2 tion program.

3 30. Of the funds appropriated in this item, \$189,000 is  
4 provided from one-time carryover funds for the Coor-  
5 dinated Health/HIV Education Prevention Program.

6 31. Of the funds appropriated in this item, \$945,000 is  
7 available from federal Title II funds for the Compli-  
8 cance, Monitoring, Interventions, and Sanctions (CMIS)  
9 Program. This program is designed to help school  
10 districts meet the highly qualified teacher requirements  
11 specified in the federal No Child Left Behind Act of  
12 2001 (P.L. 107-110). By April 1, 2010, the State De-  
13 partment of Education shall submit a report on the  
14 CMIS Program to the appropriate budget and policy  
15 committees of the Legislature, the Legislative Analyst's  
16 Office, and the Department of Finance. The report  
17 shall identify (a) the number of school districts that  
18 received CMIS support in the 2009–10 fiscal year and  
19 (b) the major components of the plans that those dis-  
20 tricts developed to respond to the federal highly  
21 qualified teacher requirements. For each participating  
22 district, the report shall provide longitudinal data on  
23 the number and percent of teachers who are and are  
24 not highly qualified. At a minimum, the 2009–10 report  
25 shall include finalized data for the 2008–09 fiscal year  
26 and initial data for the 2009–10 fiscal year. The report  
27 shall provide data separately for high- and low-  
28 poverty schools. For comparison, the report shall  
29 provide the same longitudinal data for the statewide  
30 average of all school districts as well as the average  
31 for school districts not receiving CMIS support.

32  
33 SEC. 389. Item 6110-008-0001 is added to Section 2.00 of the  
34 Budget Act of 2009, to read:

1 6110-008-0001—For support of the Department of Education,  
 2 as allocated by the Department of Education to the State  
 3 Special Schools for student transportation allowances,  
 4 Program 10.60.40..... 3,894,000  
 5 Provisions:  
 6 1. Funds appropriated in this item are in lieu of funds  
 7 that otherwise would be transferred from the General  
 8 Fund to Section A of the State School Fund in accor-  
 9 dance with Sections 14007 and 41301.5 of the Educa-  
 10 tion Code.  
 11 2. The State Department of Education (SDE) shall obtain  
 12 from the Department of Finance written approval  
 13 prior to spending \$924,000 in this item budgeted to  
 14 address anticipated transportation contract increases  
 15 in the 2009–10 fiscal year resulting from fuel and in-  
 16 surance costs. The Department of Finance shall act  
 17 within 30 days of receiving justification from the SDE  
 18 for the increased costs.

19  
 20 SEC. 390. Item 6110-008-0046 of Section 2.00 of the Budget  
 21 Act of 2009 is repealed.

22  
 23 ~~6110-008-0046—For support of Department of Education, as~~  
 24 ~~allocated by the Department of Education to the State~~  
 25 ~~Special Schools for student transportation allowances,~~  
 26 ~~payable from the Public Transportation Account, State~~  
 27 ~~Transportation Fund..... 3,894,000~~  
 28 ~~Provisions:~~  
 29 ~~1. Funds appropriated in this item are in lieu of funds~~  
 30 ~~that otherwise would be transferred from the General~~  
 31 ~~Fund to Section A of the State School Fund in accor-~~  
 32 ~~dance with Sections 14007 and 41301.5 of the Educa-~~  
 33 ~~tion Code.~~  
 34 ~~2. The State Department of Education shall obtain from~~  
 35 ~~the Department of Finance written approval prior to~~  
 36 ~~spending \$924,000 in this item budgeted to address~~  
 37 ~~anticipated transportation contract increases in the~~  
 38 ~~2009–10 fiscal year resulting from fuel and insurance~~  
 39 ~~costs. The Department of Finance shall act within 30~~

1 days of receiving justification from the State Depart-  
2 ment of Education for the increased costs.

3  
4 *SEC. 391. Item 6110-102-0231 of Section 2.00 of the Budget*  
5 *Act of 2009 is amended to read:*

6  
7 6110-102-0231—For local assistance, Department of Education,  
8 Program 20.10.045-Instructional Support, Curriculum  
9 Services Health and Physical Education, Drug Free  
10 Schools, ~~for local assistance,~~ payable from the Health  
11 Education Account, Cigarette and Tobacco Products Surtax  
12 Fund, pursuant to Article 1 (commencing with Section  
13 104350) of Chapter 1 of Part 3 of Division 103 of the  
14 Health and Safety Code..... 18,998,000  
15 17,868,000

16  
17 *SEC. 392. Item 6110-102-0890 of Section 2.00 of the Budget*  
18 *Act of 2009 is amended to read:*

19  
20 6110-102-0890—For local assistance, Department of Education,  
21 Program 20.60.038-Instructional Support, Learn and Serve  
22 America Program, payable from the Federal Trust Fund.... 1,813,000  
23 2,113,000

24 *1. Of the funds appropriated in this item, \$300,000 re-*  
25 *fects one-time carryover funds.*

26  
27 *SEC. 393. Item 6110-104-0001 of Section 2.00 of the Budget*  
28 *Act of 2009 is amended to read:*

29  
30 6110-104-0001—For local assistance, Department of Education  
31 (Proposition 98), Program 10.10.011-School Apportion-  
32 ments—Remedial Supplemental Instruction Programs, for  
33 transfer to Section A of the State School Fund, for supple-  
34 mental instruction and remedial programs..... 329,409,000  
35 329,326,000

1 Schedule:

2 (1) 10.10.011.008-School Apportionments,

3 for Supplemental Instruction, Remedial,

4 Grades 7–12 for the purposes of

5 Section 37252 of the Education

6 Code..... ~~199,480,000~~

7 *199,430,000*

8 (2) 10.10.011.009-School Apportionments,

9 for Supplemental Instruction, Retained,

10 or Recommended for Retention, Grades

11 2–9 for the purposes of Section 37252.2

12 of the Education Code, as applicable.... ~~48,183,000~~

13 *48,171,000*

14 (3) 10.10.011.010-School Apportionments,

15 for Supplemental Instruction, Low

16 STAR-Grades 2–6 for the purposes of

17 Section 37252.8 of the Education

18 Code..... ~~16,427,000~~

19 *16,423,000*

20 (4) 10.10.011.011-School Apportionments,

21 for Supplemental Instruction, Core

22 Academic K–12 for the purposes of

23 Section 37253 of the Education Code.... ~~65,319,000~~

24 *65,302,000*

25 Provisions:

26 1. Notwithstanding any other provision of law, for the

27 fiscal year, the Superintendent of Public Instruction

28 shall allocate a minimum of \$8,715 for supplemental

29 summer school programs in each school district for

30 which the prior fiscal year enrollment was less than

31 500 and that, in the fiscal year, offers at least 1,500

32 hours of supplemental summer school instruction. A

33 small school district, as described above, that offers

34 less than 1,500 hours of supplemental summer school

35 offerings shall receive a proportionate reduction in its

36 allocation. For the purpose of this provision, supple-

37 mental summer school programs shall be defined as

38 programs authorized under paragraph (2) of subdivi-

39 sion (f) of Section 42239 of the Education Code as it

40 read on July 1, 1999.

- 1       2. Notwithstanding any other provision of law, for the  
2       fiscal year, the maximum reimbursement to a school  
3       district or charter school for the program listed in  
4       Schedule (4) shall not exceed 5 percent of the district's  
5       or charter school's enrollment multiplied by 120 hours,  
6       multiplied by the hourly rate for the fiscal year.
- 7       3. Notwithstanding any other provision of law, the rate  
8       of reimbursement shall be \$4.08 per hour of supple-  
9       mental instruction.
- 10      4. Notwithstanding any other provision of law, if the  
11      funds in this item are insufficient to fund otherwise  
12      valid claims, the Superintendent of Public Instruction  
13      shall adjust the rates to conform to available funds.
- 14      5. Of the funds appropriated in this item, \$0 is provided  
15      for the purpose of a cost-of-living adjustment.
- 16      6. The funding appropriated in this item shall be consid-  
17      ered offsetting revenues within the meaning of subdivi-  
18      sion (e) of Section 17556 of the Government Code  
19      for any reimbursable mandated cost claim for imple-  
20      menting Section 37252.2 of the Education Code. Local  
21      educational agencies accepting funding from this item  
22      shall reduce their estimated and actual mandate reim-  
23      bursement claims by the amount of funding provided  
24      to them from this item.
- 25      7. Notwithstanding any other provision of law, an addi-  
26      tional \$90,117,000 in expenditures for this item has  
27      been deferred until the following fiscal year.
- 28      8. Rates or hours shall be adjusted in voluntary programs  
29      as necessary to fully meet demand in mandatory pro-  
30      grams and remain within the amount provided for this  
31      purpose in the annual Budget Act.
- 32      9. The funds appropriated in this item reflect a reduction  
33      to the base funding of ~~0.3~~ 0.32 percent for a statewide  
34      decline in average daily attendance.

35  
36        *SEC. 394. Item 6110-108-0001 of Section 2.00 of the Budget*  
37        *Act of 2009 is amended to read:*

1 6110-108-0001—For local assistance, Department of Education  
 2 (Proposition 98), Program 20-Instructional Support, the  
 3 Supplemental School Counseling Program, established  
 4 pursuant to Article 4.5 (commencing with Section 52378)  
 5 of Chapter 9 of Part 28 of Division 4 of Title 2 of the Ed-  
 6 ucation Code..... 208,433,000  
 7 208,391,000

- 8 Provisions:  
 9 1. Of the funds appropriated in this item, \$0 is provided  
 10 for the purpose of a cost-of-living adjustment.  
 11 2. The funds appropriated in this item reflect a reduction  
 12 to the base funding of ~~0.3~~0.32 percent for a statewide  
 13 decline in average daily attendance.  
 14

15 *SEC. 395. Item 6110-109-0001 is added to Section 2.00 of the*  
 16 *Budget Act of 2009, to read:*

17  
 18 6110-109-0001—For local assistance, Department of Education,  
 19 Program 10-Instruction, Title XIV of the American Recov-  
 20 ery and Reinvestment Act of 2009..... 0

21 Schedule:  
 22 (1) 10-Instruction..... 503,000,000  
 23 (2) Reimbursements..... -503,000,000

- 24 Provisions:  
 25 1. The funds appropriated in this item are for restoring  
 26 levels of state support for elementary and secondary  
 27 education pursuant to Title XIV of the American Re-  
 28covery and Reinvestment Act of 2009 (P.L. 111-5).  
 29 2. The funds appropriated in this item are for mitigating  
 30 K–12 revenue limit cuts. Of the total funds appropriat-  
 31 ed in this item, 94.92 percent shall be distributed to  
 32 nonbasic aid districts and charter schools, 3.20 per-  
 33 cent shall be distributed to basic aid districts, and 1.88  
 34 percent shall be distributed to county offices of educa-  
 35 tion. Allocations shall be based on average daily atten-  
 36 dance.  
 37

38 *SEC. 396. Item 6110-111-0046 of Section 2.00 of the Budget*  
 39 *Act of 2009 is repealed.*

1 6110-111-0046—For local assistance, Department of Education  
 2 (from the Public Transportation Account, State Transporta-  
 3 tion Fund), Program 10.10.006-Instruction, for transfer to  
 4 Section A of the State School Fund, Home to School  
 5 Transportation, pursuant to Article 10 (commencing with  
 6 Section 41850) of Chapter 5 of Part 24 of Division 3 of  
 7 Title 2 of the Education Code, and Small School District  
 8 Transportation, pursuant to Article 4.5 (commencing with  
 9 Section 42290) of Chapter 7 of Part 24 of Division 3 of  
 10 Title 2 of the Education Code..... 313,886,000

11  
 12 *SEC. 397. Item 6110-111-3116 of Section 2.00 of the Budget*  
 13 *Act of 2009 is repealed.*

14  
 15 6110-111-3116—For local assistance, Department of Education  
 16 (from the Mass Transportation Fund, State Transportation  
 17 Fund), Program 10.10.006-Instruction, for transfer to Sec-  
 18 tion A of the State School Fund, Home to School Trans-  
 19 portation, pursuant to Article 10 (commencing with Section  
 20 41850) of Chapter 5 of Part 24 of Division 3 of Title 2 of  
 21 the Education Code, and Small School District Transporta-  
 22 tion, pursuant to Article 4.5 (commencing with Section  
 23 42290) of Chapter 7 of Part 24 of Division 3 of Title 2 of  
 24 the Education Code..... 90,447,000

25  
 26 *SEC. 398. Item 6110-113-0001 of Section 2.00 of the Budget*  
 27 *Act of 2009 is amended to read:*

28  
 29 6110-113-0001—For local assistance, Department of Education  
 30 (Proposition 98), for purposes of California’s pupil testing  
 31 program..... 86,215,000  
 32 Schedule:  
 33 (1) 20.70.030.005-Assessment Review and  
 34 Reporting..... 2,192,000  
 35 (2) 20.70.030.006-STAR Program..... 50,059,000  
 36 (3) 20.70.030.007-English Language Devel-  
 37 opment Assessment..... 1,630,000  
 38 (4) 20.70.030.008-High School Exit Exam-  
 39 ination..... 7,200,000

1	(5) 20.70.030.209-Assessment Apportion-	
2	ments.....	25,134,000
3	(6) 20.70.030.015-California High School	
4	Proficiency Examination.....	1,244,000
5	(7) Reimbursements.....	-1,244,000

6 Provisions:

- 7 1. The funds appropriated in this item shall be for the
- 8 pupil testing programs authorized by Chapter 3 (com-
- 9 mencing with Section 48412) of Part 27 of Division
- 10 4 of Title 2 of the Education Code and Chapter 5
- 11 (commencing with Section 60600), Chapter 6 (com-
- 12 mencing with Section 60800), Chapter 7 (commencing
- 13 with Section 60810), and Chapter 9 (commencing with
- 14 Section 60850) of Part 33 of Division 4 of Title 2 of
- 15 the Education Code.
- 16 2. The funds appropriated in Schedule (2) are provided
- 17 for approved contract costs for the development and
- 18 administration of the California Standards Tests, the
- 19 Standards-Based Tests in Spanish, the California Al-
- 20 ternate Performance Assessment (CAPA), the Desig-
- 21 nated Primary Language Test, and the California
- 22 Modified Assessment, as part of the STAR Program.
- 23 District apportionments provided in Schedule (5) shall
- 24 be \$5 per pupil for the CAPA.
- 25 3. The funds appropriated in Schedule (3) shall be
- 26 available for approved contract costs for administration
- 27 of the California English Language Development Test
- 28 (CELDT) meeting the requirements of Chapter 7
- 29 (commencing with Section 60810) of Part 33 of Divi-
- 30 sion 4 of Title 2 of the Education Code. Incentive
- 31 funding of \$5 per pupil is provided in Schedule (5) for
- 32 district apportionments for the CELDT. As a condition
- 33 of receiving these funds, school districts must agree
- 34 to provide information determined to be necessary to
- 35 comply with the data collection and reporting require-
- 36 ments of the federal No Child Left Behind Act of 2001
- 37 (P.L. 107-110) regarding English language learners
- 38 by the State Department of Education.
- 39 4. The funds appropriated in Schedule (4) include funds
- 40 for approved contract costs for the administration of

- 1 the California High School Exit Examination (CAH-  
2 SEE) pursuant to Chapter 9 (commencing with Section  
3 60850) of Part 33 of Division 4 of Title 2 of the Edu-  
4 cation Code. The State Board of Education shall estab-  
5 lish the amount of funding to be apportioned to school  
6 districts for the CAHSEE. The amount of funding to  
7 be apportioned per test shall not be valid without the  
8 approval of the Department of Finance.
- 9 5. The funds appropriated in Schedule (4) shall be used  
10 for seven annual administrations of the California High  
11 School Exit Examination. Grade 12 pupils may take  
12 up to five administrations of the examination, grade  
13 11 pupils may take up to two, and grade 10 pupils are  
14 required to take one.
- 15 6. It is the intent of the Legislature that the State Depart-  
16 ment of Education (SDE) develop a plan to streamline  
17 existing programs to eliminate duplicative tests and  
18 minimize the instructional time lost to test administra-  
19 tion. The SDE shall ensure that all statewide tests meet  
20 industry standards for validity and reliability.
- 21 7. Funds provided to local educational agencies from  
22 Schedules (2), (3), (4), and (5) shall first be used to  
23 offset any state-mandated reimbursable costs within  
24 the meaning of Section 17556 of the Government  
25 Code, that otherwise may be claimed through the state  
26 mandates reimbursement process for the STAR Pro-  
27 gram, the California English Language Development  
28 Test, and the California High School Exit Examination.  
29 Local educational agencies receiving funding from  
30 these schedules shall reduce their estimated and actual  
31 mandate reimbursement claims by the amount of  
32 funding provided to them from these schedules.
- 33 8. Notwithstanding Section 28.50, the Department of  
34 Finance may adjust Schedules (6) and (7) to reflect  
35 changes in actual reimbursements from the contractor  
36 for the California High School Proficiency Examina-  
37 tion.
- 38 9. Federal funds provided in Item 6110-113-0890 for  
39 statewide testing purposes shall be fully expended

- 1 before General Fund resources provided in this item
- 2 are expended for the same purposes.
- 3 10. *The funds appropriated in Schedule (5) may be used*
- 4 *to pay approved apportionment costs from the 2008–09*
- 5 *and the 2009–10 fiscal years for the STAR Program,*
- 6 *the California English Language Development Test,*
- 7 *and the California High School Exit Examination.*
- 8 11. *The State Department of Education (SDE) shall not*
- 9 *expend funds from this item until the Department of*
- 10 *Finance approves an SDE expenditure plan to ensure*
- 11 *that the SDE maximizes contract savings and mini-*
- 12 *mizes apportionment payment deferrals for the*
- 13 *2008–09 and 2009–10 fiscal years. After an expendi-*
- 14 *ture plan is approved by the Department of Finance,*
- 15 *the SDE shall provide a copy of the approved plan to*
- 16 *the Legislative Analyst’s Office and the appropriate*
- 17 *fiscal and policy committees of the Legislature.*
- 18 12. *In implementing the reductions for the 2008–09 and*
- 19 *2009–10 fiscal years, the State Department of Educa-*
- 20 *tion shall not eliminate any state assessments funded*
- 21 *by this item.*

22  
 23 *SEC. 399. Item 6110-119-0001 of Section 2.00 of the Budget*  
 24 *Act of 2009 is amended to read:*

25

26 6110-119-0001—For local assistance, Department of Education	
27 (Proposition 98), for transfer to Section A of the State	
28 School Fund, Program 20.40.060-Educational Services	
29 for Foster Youth pursuant to Chapter 11.3 (commencing	
30 with Section 42920) of Part 24 of Division 3 of Title 2 of	
31 the Education Code.....	18,834,000
32	18,831,000

- 33 Provisions:
- 34 1. Of the funds appropriated in this item, \$0 is provided
  - 35 for the purpose of a cost-of-living adjustment.
  - 36 2. The funds appropriated in this item reflect a reduction
  - 37 to the base funding of ~~0.3~~ 0.32 percent for a statewide
  - 38 decline in average daily attendance.
  - 39

1 SEC. 400. Item 6110-119-0890 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	6110-119-0890—For local assistance, Department of Education,	
5	Program 10.30.060.002-Title I Program for Neglected and	
6	Delinquent Children, payable from the Federal Trust	
7	Fund.....	2,461,000
8		2,504,000

9 Provisions:  
10 1. Of the funds appropriated in this item, \$43,000 is  
11 provided in one-time carryover funds to support the  
12 existing program.

13  
14 SEC. 401. Item 6110-122-0001 of Section 2.00 of the Budget  
15 Act of 2009 is amended to read:

16		
17	6110-122-0001—For local assistance, Department of Education	
18	(Proposition 98), for transfer to Section A of the State	
19	School Fund, Program 20.40.090-Specialized Secondary	
20	Programs, pursuant to Chapter 6 (commencing with Sec-	
21	tion 58800) of Part 31 of Division 4 of Title 2 of the Edu-	
22	cation Code.....	6,104,000
23		6,102,000

24 Provisions:  
25 1. Of the funds appropriated in this item, \$1,500,000  
26 shall be allocated to Specialized Secondary Programs  
27 established prior to the 1991–92 fiscal year that operate  
28 in conjunction with the California State University.  
29 2. The funds appropriated in this item reflect a reduction  
30 to the base funding of ~~0.3~~ 0.32 percent for a statewide  
31 decline in average daily attendance.  
32 3. Of the amount appropriated in this item, \$0 is provided  
33 for a cost-of-living adjustment.

34  
35 SEC. 402. Item 6110-124-0001 of Section 2.00 of the Budget  
36 Act of 2009 is amended to read:

1 6110-124-0001—For local assistance, Department of Education  
 2 (Proposition 98), for transfer to Section A of the State  
 3 School Fund, Program 10.80.010-Gifted and Talented  
 4 Pupil Program established pursuant to Chapter 8 (commenc-  
 5 ing with Section 52200) of Part 28 of Division 4 of Title  
 6 2 of the Education Code..... ~~50,885,000~~  
 7 ~~50,874,000~~

- 8 Provisions:
- 9 1. An additional \$4,294,000 in expenditures for this
  - 10 purpose has been deferred to the 2010–11 fiscal year.
  - 11 2. Of the funds appropriated in this item, \$0 is for the
  - 12 purpose of providing a cost-of-living adjustment.
  - 13 3. The funds appropriated in this item reflect a reduction
  - 14 to the base funding of ~~0.3~~ 0.32 percent for a statewide
  - 15 decline in average daily attendance.

16  
 17 *SEC. 403. Item 6110-125-0001 of Section 2.00 of the Budget*  
 18 *Act of 2009 is amended to read:*

19  
 20 6110-125-0001—For local assistance, Department of Education  
 21 (Proposition 98)..... ~~63,073,000~~  
 22 ~~63,061,000~~

- 23 Schedule:
- 24 (1) 10.40.030.004-Refugee Children School
  - 25 Grant Program..... 1,649,000
  - 26 (2) 20.10.006-English Language Acquisition
  - 27 Program, pursuant to Chapter 4
  - 28 (commencing with Section 400) of Part
  - 29 1 of Division 1 of Title 1 of the Educa-
  - 30 tion Code..... ~~63,073,000~~  
 31 ~~63,061,000~~
  - 32 (3) Reimbursements..... -1,649,000

- 33 Provisions:
- 34 1. Of the funds appropriated in this item, \$0 is provided
  - 35 for the purpose of a cost-of-living adjustment.
  - 36 2. The funds appropriated in this item reflect a reduction
  - 37 to the base funding of ~~0.3~~ 0.32 percent for a statewide
  - 38 decline in average daily attendance.

39

1 SEC. 404. Item 6110-125-0890 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 6110-125-0890—For local assistance, Department of Education,  
5 payable from the Federal Trust Fund..... 297,826,000  
6 309,933,000

7 Schedule:

8 (1) 10.30.010-Title I, Migrant Educa-  
9 tion..... ~~127,719,000~~  
10 138,143,000

11 (2) 20.10.004-Title III, Language Acquisi-  
12 tion..... ~~170,107,000~~  
13 171,790,000

14 Provisions:

- 15 1. Of the funds appropriated in Schedule (1), the *State*  
16 Department of Education shall use no less than  
17 \$6,500,000 and up to \$7,100,000 for the California  
18 Mini-Corps Program.
- 19 2. *Of the funds appropriated in Schedule (1), \$3,500,000*  
20 *is provided in one-time carryover funds to support the*  
21 *following existing program activities: (a) extended*  
22 *day/week and summer/intersession programs to help*  
23 *prepare middle and secondary students for the high*  
24 *school exit exam, (b) investments aimed at upgrading*  
25 *curricula, instructional materials, educational soft-*  
26 *ware, and assessment procedures, (c) tutorials and*  
27 *intensified instruction, and (d) investments in technol-*  
28 *ogy used to improve the proficiency of limited-English-*  
29 *proficient pupils.*
- 30 3. *Of the funds appropriated in Schedule (2), \$1,683,000*  
31 *is provided in one-time carryover funds to support the*  
32 *existing program.*

33  
34 SEC. 405. Item 6110-126-0890 of Section 2.00 of the Budget  
35 Act of 2009 is amended to read:

1	6110-126-0890—For local assistance, Department of Education,	
2	Program 20.60.290-Instructional Support, Title I, Part B	
3	of the federal Elementary and Secondary Education Act	
4	(Reading First program) payable from the Federal Trust	
5	Fund.....	47,974,000
6		26,512,000

7 Provisions:

- 8 1. The funds appropriated in this item are for Reading
- 9 First programs pursuant to Article 1 (commencing
- 10 with Section 51700) of Chapter 5 of Part 28 of Divi-
- 11 sion 4 of Title 2 of the Education Code. ~~It is the intent~~
- 12 ~~of the Legislature that all participating school districts~~
- 13 ~~receive funding at the rates established in paragraph~~
- 14 ~~(3) of subdivision (c) of Section 51700 for six years.~~
- 15 ~~A participating school district shall not receive funding~~
- 16 ~~from this item for more than six years.~~
- 17 2. ~~Of the funds appropriated in this item, \$3,658,000~~
- 18 ~~shall be available for Reading First’s statewide and~~
- 19 ~~regional infrastructure, including its six regional~~
- 20 ~~technical assistance centers.~~
- 21 3. ~~By May 1, 2010, the State Department of Education~~
- 22 ~~shall provide the Legislature with all of the following:~~
- 23 ~~(a) the number of school districts receiving grants, (b)~~
- 24 ~~the number of K–3 teachers funded, (c) the number of~~
- 25 ~~K–12 special education teachers served, and (d) the~~
- 26 ~~average per-teacher grant amount.~~
- 27 4. ~~By May 1, 2010, the State Department of Education~~
- 28 ~~shall provide the Legislature with the following: (a)~~
- 29 ~~the number and percentage of all K–12 special educa-~~
- 30 ~~tion teachers in Reading First schools receiving~~
- 31 ~~Reading First professional development for each year,~~
- 32 ~~2001–02 to 2008–09, inclusive, and (b) the number~~
- 33 ~~and percentage of all K–12 special education classes~~
- 34 ~~in Reading First schools that have appropriate reading~~
- 35 ~~materials purchased using the state’s instructional~~
- 36 ~~materials program as set forth in Article 3 (commene-~~
- 37 ~~ing with Section 60240) of Chapter 2 of Part 33 of~~
- 38 ~~Division 4 of Title 2 of the Education Code.~~
- 39 2. *Of the funds appropriated in this item, \$2,800,000*
- 40 *shall be available for Reading First’s statewide and*

1 regional infrastructure, including its eight regional  
2 technical assistance centers. The State Department of  
3 Education, in consultation with the technical assis-  
4 tance centers, shall submit an expenditure report by  
5 November 30, 2010, to the Department of Finance and  
6 the Legislative Analyst's Office. This report shall in-  
7 clude, at a minimum, the sum and distribution of par-  
8 ticipating schools and teachers and expenditure infor-  
9 mation for each technical assistance center by category  
10 of personnel, training, training materials, travel,  
11 general expense, and indirect costs.

12 3. Of the funds appropriated in this item, \$23,712,000 is  
13 provided in one-time carryover funds. These funds  
14 shall be available to support Reading First-appropri-  
15 ate activities including, but not limited to, teacher  
16 training, teacher assessments, student assessments,  
17 remedial programs, classroom materials, reading  
18 coaches, external resource specialists, and the imple-  
19 mentation of research-based instructional strategies,  
20 such as response to instruction and intervention. First  
21 priority for funding shall be given to support Reading  
22 First Special Education Teacher Professional Develop-  
23 ment (SETPD) Pilot Program applicants. Second  
24 priority shall be given to other currently participating  
25 local educational agencies to provide an amount  
26 equivalent to no more than six years of funding. All  
27 participants in Priority 1 and 2, as specified in this  
28 provision, shall receive a maximum of \$8,000 per  
29 teacher for each equivalent year of funding.

30 4. Funds that are not needed for the purposes specified  
31 in Provisions 2 and 3 shall be available to support  
32 Reading First-appropriate activities, including, but  
33 not limited to, the activities specified in Provision 3,  
34 and shall be distributed to former and current Reading  
35 First and Priority 1 Special Education Teacher Pro-  
36 fessional Development Pilot Program local education-  
37 al agencies, prorated across all participating teachers.

38  
39 SEC. 406. Item 6110-134-0890 of Section 2.00 of the Budget  
40 Act of 2009 is amended to read:

1 6110-134-0890—For local assistance, Department of Educa-  
 2 tion, payable from the Federal Trust Fund..... 1,737,878,000  
 3 2,751,266,000

4 Schedule:

5 (1) 10.30.006-Statewide System of School  
 6 Support..... 10,000,000

7 (2) 10.30.014-Title I, Corrective Action—  
 8 Local Educational Agencies..... 54,872,000  
 9 119,744,000

10 (2.5) 10.30.015-Title I, Corrective Ac-  
 11 tion—Local Educational Agencies,  
 12 American Recovery and Reinvestment  
 13 Act..... 44,996,000

14 (3) 10.30.004-School Improvement Grants,  
 15 Corrective Action..... 61,462,000  
 16 74,672,000

17 (3.5) 10.30.016—School Improvement  
 18 Grant, Corrective Action, American  
 19 Recovery and Reinvestment Act..... 346,348,000

20 (4) 10.30.060-Title I-ESEA..... 1,611,544,000  
 21 1,615,544,000

22 (5) 10.30.061-Title I—ESEA, American  
 23 Recovery and Reinvestment Act..... 539,962,000

24 Provisions:

25 1. In administering the accountability system required  
 26 by this item, the State Department of Education shall  
 27 align the forms, processes, and procedures required  
 28 of local educational agencies in a manner that they  
 29 may be utilized for the purposes of implementing the  
 30 Public Schools Accountability Act of 1999, as estab-  
 31 lished by Chapter 6.1 (commencing with Section  
 32 52050) of Part 28 of Division 4 of Title 2 of the Edu-  
 33 cation Code, so that duplication of effort is minimized  
 34 at the local level.

35 2. The funds appropriated in Schedule (1) shall be  
 36 available for the purposes established by Article 4.2  
 37 (commencing with Section 52059) of Chapter 6.1 of  
 38 Part 28 of Division 4 of Title 2 of the Education Code.

39 4. The State Department of Education shall provide to  
 40 the Legislature, the Legislative Analyst’s Office, and

1 the Department of Finance; a letter by April 15, 2010,  
2 reporting expenditures and anticipated savings for each  
3 schedule, based on available information.

4 5. ~~The funds appropriated in Schedules (2) and (3) shall~~  
5 ~~be available for purposes established by Article 3.1~~  
6 ~~(commencing with Section 52055.57(c)) of Chapter~~  
7 ~~6.1 of Part 28 of Division 4 of Title 2 of the Education~~  
8 ~~Code.~~

9 6. The funds appropriated in this item shall be considered  
10 offsetting revenues within the meaning of subdivision  
11 (e) of Section 17556 of the Government Code for any  
12 reimbursable mandated cost claims for district assis-  
13 tance and intervention teams and other technical assis-  
14 tance providers. Local educational agencies accepting  
15 funding from this item shall reduce their estimated  
16 and actual mandate reimbursement claims by the  
17 amount of funding provided to them from this item.

18 7. *The funds appropriated in Schedules (2) and (2.5)*  
19 *shall be distributed according to the Title I basic grant*  
20 *formula. Of the funds appropriated in Schedule (2),*  
21 *\$64,872,000 are one-time carryover funds.*

22 8. *The funds appropriated in Schedules (3) and (3.5) are*  
23 *for purposes of Title I, Part A, Section 1116 and 1117*  
24 *of the federal No Child Left Behind Act (P.L. 107-110)*  
25 *and shall first be used to fund the LEA Corrective*  
26 *Action program established by Article 3.1 (commenc-*  
27 *ing with Section 52055.57) of Chapter 6.1 of Part 28*  
28 *of Division 4 of Title 2 of the Education Code, with*  
29 *the remainder to be apportioned to programs pursuant*  
30 *to legislation. Of the funds appropriated in Schedule*  
31 *(3), \$13,210,000 are one-time carryover funds.*

32 9. *Of the funds appropriated in Schedule (4), \$4,000,000*  
33 *is provided in one-time carryover funds to support the*  
34 *existing program.*

35  
36 *SEC. 407. Item 6110-136-0890 of Section 2.00 of the Budget*  
37 *Act of 2009 is amended to read:*

1 6110-136-0890—For local assistance, Department of Education,  
 2 Program 10.30-Instruction, payable from the Federal Trust  
 3 Fund..... 14,190,000  
 4 20,499,000

5 Schedule:  
 6 (1) 10.30.065-McKinney-Vento Homeless  
 7 Children Education..... 7,193,000  
 8 12,712,000  
 9 (2) 10.30.030-Title I-Even Start Program.... 6,997,000  
 10 7,787,000

11 Provisions:  
 12 1. Of the funds appropriated in Schedule (1), \$400,000  
 13 is provided in one-time carryover funds to support the  
 14 existing program.  
 15 2. Of the funds appropriated in Schedule (2), \$790,000  
 16 is provided in one-time carryover funds to support the  
 17 existing program.  
 18

19 SEC. 408. Item 6110-140-0001 of Section 2.00 of the Budget  
 20 Act of 2009 is amended to read:

21  
 22 6110-140-0001—For local assistance, Department of Education  
 23 (Proposition 98), Program 20-Instructional Support..... 0

24 Schedule:  
 25 (1) 20.80.001-Student Friendly Services.... 500,000  
 26 (2) 20.90.001.020-California School Infor-  
 27 mation Services Administration..... 4,444,000  
 28 3,899,000  
 29 (3) 20.90.001.030-California School Infor-  
 30 mation Services Administration Indepen-  
 31 dent Project Oversight..... 150,000  
 32 (4) Amount payable from the Educational  
 33 Telecommunication Fund (Item 6110-  
 34 140-0349)..... -5,094,000  
 35 -4,549,000

36 Provisions:  
 37 1. The Superintendent of Public Instruction shall allocate  
 38 the funds appropriated in Schedule (1) for the Student  
 39 Friendly Services program.

- 1       2. The funds appropriated in Schedule (2) shall be for  
2       allocation to the Fiscal Crisis and Management Assis-  
3       tance Team for costs associated with administration  
4       of the California School Information Services project.
- 5       3. The Superintendent of Public Instruction shall allocate  
6       the funds appropriated in Schedule (3) to the Sacramen-  
7       to County Office of Education, which shall use the  
8       funds to contract for independent project oversight of  
9       the California School Information Services (CSIS)  
10      program. The independent project oversight shall in-  
11      clude the submission of quarterly project reports on  
12      the progress of the CSIS program to the Legislature,  
13      the Department of Finance, the Superintendent of  
14      Public Instruction, the State Board of Education, the  
15      Governor, the Legislative Analyst’s Office, and the  
16      Fiscal Crisis and Management Assistance Team for  
17      the duration of the program implementation. These  
18      reports shall include, but not be limited to, information  
19      on: (a) CSIS capacity for additional district cohorts,  
20      (b) readiness of self-identified districts for participation  
21      in new CSIS cohorts, (c) CSIS operations budget, and  
22      (d) CSIS readiness to implement additional phases of  
23      state reporting and records transfer.
- 24      ~~4. Of the funds appropriated in Schedule (2), \$545,000~~  
25      ~~is available on a three-year limited-term basis to sup-~~  
26      ~~port positions and administrative costs associated with~~  
27      ~~the implementation plan developed pursuant to Provi-~~  
28      ~~sion 5 of Item 6110-101-0349 of the Budget Act of~~  
29      ~~2006 (Chs. 47 and 48, Stats. 2006).~~
- 30      5. The State Department of Education and ~~CSIS~~ *the*  
31      *California School Information Services* shall jointly  
32      report by October 1, 2009, to the Department of Fi-  
33      nance, the Legislative Analyst’s Office, and the budget  
34      committees of the Legislature on the workload activi-  
35      ties performed by each entity to prepare for the imple-  
36      mentation of ~~CALPADS~~ *the California Longitudinal*  
37      *Pupil Achievement Data System (CALPADS)*.

38  
39       *SEC. 409. Item 6110-140-0349 of Section 2.00 of the Budget*  
40       *Act of 2009 is amended to read:*

1	6110-140-0349—For local assistance, Department of Education,	
2	for payment to Item 6110-140-0001, payable from the	
3	Educational Telecommunication Fund.....	5,094,000
4		4,549,000

5

6 *SEC. 410. Item 6110-156-0890 of Section 2.00 of the Budget*  
7 *Act of 2009 is amended to read:*

9	6110-156-0890—For local assistance, Department of Education,	
10	Program 10.50.010.001-Adult Education, payable from	
11	the Federal Trust Fund.....	75,126,000
12		79,082,000

13 Provisions:

- 14 1. Under any grant awarded by the State Department of  
15 Education under this item to a qualifying community-  
16 based organization to provide adult basic education in  
17 English as a Second Language and English as a Second  
18 Language-Citizenship classes, the department shall  
19 make an initial payment to the organization of 25  
20 percent of the amount of the grant. In order to qualify  
21 for an advance payment, a community-based organiza-  
22 tion shall submit an expenditure plan and shall guaran-  
23 tee that appropriate standards of educational quality  
24 and fiscal accountability are maintained. In addition,  
25 reimbursement of claims shall be distributed on a  
26 quarterly basis. The department shall withhold 10  
27 percent of the final payment of a grant as described in  
28 this provision until all claims for that community-based  
29 organization have been submitted for final payment.
- 30 2. (a) Notwithstanding any other provision of law, all  
31 nonlocal educational agencies (non-LEA) receiv-  
32 ing greater than \$500,000 pursuant to this item  
33 shall submit an annual organizational audit, as  
34 specified, to the State Department of Education,  
35 Office of External Audits.

36 All audits shall be performed by one of the  
37 following: (1) a certified public accountant pos-  
38 sessing a valid license to practice within Califor-  
39 nia, (2) a member of the ~~State Department of Ed-~~  
40 ~~ucation's department's~~ staff of auditors, or (3) in-

1 house auditors, if the entity receiving funds pur-  
2 suant to this item is a public agency, and if the  
3 public agency has internal staff that performs au-  
4 diting functions and meets the tests of indepen-  
5 dence found in Government Auditing Standards  
6 issued by the Comptroller General of the United  
7 States.

8 The audit shall be in accordance with State  
9 Department of Education audit guidelines and  
10 Office of Management and Budget (OMB), Circu-  
11 lar No. A-133, Audits of States, Local Govern-  
12 ments, and Non-Profit Organizations.

13 Non-LEA entities receiving funds pursuant to  
14 this item shall submit the annual audit no later  
15 than six months from the end of the agency fiscal  
16 year. If, for any reason, the contract is terminated  
17 during the contract period, the audit shall cover  
18 the period from the beginning of the contract  
19 through the date of termination.

20 Non-LEA entities receiving funds pursuant to  
21 this item shall be held liable for all ~~State Depart-~~  
22 ~~ment of Education~~ *department* costs incurred in  
23 obtaining an independent audit if the contractor  
24 fails to produce or submit an acceptable audit.

25 (b) Notwithstanding any other provision of law, the  
26 State Department of Education shall annually  
27 submit to the Governor, Joint Legislative Budget  
28 Committee, and Joint Legislative Audit Commit-  
29 tee limited-scope audit reports of all subrecipients  
30 it is responsible for monitoring that receive be-  
31 tween \$25,000 and ~~\$300,000~~ *\$500,000* of federal  
32 awards, and that do not have an organizationwide  
33 audit performed. These limited-scope audits shall  
34 be conducted in accordance with the State Depart-  
35 ment of Education audit guidelines and OMB,  
36 Circular No. A-133. ~~The State Department of~~  
37 ~~Education~~ *department* may charge audit costs to  
38 applicable federal awards, as authorized by OMB,  
39 Circular No. A-133 Section 230(b)(2).

1           The limited-scope audits shall include agreed-  
 2 upon procedures engagements conducted in accord-  
 3           dance with either American Institute of Certified  
 4           Public Accountants (AICPA) generally accepted  
 5           auditing standards or attestation standards, and  
 6           address one or more of the following types of  
 7           compliance requirements: allowed or unallowed  
 8           activities, allowable costs and cost principles, eli-  
 9           gibility, matching, level of effort, earmarking, and  
 10          reporting.

11          The ~~State Department of Education~~ *department*  
 12 shall contract for the limited-scope audits with a  
 13 certified public accountant possessing a valid li-  
 14 cense to practice within the state or with an inde-  
 15 pendent auditor.

16 3. On or before March 1 of each year, the State Depart-  
 17          ment of Education shall report to the appropriate sub-  
 18          committees of the Assembly Committee on Budget  
 19          and the Senate Committee on Budget and Fiscal Re-  
 20          view on the following aspects of Title II of the federal  
 21          Workforce Investment Act of 1998: (a) the makeup  
 22          of those adult education providers that applied for  
 23          competitive grants under Title II and those that ob-  
 24          tained grants, by size, geographic location, and type  
 25          (school districts, community colleges, community-  
 26          based organizations, or other local entities), (b) the  
 27          extent to which participating programs were able to  
 28          meet planned performance targets, and (c) a break-  
 29          down of the types of courses (English as a Second  
 30          Language (ESL), ESL-Citizenship, adult basic educa-  
 31          tion, or adult secondary education) included in the  
 32          performance targets of participating agencies.

33          It is the intent of the Legislature that the Legislature  
 34          and the department utilize the information provided  
 35          pursuant to this provision to (a) evaluate whether any  
 36          changes need to be made to improve the implementa-  
 37          tion of the accountability-based funding system under  
 38          Title II and (b) evaluate the feasibility of any future  
 39          expansion of the accountability-based funding system  
 40          using state funds.

1 4. The State Department of Education shall continue to  
 2 ensure that outcome measures for State Department  
 3 of Mental Health and State Department of Develop-  
 4 mental Services clients are set at a level where these  
 5 clients will continue to be eligible for adult education  
 6 services in the current fiscal year and beyond to the  
 7 full extent authorized under federal law. The State  
 8 Department of Education shall also consult with the  
 9 State Department of Mental Health, State Department  
 10 of Developmental Services, and Department of Finance  
 11 for this purpose.

12 5. *Of the funds appropriated in this item, \$3,088,000 is*  
 13 *provided in one-time carryover funds.*  
 14

15 *SEC. 411. Item 6110-161-0001 of Section 2.00 of the Budget*  
 16 *Act of 2009 is amended to read:*  
 17

18 6110-161-0001—For local assistance, Department of Educa-  
 19 tion (Proposition 98), Program 10.60-Special Education  
 20 Programs for Exceptional Children..... 3,121,060,000  
 21 3,149,874,000

22 Schedule:

23 (1) 10.60.050.003-Special education in-  
 24 struction..... 3,050,415,000  
 25 3,079,229,000  
 26 (2) 10.60.050.080-Early Education Program  
 27 for Individuals with Exceptional  
 28 Needs..... 85,040,000  
 29 (3) Reimbursements for Early Education  
 30 Program, Part C..... -14,395,000

31 Provisions:

32 1. Funds appropriated by this item are for transfer by the  
 33 Controller to Section A of the State School Fund, in  
 34 lieu of the amount that otherwise would be appropriat-  
 35 ed for transfer from the General Fund in the State  
 36 Treasury to Section A of the State School Fund for  
 37 the 2009–10 fiscal year pursuant to Sections 14002  
 38 and 41301 of the Education Code, for apportionment  
 39 pursuant to Part 30 (commencing with Section 56000)

- 1 of Division 4 of Title 2 of the Education Code, super-
- 2 seding all prior law.
- 3 2. Of the funds appropriated in Schedule (1), up to
- 4 ~~\$13,154,000~~ *\$13,151,000*, plus any cost-of-living ad-
- 5 justment, shall be available for the purchase, repair,
- 6 and inventory maintenance of specialized books, ma-
- 7 terials, and equipment for pupils with low-incidence
- 8 disabilities, as defined in Section 56026.5 of the Edu-
- 9 cation Code.
- 10 3. Of the funds appropriated in Schedule (1), up to
- 11 ~~\$10,049,000~~ *\$10,047,000*, plus any cost-of-living ad-
- 12 justment, shall be available for the purposes of voca-
- 13 tional training and job placement for special education
- 14 pupils through Project Workability I pursuant to Arti-
- 15 cle 3 (commencing with Section 56470) of Chapter
- 16 4.5 of Part 30 of Division 4 of Title 2 of the Education
- 17 Code. As a condition of receiving these funds, each
- 18 local educational agency shall certify that the amount
- 19 of nonfederal resources, exclusive of funds received
- 20 pursuant to this provision, devoted to the provision of
- 21 vocational education for special education pupils shall
- 22 be maintained at or above the level provided in the
- 23 1984–85 fiscal year. The Superintendent of Public
- 24 Instruction may waive this requirement for local edu-
- 25 cational agencies that demonstrate that the requirement
- 26 would impose a severe hardship.
- 27 4. Of the funds appropriated in Schedule (1), up to
- 28 ~~\$5,242,000~~ *\$5,241,000*, plus any cost-of-living adjust-
- 29 ment (COLA), shall be available for regional occupa-
- 30 tional centers and programs that serve pupils having
- 31 disabilities; up to ~~\$87,640,000~~ *\$87,623,000*, plus any
- 32 COLA, shall be available for regionalized program
- 33 specialist services; and up to ~~\$2,597,000~~ *\$2,596,000*,
- 34 plus any COLA, shall be available for small special
- 35 education local plan areas (SELPAs) pursuant to Sec-
- 36 tion 56836.24 of the Education Code.
- 37 5. Of the funds appropriated in Schedule (1), up to
- 38 \$3,000,000 is provided for extraordinary costs associ-
- 39 ated with single placements in nonpublic, nonsectarian
- 40 schools, pursuant to Section 56836.21 of the Education

- 1 Code. Pursuant to legislation, these funds shall also  
2 provide reimbursement for costs associated with pupils  
3 residing in licensed children’s institutes.
- 4 6. Of the funds appropriated in Schedule (1), up to  
5 \$205,022,000, plus any cost-of-living adjustment  
6 (COLA), is available to fund the costs of children  
7 placed in licensed children’s institutions who attend  
8 nonpublic schools based on the funding formula autho-  
9 rized in Chapter 914 of the Statutes of 2004.
- 10 7. Funds available for infant units shall be allocated with  
11 the following average number of pupils per unit:  
12 (a) For special classes and centers—16.  
13 (b) For resource specialist programs—24.  
14 (c) For designated instructional services—16.
- 15 8. Notwithstanding any other provision of law, early ed-  
16 ucation programs for infants and toddlers shall be of-  
17 fered for 200 days. Funds appropriated in Schedule  
18 (2) shall be allocated by the State Department of Edu-  
19 cation for the 2009–10 fiscal year to those programs  
20 receiving allocations for instructional units pursuant  
21 to Section 56432 of the Education Code for the Early  
22 Education Program for Individuals with Exceptional  
23 Needs operated pursuant to Chapter 4.4 (commencing  
24 with Section 56425) of Part 30 of Division 4 of Title  
25 2 of the Education Code, based on computing 200-day  
26 entitlements. Notwithstanding any other provision of  
27 law, funds in Schedule (2) shall be used only for the  
28 purposes specified in Provisions 10 and 11.
- 29 9. Notwithstanding any other provision of law, state  
30 funds appropriated in Schedule (2) in excess of the  
31 amount necessary to fund the deficiated entitlements  
32 pursuant to Section 56432 of the Education Code and  
33 Provision 10 shall be available for allocation by the  
34 State Department of Education to local educational  
35 agencies for the operation of programs serving solely  
36 low-incidence infants and toddlers pursuant to Title  
37 14 (commencing with Section 95000) of the Govern-  
38 ment Code. These funds shall be allocated to each local  
39 educational agency for each solely low-incidence child  
40 through age two in excess of the number of solely low-

- 1 incidence children through age two served by the local  
2 educational agency during the 1992–93 fiscal year and  
3 reported on the April 1993 pupil count. These funds  
4 shall only be allocated if the amount of reimbursement  
5 received from the State Department of Developmental  
6 Services is insufficient to fully fund the costs of oper-  
7 ating the Early Intervention Program, as authorized  
8 by Title 14 (commencing with Section 95000) of the  
9 Government Code.
- 10 10. The State Department of Education, through coordina-  
11 tion with the special education local plan areas, shall  
12 ensure local interagency coordination and collaboration  
13 in the provision of early intervention services, includ-  
14 ing local training activities, child-find activities, public  
15 awareness, and the family resource center activities.
- 16 11. Funds appropriated in this item, unless otherwise  
17 specified, are available for the sole purpose of funding  
18 2009–10 special education program costs and shall  
19 not be used to fund any prior year adjustments, claims,  
20 or costs.
- 21 12. Of the amount provided in Schedule (1), up to  
22 \$188,000, plus any cost-of-living adjustment, shall be  
23 available to fully fund the declining enrollment of  
24 necessary small special education local plan areas  
25 pursuant to Chapter 551 of the Statutes of 2001.
- 26 13. Pursuant to Section 56427 of the Education Code, of  
27 the funds appropriated in Schedule (1), up to  
28 \$2,324,000 may be used to provide funding for infant  
29 programs, and may be used for those programs that  
30 do not qualify for funding pursuant to Section 56432  
31 of the Education Code.
- 32 14. Of the funds appropriated in Schedule (1), up to  
33 \$29,478,000 shall be allocated to local educational  
34 agencies for the purposes of Project Workability I.
- 35 15. Of the funds appropriated in Schedule (1), up to  
36 \$1,700,000 shall be used to provide specialized ser-  
37 vices to pupils with low-incidence disabilities, as de-  
38 fined in Section 56026.5 of the Education Code.
- 39 16. Of the funds appropriated in Schedule (1), up to  
40 \$1,117,000 shall be used for a personnel development

- 1 program. This program shall include state-sponsored  
2 staff development for special education personnel to  
3 have the necessary content knowledge and skills to  
4 serve children with disabilities. This funding may in-  
5 clude training and services targeting special education  
6 teachers and related service personnel that teach core  
7 academic or multiple subjects to meet the applicable  
8 special education requirements of the Individuals with  
9 Disabilities Education Improvement Act of 2004 (20  
10 U.S.C. Sec. 1400 et seq.).
- 11 17. Of the funds appropriated in Schedule (1), up to  
12 \$200,000 shall be used for research and training in  
13 cross-cultural assessments.
- 14 18. Of the amount specified in Schedule (1), up to  
15 \$31,000,000 shall be used to provide mental health  
16 services required by an individual education plan  
17 pursuant to the federal Individuals with Disabilities  
18 Education Improvement Act of 2004 (20 U.S.C. Sec.  
19 1400 et seq.) and pursuant to Chapter 493 of the  
20 Statutes of 2004.
- 21 19. Of the amount provided in Schedule (1), \$0 is provided  
22 for cost-of-living adjustments.
- 23 20. Of the amount provided in Schedule (2), \$0 is provided  
24 for cost-of-living adjustments.
- 25 21. Of the amount appropriated in this item, up to  
26 \$1,480,000 is available for the state's share of costs  
27 in the settlement of *Emma C. v. Delaine Eastin, et al.*  
28 (N.D. Cal. No. C96-4179TEH). The State Department  
29 of Education shall report by January 1, 2010, to the  
30 fiscal committees of both houses of the Legislature,  
31 the Department of Finance, and the Legislative Ana-  
32 lyst's Office on the planned use of the additional spe-  
33 cial education funds provided to the Ravenswood Ele-  
34 mentary School District pursuant to this settlement.  
35 The report shall also provide the State Department of  
36 Education's best estimate of when this supplemental  
37 funding will no longer be required by the court. The  
38 State Department of Education shall comply with the  
39 requirements of Section 948 of the Government Code

- 1 in any further request for funds to satisfy this settle-  
 2 ment.
- 3 22. Of the funds appropriated in this item, up to  
 4 \$2,500,000 shall be allocated directly to special educa-  
 5 tion local plan areas for a personnel development  
 6 program that meets the highly qualified teacher require-  
 7 ments and ensures that all personnel necessary to carry  
 8 out this part are appropriately and adequately prepared,  
 9 subject to the requirements of paragraph (14) of subdivi-  
 10 sion (a) of Section 612 of the federal Individuals  
 11 with Disabilities Education Improvement Act of 2004  
 12 (20 U.S.C. Sec. 1400 et seq.), and Section 2122 of the  
 13 federal Elementary and Secondary Education Act of  
 14 1965 (20 U.S.C. Sec. 6301 et seq.). The local in-ser-  
 15 vice programs shall include a parent training compo-  
 16 nent and may include a staff training component, and  
 17 may include a special education teacher component  
 18 for special education service personnel and paraprofes-  
 19 sionals, consistent with state certification and licensing  
 20 requirements. Use of these funds shall be described in  
 21 the local plans. These funds may be used to provide  
 22 training in alternative dispute resolution and the local  
 23 mediation of disputes. All programs are to include  
 24 evaluation components.
- 25 23. Notwithstanding any other provision of law, state  
 26 funds appropriated in Schedule (1) in excess of the  
 27 amount necessary to fund the defined entitlement shall  
 28 be to fulfill other shortages in entitlements budgeted  
 29 in this schedule by the State Department of Education,  
 30 upon Department of Finance approval, to any program  
 31 funded under Schedule (1).
- 32 24. The funds appropriated in this item reflect a reduction  
 33 to the base funding of ~~0.3~~ 0.32 percent for a statewide  
 34 decline in average daily attendance.
- 35 25. Of the funds appropriated in Schedule (1), the amount  
 36 resulting from increases in federal funds reflected in  
 37 the calculation performed in paragraph (1) of subdivi-  
 38 sion (c) of Section 56836.08 of the Education Code  
 39 shall be allocated based on an equal amount per aver-  
 40 age daily attendance and added to each special educa-

1 tion local plan area’s base funding, consistent with  
 2 paragraphs (1) to (4), inclusive, of subdivision (b) of  
 3 Section 56836.158 of the Education Code. This amount  
 4 may be up to ~~\$32,300,000~~ \$53,458,000 less adjust-  
 5 ments for state operations and preschool. When the  
 6 final amount is determined, the State Department of  
 7 Education shall provide this information to the Depart-  
 8 ment of Finance and the budget committees of each  
 9 house of the Legislature.

10  
 11 *SEC. 412. Item 6110-161-0890 of Section 2.00 of the Budget*  
 12 *Act of 2009 is amended to read:*

13  
 14 6110-161-0890—For local assistance, Department of Educa-  
 15 tion, payable from the Federal Trust Fund, Program  
 16 10.60-Special Education Programs for Exceptional  
 17 Children..... ~~1,205,067,000~~  
 18 *1,860,208,000*

19 Schedule:

- 20 (1) 10.60.050.012-Local Agency Entitle-  
 21 ments, IDEA Special Education..... ~~1,026,258,000~~  
 22 *1,047,413,000*
- 23 (2) 10.60.050.013-State Agency Entitle-  
 24 ments, IDEA Special Education..... 1,821,000
- 25 (3) 10.60.050.015-IDEA, Local Entitle-  
 26 ments, Preschool Program..... 63,437,000
- 27 (4) 10.60.050.021-IDEA, State Level Activ-  
 28 ities..... 70,720,000
- 29 (5) 10.60.050.030-P.L. 99-457, Preschool  
 30 Grant Program..... 37,841,000
- 31 (6) 10.60.050.031-IDEA, State Improve-  
 32 ment Grant, Special Education..... 2,196,000
- 33 (7) 10.60.050.032-IDEA, Family Empower-  
 34 ment Centers..... 2,794,000
- 35 (8) *10.60.050.033-IDEA, Part B-Grants*  
 36 *to States—ARRA..... 613,472,000*
- 37 (9) *10.60.050.034-IDEA, Part B-Preschool*  
 38 *Grants—ARRA..... 20,514,000*

- 1 Provisions:
- 2 1. If the funds for Part B of the federal Individuals with
- 3 Disabilities Education Act (20 U.S.C. Sec. 1400 et
- 4 seq.) (IDEA) that are actually received by the state
- 5 exceed ~~\$1,198,276,000~~ *\$1,219,431,000*, at least 95
- 6 percent of the funds received in excess of that amount
- 7 shall be allocated for local entitlements and to state
- 8 agencies with approved local plans. Up to 5 percent
- 9 of the amount received in excess of ~~\$1,198,276,000~~
- 10 *\$1,219,431,000* may be used for state administrative
- 11 expenses upon approval of the Department of Finance.
- 12 If the funds for Part B of the IDEA that are actually
- 13 received by the state are less than ~~\$1,198,276,000~~
- 14 *\$1,219,431,000*, the reduction shall be taken in other
- 15 state-level activities.
- 16 2. The funds appropriated in Schedule (2) shall be dis-
- 17 tributed to state-operated programs serving disabled
- 18 children from 3 to 21 years of age, inclusive. In accor-
- 19 dance with federal law, the funds appropriated in
- 20 Schedules (1) and (2) shall be distributed to local and
- 21 state agencies on the basis of the federal Individuals
- 22 with Disabilities Education Act (20 U.S.C. Sec. 1400
- 23 et seq.) permanent formula.
- 24 4. Of the funds appropriated in Schedule (4), up to
- 25 \$300,000 shall be used to develop and test procedures,
- 26 materials, and training for alternative dispute resolution
- 27 in special education.
- 28 5. Of the funds appropriated by Schedule (5) for the
- 29 Preschool Grant Program, \$1,228,000 shall be used
- 30 for in-service training and shall include a parent
- 31 training component and may, in addition, include a
- 32 staff training program. These funds may be used to
- 33 provide training in alternative dispute resolution and
- 34 the local mediation of disputes. This program shall
- 35 include state-sponsored and local components.
- 36 6. Of the funds appropriated in this item, \$1,420,000 is
- 37 available for local assistance grants to monitor local
- 38 educational agency compliance with state and federal
- 39 laws and regulations governing special education. This
- 40 funding level is to be used to continue the facilitated

- 1 reviews and, to the extent consistent with the key  
2 performance indicators developed by the State Depart-  
3 ment of Education, these activities *shall* focus on local  
4 educational agencies identified by the United States  
5 Department of Education’s Office of Special Education  
6 Programs.
- 7 7. The funds appropriated in Schedule (7) shall be used  
8 for the purposes of Family Empowerment Centers on  
9 Disability pursuant to Chapter 690 of the Statutes of  
10 2001.
- 11 8. Notwithstanding the notification requirements listed  
12 in subdivision (d) of Section 26.00, the Department  
13 of Finance is authorized to approve intraschedule  
14 transfers of funds within this item submitted by the  
15 State Department of Education for the purposes of  
16 ensuring that special education funding provided in  
17 this item is appropriated in accordance with the statu-  
18 tory funding formula required by the federal Individu-  
19 als with Disabilities Education Act (20 U.S.C. Sec.  
20 1400 et seq.) and the special education funding formula  
21 required pursuant to Chapter 7.2 (commencing with  
22 Section 56836) of Part 30 of Division 4 of Title 2 of  
23 the Education Code, without waiting 30 days, but shall  
24 provide a notice to the Legislature each time a transfer  
25 occurs.
- 26 9. Of the funds appropriated in Schedule (4), \$69,000,000  
27 shall be used exclusively to support mental health  
28 services that are provided during the 2009–10 fiscal  
29 year by county mental health agencies pursuant to  
30 Chapter 26.5 (commencing with Section 7570) of Di-  
31 vision 7 of Title 1 of the Government Code and that  
32 are included within an individualized education pro-  
33 gram pursuant to the federal Individuals with Disabil-  
34 ities Education Act (20 U.S.C. Sec. 1400 et seq.). Each  
35 county office of education receiving these funds shall  
36 contract, on behalf of special education local planning  
37 areas in its county, with the county mental health  
38 agency to provide specified mental health services.  
39 This funding shall be considered offsetting revenues  
40 within the meaning of subdivision (e) of Section 17556

1 of the Government Code for any reimbursable mandat-  
 2 ed cost claim for provision of the mental health ser-  
 3 vices provided in the 2009–10 fiscal year. Amounts  
 4 allocated to each county office of education shall re-  
 5 flect the share of the \$69,000,000 in federal special  
 6 education funds provided to that county in the 2004–05  
 7 fiscal year for mental health services provided pursuant  
 8 to Chapter 26.5 (commencing with Section 7570) of  
 9 Division 7 of Title 1 of the Government Code.

10 10. Of the funds appropriated in Schedule (6), \$2,196,000  
 11 is provided on a one-time basis for science-based  
 12 professional development as part of the State Personnel  
 13 Development grant.

14 11. *Of the funds appropriated in Schedule (1), up to*  
 15 *\$3,894,000 shall be available for transfer to the State*  
 16 *Special Schools for student transportation allowances.*  
 17 *However, of these funds, the State Department of Ed-*  
 18 *ucation (SDE) shall obtain written approval from the*  
 19 *Department of Finance prior to spending \$924,000 to*  
 20 *address transportation contract increases in the*  
 21 *2008–09 or 2009–10 fiscal year resulting from fuel*  
 22 *and insurance costs. The Department of Finance shall*  
 23 *act within 30 days of receiving justification from the*  
 24 *SDE for the increased costs.*

25  
 26 *SEC. 413. Item 6110-166-0001 of Section 2.00 of the Budget*  
 27 *Act of 2009 is amended to read:*

28  
 29 6110-166-0001—For local assistance, Department of Education  
 30 (Proposition 98), for transfer to Section A of the State  
 31 School Fund for purposes of Article 5 (commencing with  
 32 Section 54690) of Chapter 9 of Part 29 of Division 4 of  
 33 Title 2 of the Education Code, Partnership Academies  
 34 Program..... 23,490,000  
 35 Schedule:  
 36 (1) 10.70.070.001-California Partnership  
 37 Academies..... 23,490,000  
 38 (2) 10.70.070.002-“Green” California Part-  
 39 nership Academies..... 4,000,000  
 40 4,438,000

1 (3) Reimbursements..... -4,000,000  
 2 -4,438,000

3 Provisions:

- 4 1. If there are any funds in this item that are not allocated  
 5 for planning or operational grants, the State Depart-  
 6 ment of Education may allocate those remaining funds  
 7 as one-time grants to state-funded partnership  
 8 academies to be used for one-time purposes.  
 9 2. The State Department of Education shall not authorize  
 10 new partnership academies without the approval of  
 11 the Department of Finance and 30-day notification to  
 12 the Joint Legislative Budget Committee.  
 13 3. Notwithstanding Provisions 1 and 2, the funds appro-  
 14 priated in Schedule (2) shall be available consistent  
 15 with Article 5 (commencing with Section 54690) of  
 16 Chapter 9 of Part 29 of Division 4 of Title 2 of the  
 17 Education Code and pursuant to ~~legislation enacted in~~  
 18 ~~the 2008-09 Regular Session Chapter 757 of the~~  
 19 ~~Statutes of 2008.~~  
 20 4. *Of the funds appropriated in Schedule (2), \$438,000*  
 21 *in reimbursements is provided on a one-time basis to*  
 22 *support “Green” Partnership Academies.*  
 23

24 *SEC. 414. Item 6110-166-0890 of Section 2.00 of the Budget*  
 25 *Act of 2009 is amended to read:*

27 6110-166-0890—For local assistance, Department of Education,  
 28 Program 10.70-Vocational Education, payable from the  
 29 Federal Trust Fund..... ~~128,813,000~~  
 30 *139,597,000*

31 Provisions:

- 32 1. The funds appropriated in this item include federal  
 33 Carl D. Perkins Career and Technical Education Act  
 34 of 2006 funds for the current fiscal year to be trans-  
 35 ferred to the community colleges by means of intera-  
 36 gency agreements for the purpose of funding career  
 37 technical education programs in community colleges.  
 38 2. The State Board of Education and the Board of Govern-  
 39 nors of the California Community Colleges shall target  
 40 funds appropriated by this item to provide services to

- 1 persons participating in welfare-to-work activities
- 2 under the CalWORKs program.
- 3 3. The Superintendent of Public Instruction shall report,
- 4 not later than February 1 of each year, to the Joint
- 5 Legislative Budget Committee and the Director of Fi-
- 6 nance, describing the amount of carryover funds from
- 7 this item, reasons for the carryover, and plans to reduce
- 8 the amount of carryover.
- 9 4. *Of the funds appropriated in this item, \$10,784,000 is*
- 10 *provided from one-time carryover funds for vocational*
- 11 *education programs.*

13 *SEC. 415. Item 6110-167-0001 of Section 2.00 of the Budget*  
 14 *Act of 2009 is amended to read:*

16 6110-167-0001—For local assistance, Department of Education  
 17 (Proposition 98), for transfer to Section A of the State  
 18 School Fund, Program 10.70-Agricultural Career Technical  
 19 Education Incentive Program established pursuant to Arti-  
 20 cle 7.5 (commencing with Section 52460) of Chapter 9 of  
 21 Part 28 of Division 4 of Title 2 of the Education Code..... ~~5,158,000~~  
 22 ~~5,157,000~~

- 23 Provisions:
- 24 1. As a condition of receiving funds appropriated in this
  - 25 item, a school district shall certify to the Superinten-
  - 26 dent of Public Instruction both of the following:
  - 27 (a) Agricultural Career Technical Education Incentive
  - 28 Program funds shall be expended for the items
  - 29 identified in its application, except that, in items
  - 30 of expenditure classification 4000, only the total
  - 31 cost of expenses shall be required and itemization
  - 32 shall not be required.
  - 33 (b) The school district shall provide at least 50 per-
  - 34 cent of the cost of the items and costs from expen-
  - 35 diture classification 4000, as identified in its ap-
  - 36 plication, from other funding sources. This provi-
  - 37 sion does not limit the authority of the Superinten-
  - 38 dent of Public Instruction to waive the local
  - 39 matching requirement established by subdivision
  - 40 (b) of Section 52461.5 of the Education Code.



- 1 Provisions:
- 2 1. Of the funds appropriated in this item, \$0 is for the
- 3 purpose of a cost-of-living adjustment.
- 4 2. The funds appropriated in this item reflect a reduction
- 5 to the base funding of ~~0.3~~ 0.32 percent for a statewide
- 6 decline in average daily attendance.
- 7 3. As a part of the support system authorized by para-
- 8 graph (5) of subdivision (a) of Section 51871 of the
- 9 Education Code, the California Technology Assistance
- 10 Project regional consortia shall assist school districts
- 11 in using pupil achievement data to inform instruction
- 12 and improve pupil learning. The regional consortia
- 13 shall also support the identification and dissemination
- 14 of best practices in the area of data-driven instructional
- 15 improvement.

16

17 *SEC. 418. Item 6110-181-0140 of Section 2.00 of the Budget*

18 *Act of 2009 is amended to read:*

19

20 6110-181-0140—For local assistance, Department of Education,

21 ~~Program 20.10-Instructional Support~~, payable from the

22 California Environmental License Plate Fund, for purposes

23 of Section 21190 of the Public Resources Code..... 360,000

24 Schedule:

25 (1) 20.10.055-Environmental Education..... 548,000

26 (2) Reimbursements..... -188,000

27

28 *SEC. 419. Item 6110-182-0001 of Section 2.00 of the Budget*

29 *Act of 2009 is amended to read:*

30

31 6110-182-0001—For local assistance, Department of Education

32 (Proposition 98), Program 20.20.030-K-12 High-Speed

33 Network..... 10,404,000

34 Provisions:

35 1. Expenditure authority of no greater than \$15,600,000

36 is provided for the K-12 High-Speed Network.

37 (a) Of the amount authorized for expenditure in this

38 provision, \$1,300,000 of unexpended cash re-

39 serves from the following appropriations are

40 available to continue management and operation

1 of the network during the ~~2008–09~~ 2009–10 fiscal  
 2 year: Item 6440-001-0001, Schedule (a), Provision  
 3 44 of Chapter 52; *of the Statutes of 2000*; Item  
 4 6440-001-0001, Schedule (1), Provision 24 of  
 5 Chapter 106; *of the Statutes of 2001*; Item 6440-  
 6 001-0001, Schedule (1), Provision 24 of Chapter  
 7 379; *of the Statutes of 2002*; Item 6440-001-0001,  
 8 Schedule (1), Provision 22 of Chapter 157; *of the*  
 9 *Statutes of 2003*; and Item 6110-182-0001,  
 10 Chapter 208; *of the Statutes of 2004*.

11 (b) Of the amount authorized for expenditure in this  
 12 provision, \$4,600,000 shall be funded by E-rate  
 13 and California Teleconnect Fund moneys. The  
 14 lead educational agency or the Corporation for  
 15 Education Network Initiatives in California  
 16 (CENIC), or both, shall submit quarterly reports  
 17 to the Department of Finance and the Legislature  
 18 on funds received from E-rate and the California  
 19 Teleconnect Fund.

20 (c) For the ~~2008–09~~ 2009–10 fiscal year, all major  
 21 subcontracts of the K–12 High-Speed Network  
 22 program shall be excluded from both the eligible  
 23 program costs on which indirect costs are charged  
 24 and from the calculation of the indirect cost rate  
 25 based on that year’s data. For purposes of this  
 26 provision, a major subcontract is defined as a  
 27 subcontract for services in an amount in excess  
 28 of \$25,000.

29  
 30 *SEC. 420. Item 6110-183-0890 of Section 2.00 of the Budget*  
 31 *Act of 2009 is amended to read:*

32  
 33 6110-183-0890—For local assistance, Department of Education,  
 34 Program 20.10.045-Safe and Drug Free Schools and  
 35 Communities Act (Part A of Title IV of P.L. 107-110),  
 36 payable from the Federal Trust Fund..... 26,931,000  
 37 29,231,000

- 38 Provisions:  
 39 1. Local educational agencies shall give priority in the  
 40 expenditure of the funds appropriated in this item to

1 create comprehensive drug and violence prevention  
 2 programs that promote school safety, reduce the use  
 3 of drugs, and create learning environments that are  
 4 free of alcohol and guns and that support academic  
 5 achievement for all pupils. In addition to preventing  
 6 drug and alcohol use, prevention programs will re-  
 7 spond to the crisis of violence in our schools by ad-  
 8 dressing the need to prevent serious crime, violence,  
 9 and discipline problems. The Superintendent of Public  
 10 Instruction shall (a) notify local educational agencies  
 11 of this policy and (b) incorporate the policy into the  
 12 State Department of Education’s compliance review  
 13 procedures.

14 2. *Of the funds appropriated in this item, \$2,300,000 is*  
 15 *provided from one-time carryover funds for the Safe*  
 16 *and Drug Free Schools Program.*

17  
 18 *SEC. 421. Item 6110-189-0001 of Section 2.00 of the Budget*  
 19 *Act of 2009 is amended to read:*

20  
 21 6110-189-0001—For local assistance, Department of Education  
 22 (Proposition 98), Program 20.20.020.005-Instructional  
 23 Support, for transfer to State Instructional Materials Fund  
 24 pursuant to Article 3 (commencing with Section 60240)  
 25 of Chapter 2 of Part 33 of Division 4 of Title 2 of the Ed-  
 26 ucation Code (Instructional Materials Block Grant)..... 416,338,000  
 27 416,254,000

28 Provisions:

- 29 1. The funds in this item shall be allocated to school
- 30 districts to purchase standards-aligned instructional
- 31 materials.
- 32 2. Of the funds appropriated in this item, \$0 is provided
- 33 for the purpose of a cost-of-living adjustment.
- 34 3. The funds appropriated in this item reflect a reduction
- 35 to the base funding of ~~0.3~~ 0.32 percent for a statewide
- 36 decline in average daily attendance.

37  
 38 *SEC. 422. Item 6110-193-0001 of Section 2.00 of the Budget*  
 39 *Act of 2009 is amended to read:*

1 6110-193-0001—For local assistance, State Department of  
 2 Education (Proposition 98), for transfer to Section A of  
 3 the State School Fund, Program 20.60-Staff Develop-  
 4 ment..... 32,387,000  
 5 32,380,000

6 Schedule:

7 (1) 20.60.070-Instructional Support: Bilin-  
 8 gual Teacher Training Assistance Pro-  
 9 gram..... 2,132,000  
 10 2,131,000  
 11 (2) 20.60.060-Instructional Support:  
 12 Teacher Peer Review..... 29,854,000  
 13 29,848,000  
 14 (3) 20.60.110-Instructional Support: Improv-  
 15 ing School Effectiveness-Reader Ser-  
 16 vices for Blind Teachers..... 401,000

17 Provisions:

- 18 1. The amount appropriated in Schedule (1) shall be allo-  
 19 cated for the purposes of the Bilingual Teacher  
 20 Training Assistance Program established by Article 4  
 21 (commencing with Section 52180) of Chapter 7 of  
 22 Part 28 of Division 4 of Title 2 of the Education Code.  
 23 2. Of the funds appropriated in Schedule (1), \$0 is for  
 24 the purpose of providing a cost-of-living adjustment.  
 25 3. The funds appropriated in Schedule (2) shall be allo-  
 26 cated in accordance with Article 4.5 (commencing  
 27 with Section 44500) of Chapter 3 of Part 25 of Divi-  
 28 sion 3 of Title 2 of the Education Code. If the funds  
 29 are insufficient to fully fund growth in this program,  
 30 the State Department of Education may adjust the per-  
 31 participant rate to conform to available funds. Funds  
 32 appropriated in Schedule (2) include \$0 for the purpose  
 33 of providing a cost-of-living adjustment.  
 34 4. The amount appropriated in Schedule (3) shall be allo-  
 35 cated for the purposes of the Reader Services for Blind  
 36 Teachers Program, for transfer to the Reader Employ-  
 37 ment Fund established by Section 45371 of the Educa-  
 38 tion Code for the purposes of Section 44925 of the  
 39 Education Code.

- 1 5. Of the funds appropriated in Schedule (3), \$0 is for
- 2 the purpose of providing a cost-of-living adjustment.
- 3 6. The funds appropriated in this item reflect a reduction
- 4 to the base funding of ~~0.3~~ 0.32 percent for a statewide
- 5 decline in average daily attendance.
- 6

7 *SEC. 423. Item 6110-193-0890 of Section 2.00 of the Budget*  
 8 *Act of 2009 is amended to read:*

10 6110-193-0890—For local assistance, Department of Education,  
 11 Program 20.60-Instructional Support, Part B of Title II of  
 12 the Elementary and Secondary Education Act (Mathemat-  
 13 ics and Science Partnership Grants) payable from the  
 14 Federal Trust Fund..... 21,304,000  
 15 27,865,000

- 16 *Provisions:*
- 17 1. *Of the funds appropriated in this item, \$6,561,000 is*
  - 18 *provided in one-time carryover funds to support the*
  - 19 *California Mathematics and Science Partnership grant*
  - 20 *program.*

22 *SEC. 424. Item 6110-195-0890 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*

25 6110-195-0890—For local assistance, Department of Education,  
 26 Program 20.60-Instructional Support, Part A of Title II of  
 27 the Elementary and Secondary Education Act (Teacher  
 28 and Principal Training and Recruiting Fund), payable from  
 29 the Federal Trust Fund..... 316,836,000

30 *Schedule:*

- 31 (1) 20.60.280-Improving Teacher Quality
- 32 Local Grants..... 310,932,000
- 33 (2) 20.60.270-Administrator Training Pro-
- 34 gram..... 1,554,000
- 35 (3) 20.60.190.300-California Subject Matter
- 36 Projects..... 4,350,000

- 37 *Provisions:*
- 38 1. The funds appropriated in Schedule (2) shall be for
  - 39 the Administrator Training Program authorized pur-
  - 40 suant to Article 4.6 (commencing with Section 44510)

- 1 of Chapter 3 of Part 25 of Division 3 of Title 2 of the
- 2 Education Code.
- 3 2. The funds appropriated in Schedule (3) shall be for
- 4 transfer to the University of California, which shall
- 5 use the funds for the Subject Matter Projects pursuant
- 6 to Article 1 (commencing with Section 99200) of
- 7 Chapter 5 of Part 65 of Division 14 of Title 3 of the
- 8 Education Code.
- 9 3. *Of the funds appropriated in Schedule (2), up to*
- 10 *\$500,000 may be used to provide professional devel-*
- 11 *opment for private school teachers and administrators*
- 12 *in accordance with federal law. By October 15, 2010,*
- 13 *the State Department of Education shall submit to the*
- 14 *appropriate budget and policy committees of the Leg-*
- 15 *islature, the Legislative Analyst’s Office, and the De-*
- 16 *partment of Finance a report of the number of private*
- 17 *school teachers and administrators served under this*
- 18 *provision and the type of professional development*
- 19 *provided.*

20

21 *SEC. 425. Item 6110-196-0001 of Section 2.00 of the Budget*

22 *Act of 2009 is amended to read:*

23

24 6110-196-0001—For local assistance, Department of Educa-

25 tion (Proposition 98), for transfer by the Controller to

26 Section A of the State School Fund, for allocation by

27 the Superintendent of Public Instruction to school dis-

28 tricts, county offices of education, and other agencies

29 for the purposes of Proposition 98 educational programs

30 funded in this item, in lieu of the amount that otherwise

31 would be appropriated pursuant to any other statute..... ~~1,928,645,000~~

32 *1,827,110,000*

33 Schedule:

- 34 (1) 30.10.010-Special Program, Child De-
- 35 velopment, Preschool Education..... 429,376,000
- 36 *373,378,000*
- 37 (1.5) 30.10.020-Child Care Services..... 2,027,364,000
- 38 *2,004,687,000*

1	(a)	30.10.020.001-Spe-	
2		cial Program, Child	
3		Development, Gen-	
4		eral Child Develop-	
5		ment Programs.....	779,669,000
6			779,849,000
7	(c)	30.10.020.004-Spe-	
8		cial Program, Child	
9		Development, Mi-	
10		grant Day Care.....	36,246,000
11	(d)	30.10.020.007-Spe-	
12		cial Program, Child	
13		Development, Alter-	
14		native Payment Pro-	
15		gram.....	258,811,000
16	(e)	30.10.020.011-Spe-	
17		cial Program, Child	
18		Development, Alter-	
19		native Payment Pro-	
20		gram—Stage 2.....	427,868,000
21			439,620,000
22	(f)	30.10.020.012-Spe-	
23		cial Program, Child	
24		Development, Alter-	
25		native Payment Pro-	
26		gram—Stage 3 Seta-	
27		side.....	389,429,000
28			393,373,000
29	(g)	30.10.020.008-Spe-	
30		cial Program, Child	
31		Development, Re-	
32		source and Refer-	
33		ral.....	19,438,000
34	(i)	30.10.020.015-Spe-	
35		cial Program, Child	
36		Development, Extend-	
37		ed Day Care.....	31,801,000
38			5,000,000

1	(j) 30.10.020.096-Special		
2	Program, Child Development, Allowance for		
3	Handicapped.....	2,011,000	
4			
5	(k) 30.10.020.106-Special		
6	Program, Child Development, California		
7	Child Care Initiative.....	250,000	
8			
9			
10	(l) 30.10.020.901-Special		
11	Program, Child Development, Quality		
12	Improvement.....	<del>63,304,000</del>	
13		51,552,000	
14			
15	(m) 30.10.020.911-Special		
16	Program, Child Development, Centralized		
17	Eligibility List.....	7,900,000	
18			
19	(n) 30.10.020.920-Special		
20	Program, Child Development, Local Planning		
21	Councils.....	6,637,000	
22			
23	(o) 30.10.020.014-Special		
24	Program, Child Development, Accounts		
25	Payable.....	4,000,000	
26			
27	(3) 30.10.020.908-Special Program, Child		
28	Development, Cost-of-Living Adjustments.....		0
29			
30	(4) 30.10.020.909-Special Program, Child		
31	Development, Growth Adjustments.....	<del>18,916,000</del>	
32			0
33	(5) Amount payable from the Federal		
34	Trust Fund (Item 6110-196-0890).....	<del>-547,011,000</del>	
35		-550,955,000	

Provisions:

- 37 1. (a) Notwithstanding any other provision of law, alternative payment child care programs shall be subject to the rate ceilings established in the Regional
- 38 Market Rate Survey of California child care and
- 39
- 40

1 development providers for provider payments.  
 2 When approved pursuant to Section 8447 of the  
 3 Education Code, any changes to the market rate  
 4 limits, adjustment factors or regions shall be uti-  
 5 lized by the State Department of Education and  
 6 the State Department of Social Services in various  
 7 programs under the jurisdiction of either depart-  
 8 ment.

9 (b) Notwithstanding any other provision of law, the  
 10 funds appropriated in this item for the cost of li-  
 11 censed child care services provided through alter-  
 12 native payment or voucher programs including  
 13 those provided under Article 3 (commencing with  
 14 Section 8220) and Article 15.5 (commencing with  
 15 Section 8350) of Chapter 2 of Part 6 of Division  
 16 1 of Title 1 of the Education Code shall be used  
 17 only to reimburse child care costs up to the ~~75th~~  
 18 *85th* percentile of the rates charged by providers  
 19 offering the same type of child care for the same  
 20 age child in that region ~~effective July 1, 2009,~~  
 21 based on the ~~2007 2005~~ Regional Market Rate  
 22 Survey data.

23 2. Of the amount appropriated in Schedule (1),  
 24 \$50,000,000 is available for ~~Prekindergarten~~  
 25 *prekindergarten* and ~~Family Literacy~~ *family literacy*  
 26 preschool programs pursuant to Chapter 211 of the  
 27 Statutes of 2006. Of the amount appropriated in  
 28 Schedule (1), \$5,000,000 is available for the provision  
 29 of wraparound care to children enrolled in state  
 30 preschool programs. The Superintendent of Public  
 31 Instruction shall assign priority for these funds to  
 32 children enrolled in prekindergarten and family literacy  
 33 *preschool* programs authorized by Section 8238.4 of  
 34 the Education Code.

35 3. Funds in Schedule (1.5)(l) shall be reserved for activ-  
 36 ities to improve the quality and availability of child  
 37 care, pursuant to the following:

38 (a) ~~\$1,964,262~~ *\$1,930,629* is for the schoolage care  
 39 and resource and referral earmark.

- 1 (b) ~~\$11,062,664~~ ~~\$10,873,244~~ is for the infant and  
2 toddler earmark and shall be used for increasing  
3 the supply of quality child care for infants and  
4 toddlers.
- 5 (c) \$2,969,000 in one-time federal funding is avail-  
6 able for use in the 2009–10 fiscal year. ~~First pri-~~  
7 ~~ority shall be to fully fund Trustline workload as~~  
8 ~~determined by the Department of Social Services~~  
9 ~~in conjunction with the Department of Education.~~  
10 The remaining funds shall be used for child care  
11 and development quality expenditures identified  
12 by the State Department of Education (SDE) and  
13 approved by the Department of Finance.
- 14 (d) From the remaining funds in Schedule (1.5)(l),  
15 the following amounts shall be allocated for the  
16 following purposes: \$4,000,000 to train former  
17 CalWORKs recipients as child care teachers,  
18 ~~\$2,700,000~~ *for which administrative costs shall*  
19 *be minimized to allow for maximum enrollment,*  
20 *with priority for funding given to programs at*  
21 *community colleges that have demonstrated high*  
22 *completion rates; \$2,500,000 for training license-*  
23 *exempt child care providers, with priority given*  
24 *to participants serving subsidized children;*  
25 *\$8,000,000 for contracting with the State Depart-*  
26 *ment of Social Services (DSS) for increased in-*  
27 *spections of child care facilities; \$1,000,000 for*  
28 *Trustline registration workload (Chapter 3.35*  
29 *(commencing with Section 1596.60) of Division*  
30 *2 of the Health and Safety Code); \$500,000 for*  
31 *health and safety training for licensed and exempt*  
32 *child care providers; \$300,000 for the Health*  
33 *Hotline; and \$300,000 to implement a technical*  
34 *assistance program to child care providers in ac-*  
35 *cessing financing for renovation, expansion, or*  
36 *construction of child care facilities. *Of the**  
37 *amounts specified in this provision, first priority*  
38 *shall be to fully fund Trustline registration work-*  
39 *load as determined by the DSS in conjunction*  
40 *with the SDE.*

- 1       4. Of the amount appropriated in Schedule (1.5)(I),  
2       \$15,000,000 shall be for child care worker recruitment  
3       and retention programs pursuant to Section 8279.7 of  
4       the Education Code, and \$320,000 shall be for the  
5       Child Development Training Consortium.
- 6       5. (a) The State Department of Education (SDE) shall  
7       conduct monthly analyses of CalWORKs Stage  
8       2 and Stage 3 caseloads and expenditures and  
9       adjust agency contract maximum reimbursement  
10       amounts and allocations as necessary to ensure  
11       funds are distributed proportionally to need. The  
12       SDE shall share monthly caseload analyses with  
13       the State Department of Social Services (DSS).
- 14       (b) The SDE shall provide quarterly information re-  
15       garding the sufficiency of funding for Stage 2 and  
16       Stage 3 to DSS. The SDE shall provide caseloads,  
17       expenditures, allocations, unit costs, family fees,  
18       and other key variables and assumptions used in  
19       determining the sufficiency of state allocations.  
20       Detailed backup by month and on a county-by-  
21       county basis shall be provided to the DSS at least  
22       on a quarterly basis for comparisons with Stage  
23       1 trends.
- 24       (c) By September 30 and March 30 of each year, the  
25       SDE shall ensure that detailed caseload and expen-  
26       diture data, through the most recent period for  
27       Stage 2 and Stage 3 Setaside along with all rele-  
28       vant assumptions, is provided to DSS to facilitate  
29       budget development. The detailed data provided  
30       shall include actual and projected monthly  
31       caseload from Stage 2 scheduled to time off of  
32       their transitional child care benefit from the last  
33       actual month reported by agencies through the  
34       next two fiscal years as well as local attrition ex-  
35       perience. DSS shall utilize data provided by the  
36       SDE, including key variables from the prior fiscal  
37       year and the first two months of the current fiscal  
38       year, to provide coordinated estimates in  
39       November of each year for each of the three stages  
40       of care for preparation of the Governor’s Budget,

- 1 and shall utilize data from at least the first two  
2 quarters of the current fiscal year, and any addi-  
3 tional monthly data as they become available for  
4 preparation of the May Revision. The DSS shall  
5 share its assumptions and methodology with the  
6 SDE in the preparation of the Governor’s Budget.
- 7 (d) The SDE shall coordinate with the DSS to identify  
8 annual general subsidized child care program ex-  
9 penditures for Temporary Assistance for Needy  
10 Families-eligible children. The SDE shall modify  
11 existing reporting forms as necessary to capture  
12 this data.
- 13 (e) The SDE shall provide to the DSS, upon request,  
14 access to the information and data elements nec-  
15 essary to comply with federal reporting require-  
16 ments and any other information deemed neces-  
17 sary to improve estimation of child care budgeting  
18 needs.
- 19 6. Notwithstanding any other provision of law, the funds  
20 in Schedule (1.5)(f) are reserved exclusively for con-  
21 tinuing child care for the following: (a) former Cal-  
22 WORKs families who are working, have left cash aid,  
23 and have exhausted their two-year eligibility for tran-  
24 sitional services in either Stage 1 or 2 pursuant to  
25 subdivision (c) of Section 8351 or Section 8353 of the  
26 Education Code, respectively, but still meet eligibility  
27 requirements for receipt of subsidized child care ser-  
28 vices, and (b) families who received lump-sum diver-  
29 sion payments or diversion services under Section  
30 11266.5 of the Welfare and Institutions Code and have  
31 spent two years in Stage 2 off of cash aid, but still  
32 meet eligibility requirements for receipt of subsidized  
33 child care services.
- 34 7. Nonfederal funds appropriated in this item which have  
35 been budgeted to meet the state’s Temporary Assis-  
36 tance for Needy Families maintenance-of-effort require-  
37 ment established pursuant to the federal Personal Re-  
38 sponsibility and Work Opportunity Reconciliation Act  
39 of 1996 (P.L. 104-193) may not be expended in any

- 1 way that would cause their disqualification as a feder-  
 2 ally allowable maintenance-of-effort expenditure.
- 3 8. (a) Notwithstanding any other provision of law, the  
 4 income eligibility limits pursuant to Section  
 5 8263.1 of the Education Code that were applicable  
 6 ~~to in effect for the 2007-08 and 2008-09 fiscal~~  
 7 ~~years year~~ shall remain in effect for the 2009-10  
 8 fiscal year.
- 9 (b) Notwithstanding any other provision of law, the  
 10 State Department of Social Services shall, in  
 11 consultation with the State Department of Educa-  
 12 tion, adjust the family fee schedule for child care  
 13 providers to reflect a state median income of  
 14 \$66,166 annually for a family of four. The fee  
 15 schedule shall retain a flat fee per family and be-  
 16 gin at income levels at which families currently  
 17 begin paying fees. The revised fee schedule shall  
 18 increase the lowest fees by \$2 per day and contin-  
 19 ue to increase fees on a sliding scale up to a  
 20 maximum of 10 percent of income at a lower point  
 21 in the income eligibility spectrum when compared  
 22 to the current schedule *family fee schedule that*  
 23 *was in effect for the 2007-08 and 2008-09 fiscal*  
 24 *years shall remain in effect for the 2009-10 fiscal*  
 25 *year, and shall retain a flat fee per family.*
- 26 (c) Notwithstanding any other provision of law, the  
 27 State Department of Social Services shall submit  
 28 the revised family fee schedule for approval by  
 29 the Department of Finance no later than 15 days  
 30 after enactment of the 2009 Budget Act. The De-  
 31 partment of Finance shall approve or revise the  
 32 fee schedule within 30 days of receipt and shall  
 33 notify the Department of Education of the ap-  
 34 proved fee schedule, which shall implement the  
 35 new fee schedule for the 2009-10 fiscal year  
 36 without delay.
- 37 9. Of the amounts provided in this item, \$0 is available  
 38 to provide a cost-of-living adjustment for Schedules  
 39 (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(g), (1.5)(i),  
 40 (1.5)(j), and (1.5)(n). The maximum standard reim-

- 1           bursement rate shall not exceed \$34.38 per day for  
2           general child care programs and \$21.22 per day for  
3           state preschool programs. Furthermore, the migrant  
4           child care and Cal-SAFE child care programs shall  
5           adhere to the maximum standard reimbursement rates  
6           as prescribed for the general child care programs. All  
7           other rates and adjustment factors shall conform.
- 8       10. Of the amounts provided in this item, ~~\$18,916,000~~ \$0  
9       is available to provide a growth adjustment for  
10      Schedules (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(i), and  
11      (1.5)(j).
- 12     11. Notwithstanding any other provision of law, the funds  
13      in Schedule (1.5)(m) are appropriated exclusively for  
14      developing and maintaining a centralized eligibility  
15      list in each county pursuant to Section 8227 of the  
16      Education Code. By November 1 of each year, the  
17      State Department of Education shall provide a status  
18      report on implementing eligibility lists in each county,  
19      which shall include, but is not limited to, the cost of  
20      implementation and operation of the eligibility lists in  
21      each county, and number of children and families on  
22      the list for each county.
- 23     12. Notwithstanding Section 8278.3 of the Education Code  
24      or any other provision of law, up to \$5,000,000 of the  
25      Child Care Facilities Revolving Fund balance may be  
26      allocated for use on a one-time basis for renovations  
27      and repairs to meet health and safety standards, to  
28      comply with the federal Americans with Disabilities  
29      Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and to  
30      perform emergency repairs, that were the result of an  
31      unforeseen event and are necessary to maintain contin-  
32      ued normal operation of the child care and develop-  
33      ment program. These funds shall be made available  
34      to school districts and contracting agencies that provide  
35      subsidized center-based services pursuant to the Child  
36      Care and Development Services Act (Chapter 2  
37      (commencing with Section 8200) of Part 6 of Division  
38      1 of Title 1 of the Education Code).
- 39     13. (a) The State Department of Education (*SDE*) shall  
40      collect the following information *through the use*

1 *of consultant services, based on consultation with*  
 2 *the State Department of Social Services regarding*  
 3 *the selection of the data to be collected. The SDE*  
 4 *shall require the contractor to coordinate with*  
 5 *the Alternative Payment Monitoring Unit to vali-*  
 6 *date the findings of the survey for those data ele-*  
 7 *ments that can be collected during the course of*  
 8 *regularly scheduled compliance reviews of center-*  
 9 *based child care and alternative payment providers*  
 10 ~~*based on consultation with the Department of*~~  
 11 ~~*Social Services regarding the selection of the data*~~  
 12 ~~*to be collected, to the extent practicable:*~~

13 (1) Profiles of the subsidized population, disag-  
 14 gregated for each major program, *including,*  
 15 *but not limited to, half-day State Preschool,*  
 16 *General Child Care, Alternative Payment*  
 17 *Programs, and CalWORKs Child Care, suf-*  
 18 *ficient to determine both the numbers and*  
 19 *ages of children and proportion of subsidized*  
 20 *children and families by type of subsidized*  
 21 *care (e.g., family child care homes, centers,*  
 22 *license-exempt providers); by family income*  
 23 *and family size; the numbers and proportions*  
 24 *of children utilizing more than one type of*  
 25 *subsidized child care; the work status of par-*  
 26 *ents of children receiving subsidized child*  
 27 *care; the numbers and proportions of children*  
 28 *in full-time care and in part-time care; the*  
 29 *ages of children at time of entry into a subsi-*  
 30 *dized child care program; and the numbers*  
 31 *and proportions of foster children receiving*  
 32 *subsidized child care.*

33 (2) For each major program, *as specified in*  
 34 *paragraph (1), quantify the family fees col-*  
 35 ~~*lected, quantify estimate*~~ *the family co-pay-*  
 36 ~~*ments copayments*~~ *collected, provide the*  
 37 *number and proportion of children and fami-*  
 38 *lies paying family fees, estimate the number*  
 39 *and proportion of children and families pay-*  
 40 ~~*ing co-payments, subject to copayments and*~~

- 1 the number of children and families exempted  
2 from family fees ~~per~~ *by income category by*  
3 *level and family size*. In addition, identify  
4 and classify the reasons for fee exemptions.
- 5 (3) Within and across all major programs, *as*  
6 *specified in paragraph (1)*, determine the  
7 monthly rates of attrition of families. Also,  
8 for each program determine the number and  
9 percentage of families receiving child care  
10 ~~due to the following reasons:~~ *by category of*  
11 *eligibility and need pursuant to subdivision*  
12 *(a) of Section 8263 of the Education, Code,*  
13 *including, but not limited to,* child protective  
14 services, foster care, seeking work, working,  
15 or in training programs leading to work, and  
16 the relative distribution of families entering  
17 the system by family income and size.
- 18 (4) For each alternative payment-based program,  
19 determine the incidence, relative proportion,  
20 and dollar magnitude of actual care payments  
21 per child and family that are in excess of or  
22 below the current mean-market rates. Classify  
23 the occurrences in percentage increments  
24 from the mean-market rate.
- 25 (b) The data shall be provided to the *State* Department  
26 of Social Services, the Department of Finance,  
27 and the Legislative Analyst no later than  
28 September 1, 2010.
- 29 14. *The funds appropriated in Schedule (1.5)(i),*  
30 *30.10.020.015 for Extended Day Care, shall be avail-*  
31 *able to provide services until August 31, 2009. It is*  
32 *the intent of the Legislature that any child who may*  
33 *be displaced as a result of this program's becoming*  
34 *inoperative be provided services under the state's*  
35 *subsidized child care, After School Education and*  
36 *Safety Program, or both.*
- 37 15. *Notwithstanding any other provision of law, funds in*  
38 *Schedule (1.5)(o) are available for accounts payable*  
39 *for non-CalWORKs child care programs and to reim-*  
40 *burse non-CalWORKs alternative payment programs*

1 for actual and allowable costs incurred for additional  
2 services, pursuant to Section 8222.1 of the Education  
3 Code. The State Department of Education shall give  
4 priority for the allocation of these funds for accounts  
5 payable.  
6

7 SEC. 426. Item 6110-196-0890 of Section 2.00 of the Budget  
8 Act of 2009 is amended to read:

10	6110-196-0890—For local assistance, Department of Education,	
11	payable from the Federal Trust Fund.....	547,011,000
12		550,955,000

13 Provisions:

- 14 1. Notwithstanding any other provision of law, the funds
- 15 appropriated in this item, to the extent permissible
- 16 under federal law, are subject to Section 8262 of the
- 17 Education Code.
- 18 2. Of the funds appropriated in this item, \$10,000,000 is
- 19 from the transfer of funds, pursuant to Item 5180-402,
- 20 from the federal Temporary Assistance for Needy
- 21 Families (TANF) Block Grant administered by the
- 22 State Department of Social Services to the federal
- 23 Child Care and Development Block Grant for Stage
- 24 2 child care.
- 25 4. Of the funds appropriated in this item, \$2,969,000 is
- 26 available on a one-time basis for quality projects from
- 27 federal Child Care and Development Block Grant
- 28 funds appropriated prior to the 2009 federal fiscal year.
- 29 5. Of the funds appropriated in this item, ~~\$19,293,000~~
- 30 \$27,423,000 is available on a one-time basis for Cal-
- 31 WORKs Stage 3 child care from federal Child Care
- 32 and Development Block Grant funds appropriated
- 33 prior to the 2009 federal fiscal year.
- 34

35 SEC. 427. Item 6110-197-0890 of Section 2.00 of the Budget  
36 Act of 2009 is amended to read:

1 6110-197-0890—For local assistance, Department of Education,  
 2 payable from the Federal Trust Fund, 21st Century Com-  
 3 munity Learning Centers Program..... ~~129,371,000~~  
 4 *169,371,000*

5 Schedule:

6 (1) 30.10.080-Special Program, Child De-  
 7 velopment, 21st Century Community  
 8 Learning Centers Program..... ~~129,371,000~~  
 9 *169,371,000*

10 Provisions:

- 11 1. The State Department of Education shall provide an  
 12 annual report to the Legislature and Department of  
 13 Finance by November 1 of each year that identifies  
 14 by cohort for the previous fiscal year each high school  
 15 program funded, the amount of the annual grant and  
 16 actual funds expended, the numbers of pupils served  
 17 and planned to be served, and the average cost per  
 18 pupil per day. If the average cost per pupil per day  
 19 exceeds \$10 per day, the department shall provide  
 20 specific reasons why the costs are justified and cannot  
 21 be reduced. In calculating cost per pupil per day, the  
 22 department shall not count attendance unless the pupil  
 23 is under the direct supervision of after school program  
 24 staff funded through the grant. Additionally, the depart-  
 25 ment shall calculate cost per day on the basis of the  
 26 equivalent of a three-hour day for 180 days per school  
 27 year. The department shall also identify for each pro-  
 28 gram, as applicable, if the attendance of pupils is re-  
 29 stricted to any particular subgroup of pupils at the  
 30 school in which the program is located. If such restric-  
 31 tions exist, the department shall provide an explanation  
 32 of the circumstances and necessity therefor.
- 33 2. *Of the funding provided in this item, \$40,000,000 is*  
 34 *available from one-time carryover funds from prior*  
 35 *years.*
- 36 3. *The State Department of Education shall, by March*  
 37 *1, 2010, provide a report to the Department of Finance*  
 38 *and the Legislative Analyst’s Office that includes, al-*  
 39 *location and expenditure data for all programs funded*

1 in this item in the past three years, the reasons for  
2 carryover, and the planned uses of carryover funds.

3  
4 SEC. 428. Item 6110-198-0001 of Section 2.00 of the Budget  
5 Act of 2009 is amended to read:

6  
7 6110-198-0001—For local assistance, Department of Education  
8 (Proposition 98), for transfer by the Controller to Section  
9 A of the State School Fund, for allocation to school dis-  
10 tricts and county offices of education, in lieu of the amount  
11 that otherwise would be appropriated pursuant to statute.... 57,917,000  
12 57,905,000

13 Schedule:

- 14 (1) 20.60.220-Cal-SAFE Academic and  
15 Supportive Services..... 19,804,000  
16 19,800,000
- 17 (2) 20.60.221-All Services for Non-convert-  
18 ing Pregnant Minors Programs..... 13,330,000  
19 13,327,000
- 20 (3) 30.10.020-Cal-SAFE Child Care..... 24,783,000  
21 24,778,000

22 Provisions:

- 23 1. The amounts appropriated in Schedules (1), (2), and  
24 (3) are based on estimates of the amounts required by  
25 existing programs for operation of Cal-SAFE programs  
26 in the current year. By October 31 of each year, the  
27 State Department of Education (SDE) shall submit to  
28 the Department of Finance current expenditure data  
29 for both the prior fiscal year and the current year  
30 showing each agency’s allocation and supporting detail  
31 including average daily attendance and child care at-  
32 tendance and enrollment data. The SDE shall also  
33 provide estimates of average daily attendance and child  
34 care to be provided in the budget year.
- 35 2. Funds appropriated in Schedule (2) are available to  
36 provide funding for all child care, as well as both  
37 academic and supportive services for programs  
38 choosing to retain their Pregnant Minors Program  
39 revenue limit. Notwithstanding any other provision of  
40 law, the State Department of Education shall compute

- 1 allocations to these agencies using the respective
- 2 agencies' 1998–99 Pregnant Minors Program revenue
- 3 limits. Further, notwithstanding any other provision
- 4 of law, programs which choose to retain their Pregnant
- 5 Minors Program revenue limit rather than convert to
- 6 the Cal-SAFE revenue limit must provide child care
- 7 within the revenue limit funding for children of pupils
- 8 comprising base year average daily attendance.
- 9 3. Of the funds appropriated in this item, \$0 is for the
- 10 purpose of providing a cost-of-living adjustment.
- 11 4. The funds appropriated in this item reflect a reduction
- 12 to the base funding of ~~0.3~~ 0.32 percent for a statewide
- 13 decline in average daily attendance. No funds may be
- 14 allocated for the addition of new Cal-SAFE agencies
- 15 unless an existing grantee ceases providing services.
- 16 Any allocations for new agencies shall be limited to
- 17 the amount previously allocated to the agency with-
- 18 drawing services; however, in no case shall allocations
- 19 for authorized agencies exceed the amount appropriat-
- 20 ed in this item.
- 21 5. Notwithstanding Section 26.00, the State Department
- 22 of Education may transfer expenditure authority be-
- 23 tween Schedule (1) Cal-SAFE Academic and Support-
- 24 tive Services and Schedule (2) All Services for Noncon-
- 25 verting Pregnant Minors Programs, to accurately re-
- 26 flect expenditures in these programs, upon approval
- 27 of the Department of Finance and notification of the
- 28 Legislature.
- 29 6. In the event that funding in this item is insufficient to
- 30 serve all eligible pupils, the State Department of Edu-
- 31 cation shall prorate the amounts in Schedules (1) and
- 32 (2).

33  
 34 *SEC. 429. Item 6110-198-0890 is added to Section 2.00 of the*  
 35 *Budget Act of 2009, to read:*  
 36

37 *6110-198-0890—For local assistance, Department of Education,*  
 38 *American Recovery and Reinvestment Act (P.L. 111-5),*  
 39 *payable from the Federal Trust Fund..... 110,137,000*

1        *Schedule:*

2        (2) 30.10.020.001-Special Program, Child

3            *Development, General Child Develop-*

4            *ment Programs.....*        17,347,000

5        (2.4) 30.10.020.004-Special Program, Child

6            *Development, Migrant Day Care.....*        3,087,000

7        (3) 30.10.020.007-Special Program, Child

8            *Development, Alternative Payment Pro-*

9            *gram.....*        15,743,000

10        (3.5) 30.10.020.011-Special Program, Child

11            *Development, Alternative Payment*

12            *Program-Stage 2.....*        36,272,000

13        (3.6) 30.10.020.012-Special Program, Child

14            *Development, Alternative Payment*

15            *Program-Stage 3.....*        18,905,000

16        (4) 30.10.020.901-Special Program, Child

17            *Development, Quality Improvement.....*        18,783,000

- 18        *Provisions:*
- 19        1. *Of the funds appropriated in Schedule (4), \$5,273,000*
- 20            *is for activities to improve the quality of child care for*
- 21            *infants and toddlers and \$1,758,000 is for the improve-*
- 22            *ment of the quality of care for children from birth to*
- 23            *five years of age, as identified by the State Department*
- 24            *of Education and approved by the Department of Fi-*
- 25            *nance.*
- 26        2. *The State Department of Education shall ensure that*
- 27            *provider contracts include provisions that advise*
- 28            *families receiving services with American Recovery*
- 29            *and Reinvestment Act funds in General Child Care,*
- 30            *Migrant Day Care, and Alternative Payment programs*
- 31            *that they will cease to receive services when these*
- 32            *funds are exhausted, unless they can be accommodated*
- 33            *through attrition in capped programs funded with*
- 34            *Proposition 98 General Fund funds, federal base Child*
- 35            *Care and Development Block Grant funds, or both.*

37        *SEC. 430. Item 6110-201-0890 of Section 2.00 of the Budget*

38        *Act of 2009 is amended to read:*

1 6110-201-0890—For local assistance, Department of Educa-  
 2 tion, Program 30.20-Child Nutrition, payable from the  
 3 Federal Trust Fund..... 1,757,891,000  
 4 2,034,917,000

5 Schedule:

6 (1) 30.20.010-Child Nutrition Pro-  
 7 grams..... 1,725,441,000  
 8 2,002,467,000  
 9 (2) 30.20.040-Summer Food Service Pro-  
 10 gram..... 32,450,000

11 Provisions:

12 1. Of the amount appropriated in Schedule (1),  
 13 \$3,989,000 is provided from one-time federal funds  
 14 for Fresh Fruit and Vegetable Program grants to local  
 15 educational agencies.

16  
 17 *SEC. 431. Item 6110-202-0001 of Section 2.00 of the Budget*  
 18 *Act of 2009 is amended to read:*

19  
 20 6110-202-0001—For local assistance, Department of Education,  
 21 Program 30.20.010-Child Nutrition Programs..... 11,075,000

22 Provisions:

23 1. Funds appropriated are for child nutrition programs  
 24 pursuant to Section 41311 of the Education Code.  
 25 Claims for reimbursement of meals pursuant to this  
 26 appropriation shall be submitted no later than  
 27 September 30, ~~2009~~ 2010, to be eligible for reimburse-  
 28 ment.  
 29 2. Funds appropriated shall be available for allocation in  
 30 accordance with Section 49536 of the Education Code,  
 31 except that the allocation shall not be made based on  
 32 all meals served, but based on the number of meals  
 33 that are served and that qualify as free or reduced-price  
 34 meals in accordance with Sections 49501, 49550, and  
 35 49552 of the Education Code.  
 36 3. Of the funds appropriated in this item, \$0 is for the  
 37 purpose of providing a cost-of-living adjustment.  
 38 4. Of the funds appropriated in this item, \$195,000 is for  
 39 the purpose of providing a growth adjustment due to  
 40 an increase in the projected number of meals served.

1  
2 SEC. 432. Item 6110-203-0001 of Section 2.00 of the Budget  
3 Act of 2009 is amended to read:

4  
5 6110-203-0001—For local assistance, Department of Education  
6 (Proposition 98), for transfer to Section A of the State  
7 School Fund, Program 30.20.010-Child Nutrition Programs,  
8 established pursuant to Sections 41311, 49501, 49536,  
9 49550, 49552, and 49559 of the Education Code..... 134,044,000

10 Schedule:  
11 (1) 30.20.010-Child Nutrition Programs.... 134,386,000  
12 (2) Reimbursements..... -342,000

- 13 Provisions:
- 14 1. Funds appropriated in Schedule (1) shall be allocated  
15 pursuant to Section 41311 of the Education Code.  
16 Claims for reimbursement of meals pursuant to this  
17 allocation shall be submitted by school districts on or  
18 before September 30, ~~2009~~ 2010, to be eligible for  
19 reimbursement.
  - 20 2. Funds designated for child nutrition programs in  
21 Schedule (1) shall be allocated in accordance with  
22 Section 49536 of the Education Code; however, the  
23 allocation shall be based not on all meals served, but  
24 on the number of meals that are served and that qualify  
25 as free or reduced-price meals in accordance with  
26 Sections 49501, 49550, and 49552 of the Education  
27 Code.
  - 28 4. Of the funds appropriated in this item, \$0 is for the  
29 purpose of providing a cost-of-living adjustment.
  - 30 5. Of the funds appropriated in this item, \$8,359,000 is  
31 for the purpose of providing a growth adjustment due  
32 to an increase in the projected number of meals served.
  - 33 6. If the appropriation in this item is insufficient to fully  
34 fund all eligible reimbursement claims pursuant to  
35 Section 49430.5 of the Education Code, the State De-  
36 partment of Education shall reimburse eligible claims  
37 at a prorated share of the funds appropriated ~~by~~ *in* this  
38 item.
  - 39 7. The State Department of Education shall notify the  
40 Department of Finance in writing 30 days prior to

1 paying prior year reimbursement claims from this item  
 2 pursuant to Section 16304.1 of the Government Code.  
 3 No reimbursements shall be made prior to final ap-  
 4 proval of the Department of Finance.

5  
 6 *SEC. 433. Item 6110-211-0001 of Section 2.00 of the Budget*  
 7 *Act of 2009 is amended to read:*

8  
 9 6110-211-0001—For local assistance, Department of Education  
 10 (Proposition 98), for transfer to Section A of the State  
 11 School Fund, ~~Program 20.60.036~~ for Categorical Programs  
 12 for charter schools, in accordance with Section 47634.1 of  
 13 the Education Code..... 226,501,000

14 *Schedule:*

- 15 (1) *20.60.036.003-Instructional Support:*  
 16 *Categorical Programs for Charter*  
 17 *Schools..... 163,970,000*  
 18 (2) *20.60.036.006-Instructional Support:*  
 19 *Economic Impact Aid for Charter*  
 20 *Schools..... 62,531,000*

21 *Provisions:*

- 22 1. The State Department of Education shall provide an  
 23 estimate of average daily attendance expected to be  
 24 claimed for this item for the 2010–11 fiscal year to  
 25 the Department of Finance and the Legislative Ana-  
 26 lyst’s Office by October 1 of each year, for use in de-  
 27 veloping the Governor’s Budget. The State Department  
 28 of Education shall provide an update of the estimate  
 29 by March 31 of each year, for preparation of the May  
 30 Revision.  
 31 2. An additional \$5,947,000 in expenditures for ~~this item~~  
 32 *Schedule (1)* has been deferred until the 2010–11 fiscal  
 33 year.  
 34 3. *Funds appropriated in Schedule (1) are provided*  
 35 *solely for the purpose for which categorical block*  
 36 *grants are calculated pursuant to paragraph (1) of*  
 37 *subdivision (c) of Section 47634.1 of the Education*  
 38 *Code. Funds appropriated in Schedule (2) are provid-*  
 39 *ed solely for the purpose for which categorical block*  
 40 *grants are calculated pursuant to paragraph (2) of*

1 subdivision (c) of Section 47634.1 of the Education  
 2 Code.  
 3 4. The Department of Finance may transfer funds be-  
 4 tween Schedules (1) and (2) as needed to ensure that  
 5 the Charter School Categorical Block Grant is funded  
 6 consistent with the provisions of Section 47634.1 of  
 7 the Education Code, provided that the total amount  
 8 allocated to charter schools in Schedule (1) is the re-  
 9 sult of applying the same proportional cut that other  
 10 categorical programs received pursuant to Section  
 11 12.42. The Department of Finance may not authorize  
 12 such a transfer sooner than 30 days after notifying the  
 13 Chairperson of the Joint Legislative Budget Committee  
 14 in writing of the necessity to authorize the transfer.  
 15

16 SEC. 434. Item 6110-220-0001 of Section 2.00 of the Budget  
 17 Act of 2009 is amended to read:  
 18

19 6110-220-0001—For local assistance, Department of Education  
 20 (Proposition 98), for transfer to Section A of the State  
 21 School Fund, ~~Charter 20.60.036-Charter School Facility~~  
 22 Grant Program, as set forth in Section 47614.5 of the Edu-  
 23 cation Code..... 56,720,000  
 24

25 SEC. 435. Item 6110-228-0001 of Section 2.00 of the Budget  
 26 Act of 2009 is amended to read:  
 27

28 6110-228-0001—For local assistance, Department of Education  
 29 (Proposition 98), Program 20.60.020.011-School Safety  
 30 Block Grant, for transfer by the Controller to Section A  
 31 of the State School Fund for allocation by the Superinten-  
 32 dent of Public Instruction..... 61,010,000  
 33 60,990,000

34 Provisions:

35 1. The funds appropriated are available to fund block  
 36 grants for middle and junior high schools and high  
 37 schools that serve grades 8 to 12, inclusive, pursuant  
 38 to Article 3.6 (commencing with Section 32228) and  
 39 Article 3.8 (commencing with Section 32239.5) of  
 40 Chapter 2 of Part 19 of Division 1 of Title 1 of the

- 1 Education Code. An additional \$38,720,000 in expen-
- 2 ditures for this purpose has been deferred to the
- 3 ~~2009-10~~ 2010-11 fiscal year. Of the amount deferred,
- 4 \$1,000,000 shall be made available for county offices
- 5 of education pursuant to Article 3.6 (commencing with
- 6 Section 32228) of Chapter 2 of Part 19 of Division 1
- 7 of Title 1 of the Education Code.
- 8 2. Of the funds appropriated in this item, \$0 is for the
- 9 purpose of providing a cost-of-living adjustment.
- 10 3. The funds appropriated in this item reflect a reduction
- 11 to the base funding of ~~0.3~~ 0.32 percent for a statewide
- 12 decline in average daily attendance.
- 13 4. The funds appropriated in this item shall be considered
- 14 offsetting revenues within the meaning of subdivision
- 15 (e) of Section 17556 of the Government Code for any
- 16 reimbursable mandated cost claim for comprehensive
- 17 school safety plans. Local educational agencies accept-
- 18 ing funding from this item shall reduce their estimated
- 19 and actual mandate reimbursement claims by the
- 20 amount of funding provided to them from this item.

21  
 22 *SEC. 436. Item 6110-240-0001 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*  
 24

25 6110-240-0001—For local assistance, Department of Education

26 (Proposition 98).....	3,048,000
27	3,047,000

28 Schedule:

29 (1) 10.80.030-Instruction: International	
30 Baccalaureate Diploma Program.....	1,269,000
31 (2) 20.70-Instructional Support: Assess-	
32 ments (Advanced Placement Fee Waiver	
33 Program).....	1,779,000
34	1,778,000

- 35 Provisions:
- 36 1. The funds appropriated in Schedule (1) shall be for
  - 37 the International Baccalaureate Diploma Program au-
  - 38 thorized by Chapter 12.5 (commencing with Section
  - 39 52920) of Part 28 of Division 4 of Title 2 of the Edu-
  - 40 cation Code.

- 1        2. The funds appropriated in Schedule (2) shall be for
- 2            grants for advanced placement examination fees as
- 3            authorized by Chapter 8.3 (commencing with Section
- 4            52240) of Part 28 of Division 4 of Title 2 of the Edu-
- 5            cation Code.
- 6        3. Of the funds appropriated in this item, \$0 is for the
- 7            purpose of providing a cost-of-living adjustment.
- 8        4. The funds appropriated in this item reflect a reduction
- 9            to the base funding of ~~0.3~~ 0.32 percent for a statewide
- 10           decline in average daily attendance.

11  
 12        *SEC. 437. Item 6110-240-0890 of Section 2.00 of the Budget*  
 13 *Act of 2009 is amended to read:*

14  
 15        6110-240-0890—For local assistance, Department of Education,  
 16            Program 20.70.010-Instructional Support: Advanced  
 17            Placement Fee Waiver, payable from the Federal Trust  
 18            Fund..... 3,670,000

- 19        Provisions:
- 20            1. Funding shall be used to fully satisfy the demand for
  - 21            advanced placement examination fee reimbursements
  - 22            for low-income pupils. Any funding remaining after
  - 23            the demand for advanced placement examination fee
  - 24            reimbursements has been fully satisfied may be used
  - 25            on a one-time basis for preadvanced placement activi-
  - 26            ties as specified under the conditions of the federal
  - 27            grant application through which these funds were au-
  - 28            thorized. Use of funding for this alternative purpose
  - 29            shall neither create nor imply any continuing obligation
  - 30            to fund the alternative activities beyond the ~~2008-09~~
  - 31            2009-10 fiscal year.

32  
 33        *SEC. 438. Item 6110-243-0001 of Section 2.00 of the Budget*  
 34 *Act of 2009 is amended to read:*

1 6110-243-0001—For local assistance, Department of Education  
 2 (Proposition 98), *Program 10-Instruction*, for transfer by  
 3 the Controller to Section A of the State School Fund for  
 4 allocation by the Superintendent of Public Instruction for  
 5 the unscheduled Pupil Retention Block Grant pursuant to  
 6 Article 2 (commencing with Section 41505) of Chapter  
 7 3.2 of Part 24 of Division 3 of Title 2 of the Education  
 8 Code..... 95,666,000  
 9 95,647,000

- 10 Provisions:
- 11 1. Of the funds appropriated in this item, \$0 is provided
  - 12 for the purpose of a cost-of-living adjustment.
  - 13 2. The funds appropriated in this item reflect a reduction
  - 14 to the base funding of ~~0.3~~ 0.32 percent for a statewide
  - 15 decline in average daily attendance.

16  
 17 *SEC. 439. Item 6110-244-0001 of Section 2.00 of the Budget*  
 18 *Act of 2009 is amended to read:*

19  
 20 6110-244-0001—For local assistance, Department of Education  
 21 (Proposition 98), *Program 20.60* for transfer by the Con-  
 22 troller to Section A of the State School Fund, for allocation  
 23 by the Superintendent of Public Instruction for the  
 24 Teacher Credentialing Block Grant pursuant to Article 4  
 25 (commencing with Section 41520) of Chapter 3.2 of Part  
 26 24 of Division 3 of Title 2 of the Education Code..... ~~132,443,000~~  
 27 112,773,000

- 28 Provisions:
- 29 1. Of the funds appropriated in this item, \$3,329,000 is
  - 30 available to support the Teacher Credentialing Block
  - 31 Grant regional infrastructure.
  - 32 2. It is the intent of the Legislature that first-year holders
  - 33 of preliminary teaching credentials, as defined in
  - 34 subdivision (b) of Section 44259 of the Education
  - 35 Code, be afforded first priority for funding appropriat-
  - 36 ed in this item. To the extent that any funds appropri-
  - 37 ated in this item remain after all first-year holders of
  - 38 preliminary teaching credentials have been served,
  - 39 those funds may be used to serve second-year holders
  - 40 of preliminary teaching credentials.



1 6110-246-0001—For local assistance, Department of Education  
 2 (Proposition 98), *Program 10-Instruction*, for transfer by  
 3 the Controller to Section A of the State School Fund for  
 4 allocation by the Superintendent of Public Instruction for  
 5 the unscheduled Targeted Instructional Improvement Block  
 6 Grant pursuant to Article 6 (commencing with Section  
 7 41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2  
 8 of the Education Code..... 966,809,000  
 9 966,595,000

- 10 Provisions:
- 11 1. Of the funds appropriated in this item, \$0 is provided
  - 12 for the purpose of a cost-of-living adjustment.
  - 13 2. The funds appropriated in this item reflect a reduction
  - 14 to the base funding of ~~0.3~~ 0.32 percent for a statewide
  - 15 decline in average daily attendance.
  - 16 3. Notwithstanding any other provision of law, an addi-
  - 17 tional \$100,118,000 in expenditures for this item has
  - 18 been deferred until the following fiscal year.

19  
 20 *SEC. 442. Item 6110-247-0001 of Section 2.00 of the Budget*  
 21 *Act of 2009 is amended to read:*

22  
 23 6110-247-0001—For local assistance, Department of Education  
 24 (Proposition 98), *Program 10-Instruction*, for transfer by  
 25 the Controller to Section A of the State School Fund for  
 26 allocation by the Superintendent of Public Instruction for  
 27 the unscheduled School and Library Improvement Block  
 28 Grant pursuant to Article 7 (commencing with Section  
 29 41570) of Chapter 3.2 of Part 24 of Division 3 of Title 2  
 30 of the Education Code..... 461,642,000  
 31 461,549,000

- 32 Provisions:
- 33 1. Of the funds appropriated in this item, \$0 is provided
  - 34 for the purpose of a cost-of-living adjustment.
  - 35 2. The funds appropriated in this item also reflect a reduc-
  - 36 tion to the base funding of ~~0.3~~ 0.32 percent for a
  - 37 statewide decline in average daily attendance.

38  
 39 *SEC. 443. Item 6110-248-0001 of Section 2.00 of the Budget*  
 40 *Act of 2009 is amended to read:*

1 6110-248-0001—For local assistance, Department of Education  
 2 (Proposition 98), *Program 20-Instructional Support*, for  
 3 transfer by the Controller to Section A of the State School  
 4 Fund for allocation by the Superintendent of Public Instruc-  
 5 tion for the unscheduled School Safety Consolidated  
 6 Competitive Grant pursuant to Article 3 (commencing  
 7 with Section 41510) of Chapter 3.2 of Part 24 of Division  
 8 3 of Title 2 of the Education Code..... 17,902,000  
 9 17,899,000

10 Provisions:

- 11 1. Of the funds appropriated in this item, \$0 is for the
- 12 purpose of providing a cost-of-living adjustment.
- 13 2. The funds appropriated in this item reflect a reduction
- 14 to the base funding of ~~0.3~~ 0.32 percent for a statewide
- 15 decline in average daily attendance.
- 16 3. Notwithstanding any other provision of law, up to
- 17 \$400,000 of the funds appropriated in this item may
- 18 be used for contracts with county offices of education
- 19 to provide regional training in safe school planning
- 20 and crisis response and for statewide coordination of
- 21 such training.
- 22 4. The funds contained in this item shall first be used to
- 23 offset any state-mandated reimbursable costs that may
- 24 otherwise be claimed for the ~~state-mandates reim-~~
- 25 ~~bursable~~ process of implementing Chapter 996 of the
- 26 Statutes of 1999. Local educational agencies accepting
- 27 funding from this item shall reduce their estimated
- 28 and actual mandate reimbursement claims by the
- 29 amount of funding provided to them from this item.

30  
 31 *SEC. 444. Item 6110-268-0001 of Section 2.00 of the Budget*  
 32 *Act of 2009 is amended to read:*

33  
 34 6110-268-0001—For local assistance, Department of Education  
 35 (Proposition 98), *Program 20-Instructional Support*, Child  
 36 Oral Health Assessments Program, pursuant to ~~Article 4~~  
 37 ~~(commencing with Section 49452.8)~~ 49452.8 of Chapter  
 38 ~~9 of Part 27 of the Education Code~~..... 4,400,000

Provisions:

- 1. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for child oral health assessments. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

*SEC. 445. Item 6110-488 is added to Section 2.00 of the Budget Act of 2009, to read:*

*6110-488—Reappropriation (Proposition 98), Department of Education. Notwithstanding any other provision of law, the balances from the following items are available for reappropriation for the purposes specified in Provisions 1 and 2 of this item:*

*0001—General Fund*

- (1) \$282,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2004 (Ch. 208, Stats. 2004)*
- (2) \$143,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)*
- (3) \$2,546,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
- (4) \$32,017,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for CalWORKs Stage 2 and Stage 3 child care programs in Schedules (1.5)(e) and (1.5)(f) of Item 6110-196-0001 of the Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*

- 1 (5) \$2,911,000 or whatever greater or lesser amount re-
- 2 flects the unexpended balance of the amount appropri-
- 3 ated for preschool education and child care programs
- 4 in Schedules (1) and (1.5) of Item 6110-196-0001 of
- 5 the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- 6 (6) \$27,636,000 or whatever greater or lesser amount
- 7 reflects the unexpended balance of the amount appro-
- 8 priated for CalWORKs Stage 2 and Stage 3 child care
- 9 programs in Schedules (1.5)(e) and (1.5)(f) of Item
- 10 6110-196-0001 of the Budget Act of 2008 (Chs. 268
- 11 and 269, Stats. 2008).
- 12 (7) \$18,400,000 or whatever greater or lesser amount
- 13 reflects the unexpended balance of the amount appro-
- 14 priated for the Charter School Facility Grant Program
- 15 in Item 6110-220-0001 of the Budget Act of 2009 (Ch.
- 16 1, 2009–10 3rd Ex. Sess.)

17 *Provisions:*

- 18 1. The sum of \$65,535,000 is hereby reappropriated to
- 19 the State Department of Education for transfer by the
- 20 Controller to Section A of the State School Fund for
- 21 allocation by the Superintendent of Public Instruction
- 22 for the purpose of funding State Preschool Programs.
- 23 The amount reappropriated pursuant to this provision
- 24 is for use in the 2009–10 fiscal year.
- 25 2. The sum of \$18,400,000 is hereby reappropriated to
- 26 the State Department of Education for transfer by the
- 27 Controller to Section A of the State School Fund for
- 28 allocation by the Superintendent of Public Instruction
- 29 for the purpose of funding school district revenue
- 30 limit apportionments. The amount reappropriated
- 31 pursuant to this provision is for use in the 2009–10
- 32 fiscal year.

33  
 34 SEC. 446. Item 6110-490 is added to Section 2.00 of the Budget  
 35 Act of 2009, to read:

1 6110-490—Reappropriation, Department of Education. The  
2 balances of the appropriations provided in the following  
3 citations are reappropriated for the purposes and subject  
4 to the limitations, unless otherwise specified, provided for  
5 in the appropriations.

6 0660—Public Buildings Construction Fund

7 (1) Item 6110-301-0660, Budget Act of 2005 (Chs. 38 and  
8 39, Stats. 2005), as reappropriated by Item 6110-490,  
9 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

10 (1) 80.80.50-Career and Technical Education Com-  
11 plex and Service Yard—Construction and equip-  
12 ment

13 (2) Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and  
14 48, Stats. 2006)

15 (2) 80.80.052-New Gymnasium and Pool Cen-  
16 ter—Construction and equipment

17 (3) Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and  
18 48, Stats. 2006)

19 (1) 80.80.089-Kitchen and Dining Hall Renova-  
20 tion—Construction

21 (4) Item 6110-301-0660, Budget Act of 2007 (Chs. 171  
22 and 172, Stats. 2007)

23 (2) 80.80.50-Career and Technical Education Com-  
24 plex and Service Yard—Construction

25 (5) Item 6110-301-0660, Budget Act of 2008 (Chs. 268  
26 and 269, Stats. 2008)

27 (3) 80.80.089-Kitchen and Dining Hall Renova-  
28 tion—Construction

29  
30 SEC. 447. Item 6110-492 is added to Section 2.00 of the Budget  
31 Act of 2009, to read:

1 6110-492—Reappropriation, Department of Education.  
 2 Notwithstanding any other provision of law, the balance  
 3 of the appropriation provided in Item 6110-001-3085 of  
 4 the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008) is  
 5 reappropriated and shall be available for encumbrance or  
 6 expenditure until June 30, 2010, to contract with mental  
 7 health/educational professionals to support the involvement  
 8 of local educational agencies in local mental health plan-  
 9 ning and implementation efforts pursuant to the Mental  
 10 Health Services Act (Proposition 63, as approved by the  
 11 voters at the November 2, 2004, statewide general election).  
 12

13 SEC. 448. Item 6360-011-0407 is added to Section 2.00 of the  
 14 Budget Act of 2009, to read:

15  
 16 6360-011-0407—For transfer by the Controller from the  
 17 Teacher Credentials Fund to the General Fund..... (540,000)  
 18 Provisions:  
 19 1. Notwithstanding any other provision of law, the Con-  
 20 troller shall transfer \$540,000 from the Teacher Cre-  
 21 dentials Fund to the General Fund to reflect recovery  
 22 of 20 percent of the General Fund transfer provided  
 23 in the 2005–06 fiscal year.  
 24

25 SEC. 449. Item 6360-011-0408 is added to Section 2.00 of the  
 26 Budget Act of 2009, to read:

27  
 28 6360-011-0408—For transfer by the Controller from the Test  
 29 Development and Administration Account, Teacher Cre-  
 30 dentials Fund to the General Fund..... (2,160,000)  
 31 Provisions:  
 32 1. Notwithstanding any other provision of law, the Con-  
 33 troller shall transfer \$2,160,000 from the Test Devel-  
 34 opment and Administration Account, Teacher Creden-  
 35 tials Fund to the General Fund to reflect recovery of  
 36 80 percent of the General Fund transfer provided in  
 37 the 2005–06 fiscal year.  
 38

39 SEC. 450. Item 6440-001-0001 of Section 2.00 of the Budget  
 40 Act of 2009 is amended to read:

1 6440-001-0001—For support of University of California..... 2,641,355,000  
 2 2,374,705,000

3 Schedule:

- 4 (1) Support..... 2,557,859,000  
 5 3,157,859,000  
 6 (2) Charles R. Drew Medical Program..... 8,738,000  
 7 (3) Acquired Immune Deficiency Syndrome  
 8 (AIDS) Research..... 9,214,000  
 9 (4) Student Financial Aid..... 52,199,000  
 10 (5) Loan Repayments..... 5,105,000  
 11 (6) San Diego Supercomputer Center..... 3,240,000  
 12 (7) Subject Matter Projects..... 5,000,000  
 13 (7.5) *Unallocated Reduction*..... -266,650,000  
 14 (8) *Reimbursements—American Recov-*  
 15 *ery and Reinvestment Act of 2009*  
 16 *(Public Law 111-5)*..... -600,000,000

17 Provisions:

- 18 1. The appropriations made in this item are exempt from  
 19 Section 31.00.  
 20 2. None of the funds appropriated in this item may be  
 21 expended to initiate major capital outlay projects by  
 22 contract without prior legislative approval, except for  
 23 cogeneration and energy conservation projects. Funds  
 24 appropriated in this item may be used for capital ex-  
 25 penditures as well as payment of debt service for such  
 26 exempted capital projects. Exempted projects shall be  
 27 reported in a manner consistent with the reporting  
 28 procedures in subdivision (e) of Section 28.00.

29 Funds appropriated in this item may be used for  
 30 capital expenditures as well as payment of debt service  
 31 associated with the Energy Partnership Program,  
 32 whereby the University of California will receive fi-  
 33 nancial incentives from state investor-owned utilities  
 34 to undertake energy conservation projects. The use of  
 35 state operations funding for these energy savings pro-  
 36 jects may not infringe on the university’s funding for  
 37 its instructional support activities. The Director of Fi-  
 38 nance may authorize program expenditures for the list  
 39 of planned projects not sooner than 30 days after noti-  
 40 fication in writing is provided to the chairpersons of

- 1 the committees in each house of the Legislature that  
 2 consider appropriations, the chairpersons of the com-  
 3 mittees and the appropriate subcommittees in each  
 4 house of the Legislature that consider the State Budget,  
 5 and the Chairperson of the Joint Legislative Budget  
 6 Committee. The list of planned projects submitted for  
 7 approval for a given funding cycle should be ~~all-inclu-~~  
 8 ~~sive~~ *all inclusive* and may include projects that eventu-  
 9 ally may not be initiated during that funding cycle.  
 10 A project not included on the list of planned projects  
 11 for that funding cycle, but with which the university  
 12 wishes to proceed during the budget year, may be  
 13 treated as an exempted project as described above and  
 14 reported in a manner consistent with the reporting  
 15 procedures in subdivision (e) of Section 28.00. No  
 16 later than November 15 of each year, the university  
 17 shall prepare a report describing the identified projects  
 18 funded under the Energy Partnership Program in the  
 19 prior year. The report shall include the cost of each  
 20 project, how the cost is being funded, including the  
 21 amount funded from support budget funds and in-  
 22 vestor-owned utility incentive awards, and the project-  
 23 ed amount of energy savings. These reports will sunset  
 24 at the end of the program.
- 25 3. The funds appropriated in Schedule (2) are for support  
 26 of University of California programs of clinical health  
 27 sciences education, research, and public service, con-  
 28 ducted in conjunction with the Charles R. Drew Uni-  
 29 versity of Medicine and Science, as provided for in  
 30 Sections 1, 2, and 3 of Chapter 1140 of the Statutes  
 31 of 1973. Of the funds appropriated, \$500,000 is con-  
 32 tingent upon the provision by the University of Cali-  
 33 fornia of an equal amount of matching funds from its  
 34 own resources. The University of California shall en-  
 35 sure by adequate controls that funds appropriated in  
 36 Schedule (2) are expended solely for the support of  
 37 the program identified in that schedule.
- 38 4. The funds appropriated in Schedule (4) are for support  
 39 of Program 45, Student Financial Aid, to provide fi-  
 40 nancial aid to needy students attending the University

- 1 of California, according to the nationally accepted  
2 needs analysis methodology.
- 3 5. Of the funds appropriated in Schedule (1), \$2,762,129  
4 is for payment of energy service contracts in connec-  
5 tion with the issuance of State Public Works Board  
6 Energy Efficiency Revenue Bonds.
- 7 6. Of the funds appropriated in Schedule (5), \$2,700,000  
8 is for repayment of \$25,000,000 borrowed by the  
9 University of California for deferred maintenance in  
10 the 1994–95 fiscal year. It is the intent of the Legisla-  
11 ture to annually provide funds for that repayment  
12 purpose through the 2009–10 fiscal year.
- 13 7. Of the funds appropriated in Schedule (5), \$2,405,000  
14 is for repayment of \$25,000,000 borrowed by the  
15 University of California for deferred maintenance in  
16 the 1995–96 fiscal year. It is the intent of the Legisla-  
17 ture to annually provide funds for that repayment  
18 purpose through the 2010–11 fiscal year.
- 19 8. Of the funds appropriated in Schedule (1), \$1,897,200  
20 is for the California State Summer School for Mathe-  
21 matics and Science (COSMOS). The University of  
22 California shall report on the outcomes and effective-  
23 ness of COSMOS every five years, commencing April  
24 1, 2011.
- 25 9. Of the funds appropriated in Schedule (1), \$1,125,000  
26 is provided to continue support for science and math  
27 resource centers to implement the Science and Math  
28 Teacher Initiative. The University of California (UC)  
29 shall report to the Legislature and the Governor by  
30 February 1 of each year on its progress toward increas-  
31 ing the quality and supply of science and mathematics  
32 teachers resulting from implementation of the Science  
33 and Math Teacher Initiative. This report shall include  
34 the following information: (a) annual number of  
35 mathematics and science teachers awarded credentials  
36 (by each UC campus) beginning with the 2004–05  
37 academic year (before the state first provided funding  
38 for the initiative), (b) an expenditure plan on the use  
39 of the funds appropriated in this item, (c) the effective-  
40 ness of the initiative’s different components and activ-

- 1           ities, including an identification of best practices, and  
 2           (d) the job placement of students who earn a mathe-  
 3           matics or science teaching credential, including the  
 4           location of the K–12 school of employment and  
 5           whether it is in an urban, rural, or suburban setting.
- 6           10. ~~The Legislature expects the University of California~~  
 7           ~~to enroll a total of 198,520 state-supported full-time~~  
 8           ~~equivalent students (FTES) during the 2009–10 aca-~~  
 9           ~~ademic year, inclusive of the enrollments specified in~~  
 10           ~~Provisions 11 and 12. This enrollment target does not~~  
 11           ~~include nonresident students and students enrolled in~~  
 12           ~~non-state-supported summer programs.~~ The University  
 13           of California shall report to the Legislature by March  
 14           15, 2010, on whether it has met ~~the~~ *its* 2009–10 aca-  
 15           ademic year enrollment ~~goal~~ *goals*.
- 16           11. Of the funds appropriated in Schedule (1), \$2,025,000  
 17           is to support 135 full-time equivalent students in the  
 18           Program in Medical Education (PRIME) at the Irvine,  
 19           Davis, San Diego, San Francisco, and Los Angeles  
 20           campuses. The primary purpose of this program is to  
 21           train physicians specifically to serve in underrepresent-  
 22           ed communities. The University of California shall  
 23           report to the Legislature by March 15, 2010, on (a) its  
 24           progress in implementing the PRIME program and (b)  
 25           the use of the total funds provided for this program  
 26           from both state and nonstate resources.
- 27           12. (a) The amount in Schedule (1) includes \$1,720,000  
 28           to continue increased enrollments in nursing pro-  
 29           grams beyond the levels served in 2005–06 as  
 30           follows:  
 31           (1) \$1,617,000 for full cost of a minimum of 122  
 32           full-time equivalent students in entry-level  
 33           clinical nursing programs and entry-level  
 34           master’s degree programs in nursing.  
 35           (2) \$103,000 for supplemental marginal cost  
 36           funding for 20 master’s degree level nursing  
 37           students.
- 38           (b) ~~The university~~ *University of California* shall re-  
 39           port to the Legislature and the Governor by May  
 40           1, 2010, on the total enrollment in the 2009–10

- 1 academic year in the baccalaureate nursing degree  
2 programs, the entry-level clinical and master's  
3 degree nursing programs, and the master's of  
4 science nursing degree programs.
- 5 13. It is the intent of the Legislature that the University of  
6 California submit an annual report by March 1 of each  
7 year through the 2010–11 fiscal year to the Joint Leg-  
8 islative Budget Committee, legislative fiscal subcom-  
9 mittees, and the Department of Finance on the univer-  
10 sity's progress in reforming its compensation policies  
11 and practices, reflecting the criteria specified in Provi-  
12 sion 27 of Item 6440-001-0001 of the Budget Act of  
13 2006 (Chs. 47 and 48, Stats. 2006).
- 14 14. Of the funds appropriated in Schedule (1), \$19,300,000  
15 is for student academic preparation and education  
16 programs (SAPEP) and is to be matched with  
17 \$12,000,000 from existing university resources, for a  
18 total of \$31,300,000 for these programs. The Univer-  
19 sity of California shall provide a plan to the Depart-  
20 ment of Finance and the fiscal committees of each  
21 house of the Legislature for expenditure of both state  
22 and university funds for SAPEP by September 1 of  
23 each year.
- 24 16. To the extent funds are available in Schedule (1), and  
25 contingent upon the receipt of an equal amount of  
26 private sector matching funds, the University of Cali-  
27 fornia shall allocate funds for the California Institute  
28 for Quantitative Biosciences for the purpose of enhanc-  
29 ing innovative, cost-effective technologies and thera-  
30 pies in health care.
- 31 17. It is the intent of the Legislature that to the greatest  
32 extent possible the University of California limit any  
33 reductions to student support services and that the  
34 university examine the possibility of increases to the  
35 student-faculty ratio and phase out support of excess  
36 course units.
- 37 18. On or before April 1, 2009, the Director of Finance  
38 and the Treasurer shall determine whether the provi-  
39 sions of Section 99030 of the Government Code have  
40 been met.

- 1 19. *On or before January 10, 2010, the University of*
- 2 *California shall provide a report to the Legislature*
- 3 *and the Governor that describes the implementation*
- 4 *of the unallocated reductions in the Budget Act of 2008*
- 5 *(Chs. 268 and 269, Stats. 2008) and in the Budget Act*
- 6 *of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.). The report*
- 7 *shall include, but not be limited to, information about*
- 8 *changes in enrollment and in personnel costs, includ-*
- 9 *ing compensation increases and decreases; receipt of*
- 10 *funds related to the American Recovery and Reinvest-*
- 11 *ment Act of 2009; new fee revenues; and other general*
- 12 *purpose funding sources.*
- 13 20. *Notwithstanding Provision 14, if the budget reductions*
- 14 *contained in this item require the University of Cali-*
- 15 *ifornia to make budget reductions to the Student Aca-*
- 16 *demic Preparation and Education Programs (SAPEP),*
- 17 *those reductions shall be no greater, proportionally,*
- 18 *than the reduction in overall General Fund support.*
- 19 *The university shall submit a report on the reductions*
- 20 *made to SAPEP to the fiscal committees of each house*
- 21 *of the Legislature no later than April 1, 2010.*
- 22 21. *Of the funds appropriated in Schedule (1), \$150,000*
- 23 *in one-time funds shall be used for the Institute of*
- 24 *Governmental Studies of the University of California*
- 25 *at Berkeley.*

26  
 27 *SEC. 451. Item 6440-001-0234 of Section 2.00 of the Budget*  
 28 *Act of 2009 is amended to read:*

29  
 30 6440-001-0234—For support of the University of California,  
 31 payable from the Research Account, Cigarette and Tobacco  
 32 Products Surtax Fund..... 14,515,000  
 33 13,090,000

- 34 Provisions:
- 35 1. The funds appropriated in this item are to be allocated
  - 36 for research regarding tobacco use, with an emphasis
  - 37 on youth and young adults, including, but not limited
  - 38 to, the effects of active and passive smoking, the pri-
  - 39 mary prevention of tobacco use, nicotine addiction

1 and its treatment, the effects of secondhand smoke,  
2 and public health issues surrounding tobacco use.  
3 2. Notwithstanding subdivision (a) of Section 1.80, the  
4 funds appropriated in this item are available for expen-  
5 diture until June 30, 2012.  
6

7 *SEC. 452. Item 6440-402 is added to Section 2.00 of the Budget*  
8 *Act of 2009, to read:*  
9

10 *6440-402—University of California, Santa Barbara and San*  
11 *Diego Campuses.*

12 *Provisions:*

- 13 1. (a) *The Santa Barbara Campus-Bioengineering*  
14 *Building is authorized pursuant to Section*  
15 *15820.21 of the Government Code.*  
16 (b) *The San Diego Campus-Marine Ecosystem Sens-*  
17 *ing, Observation, and Modeling Laboratory is*  
18 *authorized pursuant to Section 15821.21 of the*  
19 *Government Code.*  
20

21 *SEC. 453. Item 6440-491 is added to Section 2.00 of the Budget*  
22 *Act of 2009, to read:*  
23

24 *6440-491—Reappropriation, University of California. The*  
25 *balances of the appropriations provided in the following*  
26 *citations are reappropriated for the purposes and subject*  
27 *to the limitations in those appropriations, unless otherwise*  
28 *specified:*

29 *0660—Public Buildings Construction Fund*

- 30 (1) *Item 6440-301-0660, Budget Act of 2007 (Chs. 171*  
31 *and 172, Stats. 2007)*

32 *Berkeley Campus:*

- 33 (2) *99.01.260-Helios Energy Research Facility—Pre-*  
34 *liminary plans, working drawings, construction,*  
35 *and equipment*

36 *6048—2006 University Capital Outlay Bond Fund*

- 37 (1) *Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and*  
38 *48, Stats. 2006), as reappropriated by Item 6440-491,*  
39 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

40 *Irvine Campus:*

- 1           (2.5) 99.09.360-Primary Electrical Improvements Step
- 2                 3-Working drawings and construction
- 3           Santa Cruz Campus:
- 4           (18) 99.07.185-Infrastructure Improvements Phase
- 5                 2—Working drawings
- 6           (2) Item 6440-301-6048, Budget Act of 2007 (Chs. 171
- 7                 and 172, Stats. 2007), as reappropriated by Item 6440-
- 8                 491, Budget Act of 2008 (Chs. 268 and 269, Stats.
- 9                 2008)
- 10           Davis Campus:
- 11           (3) 99.03.360-Electrical Improvements Phase
- 12                 4—Construction
- 13           Merced Campus:
- 14           (5) 99.11.045-Social Sciences and Management
- 15                 Building—Construction
- 16           Riverside Campus:
- 17           (8) 99.05.220-Boyce and Webber Hall Renova-
- 18                 tions—Construction
- 19           Santa Barbara Campus:
- 20           (13) 99.08.145-Davidson Library Addition and Renew-
- 21                 al—Working drawings
- 22           (2.5) Item 6440-302-6048, Budget Act of 2006 (Chs. 47
- 23                 and 48, Stats. 2006)
- 24           San Diego Campus:
- 25           (8) Structural and Materials Engineering Build-
- 26                 ing—Construction
- 27           (3) Item 6440-302-6048, Budget Act of 2007 (Chs. 171
- 28                 and 172, Stats. 2007)
- 29           Berkeley Campus:
- 30           (1) 99.01.250-Birge Hall Infrastructure Improve-
- 31                 ments—Construction
- 32           Riverside Campus:
- 33           (5) 99.05.225-East Campus Infrastructure Improve-
- 34                 ments Phase 2—Working drawings and construc-
- 35                 tion
- 36           Agriculture and Natural Resources:
- 37           (6) 99.10.065-Hopland Research and Extension
- 38                 Center Field Laboratory and Multipurpose Faci-
- 39                 lity—Construction

1 (4) *Item 6440-304-6048, Budget Act of 2007 (Chs. 171*  
2 *and 172, Stats. 2007), as reappropriated by Item 6440-*  
3 *491, Budget Act of 2008 (Chs. 268 and 269, Stats.*  
4 *2008)*

5 *Davis Campus:*

6 (1.5) *99.03.365-Telemedicine Resource Center and*  
7 *Rural PRIME Facility—Construction and*  
8 *equipment*

9 (5) *Item 6440-305-6048, Budget Act of 2007 (Chs. 171*  
10 *and 172, Stats. 2007)*

11 *Irvine Campus:*

12 (1) *99.09.380-Telemedicine/PRIME Health Equity*  
13 *Education Facility—Construction and equipment*

14 *San Diego Campus:*

15 (2) *99.06.395-Telemedicine/PRIME Health Equity*  
16 *Education Facility—Construction and equipment*

17 (6) *Item 6440-304-6048, Budget Act of 2008 (Chs. 268*  
18 *and 269, Stats. 2008)*

19 *San Francisco Campus:*

20 (1) *99.02.155-Telemedicine and PRIME Urban Un-*  
21 *derserved Education Facilities—Construction*

22  
23 *SEC. 454. Item 6440-492 is added to Section 2.00 of the Budget*  
24 *Act of 2009, to read:*

25  
26 *6440-492—Reappropriation, University of California.*  
27 *Notwithstanding any other provision of law, the period to*  
28 *liquidate encumbrances of the appropriations in the follow-*  
29 *ing citations is extended to June 30, 2011:*

30 *6041—2004 Higher Education Capital Outlay Bond Fund*

31 (1) *Item 6440-301-6041, Budget Act of 2004 (Ch. 308,*  
32 *Stats. 2004), as reappropriated by Item 6440-491,*  
33 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)*

34 *Davis Campus:*

35 (3) *99.03.310-Seismic Corrections, Phase 4—Con-*  
36 *struction*

37 *Merced Campus:*

38 (23) *99.11.035-Logistical Support Service Facili-*  
39 *ties—Construction and equipment*

- 1       (2) *Item 6440-301-6041, Budget Act of 2005 (Chs. 38 and*
- 2             *39, Stats. 2005), as reappropriated by Item 6440-491,*
- 3             *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
- 4             *Irvine Campus:*
- 5             (3) *99.09.340-Computer Science Unit 3—Equipment*
- 6             *Riverside Campus:*
- 7             (5) *99.05.200- Environmental Health and Safety Ex-*
- 8                 *ansion—Preliminary plans*
- 9             *San Diego Campus:*
- 10            (9) *99.06.355-Mayer Hall Addition and Renova-*
- 11                 *tion—Equipment*
- 12            (10) *99.06.370-Music Building—Construction*
- 13            *Santa Cruz Campus:*
- 14            (13) *99.07.130-Humanities and Social Services Faci-*
- 15                 *lities—Equipment*
- 16            (14) *99.07.165-McHenry Project—Construction*
- 17       (3) *Item 6440-302-6041, Budget Act of 2005 (Chs. 38 and*
- 18             *39, Stats. 2005), as reappropriated by Item 6440-491,*
- 19             *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
- 20             *Davis Campus:*
- 21             (1) *99.03.315-Electrical Improvements, Phase*
- 22                 *3—Construction*
- 23             (3) *99.03.345-Steam Expansion Phase I—Construc-*
- 24                 *tion*
- 25             *Irvine Campus:*
- 26             (4) *99.09.350-Engineering Unit 3—Construction*
- 27             *Riverside Campus:*
- 28             (6) *99.05.190-Materials and Science Engineering*
- 29                 *Building—Construction*
- 30             *Division of Agriculture and Natural Resources:*
- 31             (7) *99.10.055-Lindcove Research and Extension*
- 32                 *Center Laboratory Facility—Construction*
- 33       6048—2006 University Capital Outlay Bond Fund
- 34       (1) *Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and*
- 35             *48, Stats. 2006), as reappropriated by Item 6440-491,*
- 36             *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
- 37             *Davis Campus:*
- 38             (1.3) *99.03.355-King Hall Renovation and Expan-*
- 39                 *sion—Working drawings*
- 40             *Riverside Campus:*

- 1 (5) 99.05.210-Culver Center for the Arts—Construc-
- 2 tion
- 3 San Diego Campus:
- 4 (8) 99.06.385-Chilled Water and Electrical Distribu-
- 5 tion Improvements—Working drawings
- 6 Santa Barbara Campus:
- 7 (11) 99.08.135-Arts Building Seismic Correction and
- 8 Renewal—Working drawings
- 9 (12) 99.08.145- Davidson Library Addition and Re-
- 10 newal—Preliminary plans
- 11 (13) 99.08.150-Phelps Hall Renovation—Preliminary
- 12 plans and working drawings
- 13 Santa Cruz Campus:
- 14 (17) 99.07.180-Infrastructure Improvements, Phase
- 15 1—Working drawings
- 16 (18) 99.07.185-Infrastructure Improvements, Phase
- 17 2—Preliminary plans
- 18 (19) 99.07.190-Biomedical Sciences Facility—Work-
- 19 ing drawings
- 20 (2) Item 6440-301-6048, Budget Act of 2007 (Chs. 171
- 21 and 172, Stats. 2007)
- 22 Davis Campus:
- 23 (2) 99.03.350-Veterinary Medicine 3B—Working
- 24 drawings
- 25 (3) Item 6440-304-6048, Budget Act of 2007 (Chs. 171
- 26 and 172, Stats. 2007)
- 27 San Francisco Campus:
- 28 (3) 99.02.155-Telemedicine and PRIME Urban Un-
- 29 derserved Education Facilities—Working draw-
- 30 ings

31  
 32 *SEC. 455. Item 6600-001-0001 of Section 2.00 of the Budget*  
 33 *Act of 2009 is amended to read:*

34  
 35 6600-001-0001—For support of Hastings College of the Law.... ~~10,300,000~~  
 36 9,270,000

37 Provisions:

- 38 1. The appropriation made in this item is exempt from
- 39 Section 31.00.

40

1 SEC. 456. Item 6610-001-0001 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 6610-001-0001—For support of California State Universi-  
5 ty..... 2,538,502,000  
6 2,272,402,000

7 Schedule:  
8 (1) Support..... 2,538,502,000  
9 3,138,502,000  
10 (1.5) Unallocated reduction..... -266,100,000  
11 (2) Reimbursements—ARRA..... -600,000,000

- 12 Provisions:
- 13 1. The appropriations made in this item are exempt from  
14 Section 31.00, except as otherwise provided by the  
15 applicable sections of the Government Code referred  
16 to in Section 31.00.
  - 17 2. Of the amount appropriated in this item, \$350,000 is  
18 for transfer to the Affordable Student Housing Revolv-  
19 ing Fund for the purpose of subsidizing interest costs  
20 in connection with bond financing for construction of  
21 affordable student housing at the Fullerton and Hay-  
22 ward campuses in accordance with Article 3 (commenc-  
23 ing with Section 90085) of Chapter 8 of Part 55 of  
24 Division 8 of Title 3 of the Education Code.
  - 25 3. Of the amount appropriated in this item, \$1,878,000  
26 is for repayment of the \$17,000,000 financed for the  
27 California State University through a third party for  
28 deferred maintenance projects in the 1994–95 fiscal  
29 year. It is the intent of the Legislature to annually  
30 provide funds for that repayment purpose until June  
31 30, 2010.
  - 32 4. Of the amount appropriated in this item, \$2,309,000  
33 is for repayment of the \$24,000,000 financed for the  
34 California State University through a third party for  
35 deferred maintenance projects in the 1995–96 fiscal  
36 year. It is the intent of the Legislature to annually  
37 provide funds for that repayment purpose until June  
38 30, 2011.
  - 39 5. Of the funds appropriated in Schedule (1), \$2,713,000  
40 is provided to continue support for enhancing the ca-

1           capacity of science and math teacher credential programs  
2           to implement the Science and Math Teacher Initiative.  
3           The California State University (CSU) shall report to  
4           the Legislature and the Governor by May 1 of each  
5           year on its progress toward increasing the quality and  
6           supply of science and mathematics teachers resulting  
7           from implementation of the Science and Math Teacher  
8           Initiative. This report shall include the following infor-  
9           mation: (a) annual number of mathematics and science  
10          teachers awarded credentials (by each CSU campus)  
11          beginning with the 2004–05 academic year (before  
12          the state first provided funding for the initiative), (b)  
13          an expenditure plan on the use of the funds appropri-  
14          ated in this item, (c) the effectiveness of the initiative’s  
15          different components and activities, including an  
16          identification of best practices, and (d) the job place-  
17          ment of students who earn a math or science teaching  
18          credential, including the location of the K–12 school  
19          of employment and whether it is in an urban, rural, or  
20          suburban setting.

21          6. ~~The Legislature expects the California State University~~  
22          ~~to enroll a total of 342,893 state-supported full-time~~  
23          ~~equivalent students (FTES) during the 2009–10 aca-~~  
24          ~~ademic year, inclusive of the enrollments specified in~~  
25          ~~Provision 7. This enrollment target does not include~~  
26          ~~nonresident students and students enrolled in non-state-~~  
27          ~~supported summer programs. The California State~~  
28          ~~University shall provide a preliminary report to the~~  
29          ~~Legislature by March 15, 2010, and a final report by~~  
30          ~~May 1, 2010, on whether it has met the *its* 2009–10~~  
31          ~~academic year enrollment goal.~~

32          7. The amount in Schedule (1) includes \$6,251,000 for  
33          the following purposes:  
34          (a) \$6,251,000 to continue increased enrollments in  
35                nursing programs beyond the levels served in  
36                2005–06 as follows:  
37                (1) \$560,000 for supplemental marginal cost  
38                funding for 280 FTES in entry-level master’s  
39                degree nursing programs pursuant to Article  
40                8 (commencing with Section 89270) of

- 1 Chapter 2 of Part 55 of *Division 8 of Title 3*
- 2 of the Education Code.
- 3 (2) \$1,720,000 for full cost of a minimum of 163
- 4 FTES in entry level master’s degree nursing
- 5 programs.
- 6 (3) \$371,000 for full cost of 35 FTES in baccalau-
- 7 reate degree nursing programs.
- 8 (4) \$3,600,000 for full cost of 340 FTES in bac-
- 9 calaureate degree nursing programs.
- 10 (c) The California State University shall report to the
- 11 Legislature and the Governor by May 1, 2010, on
- 12 the total enrollment in the 2009–10 academic year
- 13 in the baccalaureate nursing degree and entry-
- 14 level master’s nursing degree programs.
- 15 8. Of the amount appropriated in this item, \$33,785,000
- 16 is provided for student financial aid grants. These fi-
- 17 nancial aid funds shall be provided to needy students
- 18 according to the nationally accepted needs analysis
- 19 methodology.
- 20 9. Of the amount appropriated in Schedule (1),
- 21 \$52,000,000 is appropriated for student academic
- 22 preparation and student support services programs.
- 23 The California State University shall provide
- 24 \$45,000,000 to support the Early Academic Assess-
- 25 ment Program and the Educational Opportunity Pro-
- 26 gram.
- 27 10. It is the intent of the Legislature that to the greatest
- 28 extent possible the California State University limit
- 29 any reductions to student support services and that the
- 30 university examine the possibility of increases to the
- 31 student-faculty ratio and phase out support of excess
- 32 course units.
- 33 11. On or before April 1, 2009, the Director of Finance
- 34 and the Treasurer shall determine whether the provi-
- 35 sions of Section 99030 of the Government Code have
- 36 been met.
- 37 12. *On or before January 10, 2010, the California State*
- 38 *University shall provide a report to the Legislature*
- 39 *and the Governor that describes the implementation*
- 40 *of the unallocated reductions in the Budget Act of 2008*

1 (Chs. 268 and 269, Stats. 2008) and the Budget Act of  
2 2009 (Ch. 1, 2009–10 3rd Ex. Sess.) The report shall  
3 include, but not be limited to, information about  
4 changes in enrollment, changes in personnel costs in-  
5 cluding compensation increases and decreases, and  
6 receipt of funds related to the American Recovery and  
7 Reinvestment Act, new fee revenues, and other general  
8 purpose funding sources.

- 9 13. Notwithstanding Provision 9, if the budget reductions  
10 contained in this item necessitate the California State  
11 University to make budget reductions to its student  
12 academic preparation and outreach programs, those  
13 reductions shall be no greater, proportionally, than  
14 the reduction in overall General Fund support. The  
15 university shall submit a report on reductions made  
16 to these programs to the fiscal committees of each  
17 house of the Legislature no later than April 1, 2010.

18  
19 SEC. 457. Item 6610-490 is added to Section 2.00 of the Budget  
20 Act of 2009, to read:

21  
22 6610-490—Reappropriation, California State University. The  
23 balances of the appropriations provided in the following  
24 citations are reappropriated for the purposes provided for  
25 in those appropriations and shall be available for encum-  
26 brance or expenditure until June 30, 2010:

27 0785—1988 Higher Education Capital Outlay Bond Fund  
28 (1) Item 6610-002-0785, Budget Act of 2008 (Chs. 268  
29 and 269, Stats. 2008)

30 6041—2004 Higher Education Capital Outlay Bond Fund  
31 (1) Item 6610-002-6041, Budget Act of 2008 (Chs. 268  
32 and 269, Stats. 2008)

33  
34 SEC. 458. Item 6610-491 is added to Section 2.00 of the Budget  
35 Act of 2009, to read:

- 1 6610-491—*Reappropriation, California State University.*  
2 *Notwithstanding any other provision of law, the balances*  
3 *of the appropriations provided in the following citations*  
4 *are reappropriated for the purposes and subject to the*  
5 *limitations, unless otherwise specified, in those appropria-*  
6 *tions:*  
7 *0660—Public Buildings Construction Fund*  
8 (1) *Item 6610-301-0660, Budget Act of 2008 (Chs. 268*  
9 *and 269, Stats. 2008)*  
10 *Bakersfield Campus:*  
11 (1) *06.50.066-Art Center and Satellite Plant—Work-*  
12 *ing drawings and construction*  
13 *Maritime Academy:*  
14 (2) *06.51.010-Physical Education Replacement—Pre-*  
15 *liminary plans, working drawings, and construc-*  
16 *tion*  
17 *Monterey Bay Campus:*  
18 (3) *06.74.008-Academic Building II—Preliminary*  
19 *plans, working drawings, and construction*  
20 *Channel Islands Campus:*  
21 (4) *06.83.003-Classroom and Faculty Office Renova-*  
22 *tion and Addition—Construction*  
23 *San Luis Obispo Campus:*  
24 (5) *06.96.116-Center for Science—Construction*  
25 *6041—2004 Higher Education Capital Outlay Bond Fund*  
26 (1) *Item 6610-302-6041, Budget Act of 2004 (Ch. 208,*  
27 *Stats. 2004), as reappropriated by Item 6440-491,*  
28 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*  
29 *Maritime Academy:*  
30 (9) *06.51.009-Simulation Center—Construction*  
31 *Pomona Campus:*  
32 (12) *06.98.108-Science Renovation, Seismic—Con-*  
33 *struction*  
34 *San Luis Obispo Campus:*  
35 (16) *06.96.115-Engineering and Architecture Renova-*  
36 *tion and Replacement, Phase II—Construction*  
37 (2) *Item 6610-302-6041, Budget Act of 2006 (Chs. 47 and*  
38 *48, Stats. 2006)*  
39 *Bakersfield Campus:*

- 1           (1) 06.50.065-Nursing Renovation—Preliminary  
2           plans, working drawings, and construction  
3       (3) Item 6610-301-6041, Budget Act of 2008 (Chs. 268  
4           and 269, Stats. 2008  
5           Channel Islands Campus:  
6           (3) 06.83.005-Entrance Road—Construction  
7       (4) Item 6610-302-6041, Budget Act of 2008 (Chs. 268  
8           and 269, Stats. 2008)  
9           San Bernardino Campus:  
10          (1) 06.78.073-Access Compliance Barrier Re-  
11           moval—Preliminary plans, working drawings,  
12           and construction  
13       6048—2006 University Capital Outlay Bond Fund  
14       (1) Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and  
15           48, Stats. 2006), as reverted by Item 6610-496, Budget  
16           Act of 2007 (Chs. 171 and 172, Stats. 2007)  
17           East Bay Campus:  
18           (2) 06.64.082-Student Services Replacement Build-  
19           ing—Construction  
20           Humboldt Campus:  
21           (3) 06.67.087-Behavioral and Social Sciences, Phase  
22           1—Equipment  
23       (2) Item 6610-302-6048, Budget Act of 2006 (Chs. 47 and  
24           48, Stats. 2006)  
25           Maritime Academy:  
26           (1) 06.51.009-Simulation Center—Equipment  
27           San Bernardino Campus:  
28           (4) 06.78.092-Science Building Renovation and Addi-  
29           tion, Phase II—Equipment  
30           (5) 06.78.093-College of Education—Equipment  
31           Stanislaus Campus:  
32           (7) 06.92.064-Science II (Seismic)—Equipment  
33           San Luis Obispo Campus:  
34           (8) 06.96.115-Engineering and Architecture Renova-  
35           tion and Replacement, Phase II—Equipment  
36       (3) Item 6610-301-6048, Budget Act of 2007 (Chs. 171  
37           and 172, Stats. 2007), as reappropriated by Item 6610-  
38           491, Budget Act of 2008 (Chs. 268 and 269, Stats.  
39           2008)  
40           Channel Islands Campus:

- 1 (8) 06.83.005-Entrance Road—Preliminary plans
- 2 and working drawings
- 3 San Francisco Campus:
- 4 (10) 06.84.105-School of the Arts—Acquisition
- 5 Pomona Campus:
- 6 (14) 06.98.109-College of Business Administra-
- 7 tion—Working drawings and construction
- 8 (4) Item 6610-302-6048, Budget Act of 2007 (Chs. 171
- 9 and 172, Stats. 2007)
- 10 Systemwide:
- 11 (1) 06.48.300-Nursing Facility Improvements—Pre-
- 12 liminary plans, working drawings, construction,
- 13 and equipment
- 14 Bakersfield Campus:
- 15 (2) 06.50.064-Math and Computer Science Build-
- 16 ing—Equipment
- 17 (3) 06.50.065-Nursing Renovation—Equipment
- 18 Fullerton Campus:
- 19 (5) 06.62.095-College of Business and Eco-
- 20 nomics—Equipment
- 21 Humboldt Campus:
- 22 (6) 06.67.098-Forbes PE Complex Renova-
- 23 tion—Equipment
- 24 San Bernardino Campus:
- 25 (9) 06.78.095-Palm Desert Off-Campus Center,
- 26 Phase III—Equipment
- 27 Sonoma Campus:
- 28 (10) 06.90.086-Music/Faculty Office Building—Equip-
- 29 ment
- 30 Pomona Campus:
- 31 (11) 06.98.108-Science Renovation (Seismic)—Equip-
- 32 ment

33  
 34 SEC. 459. Item 6610-492 is added to Section 2.00 of the Budget  
 35 Act of 2009, to read:

36  
 37 6610-492—Reappropriation, California State University.  
 38 Notwithstanding any other provision of law, the period to  
 39 liquidate encumbrances of the appropriations in the follow-  
 40 ing citations is extended until June 30, 2011:

- 1 6028—2002 Higher Education Capital Outlay Bond Fund  
2 (1) Item 6610-301-6028, Budget Act of 2002 (Ch. 379,  
3 Stats. 2002), as reappropriated by Item 6610-491,  
4 Budget Act of 2003 (Ch. 157, Stats. 2003), and Item  
5 6610-493, Budget Act of 2008 (Chs. 268 and 269,  
6 Stats. 2008)  
7 San Diego Campus:  
8 (8) 06.80.152-Telecommunications Infrastructure—Construction  
9  
10 6041—2004 Higher Education Capital Outlay Bond Fund  
11 (1) Item 6610-301-6041, Budget Act of 2004 (Ch. 208,  
12 Stats. 2004)  
13 Systemwide:  
14 (1) 06.48.315-Minor Capital Outlay—Preliminary  
15 plans, working drawings, and construction  
16 (2) Item 6610-302-6041, Budget Act of 2004 (Ch. 208,  
17 Stats. 2004), as reappropriated by Item 6610-491,  
18 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and  
19 Item 6610-493, Budget Act of 2008 (Chs. 268 and 269,  
20 Stats. 2008)  
21 Northridge Campus:  
22 (11) 06.82.085-Science 1 Replacement—Construction  
23 San Bernardino Campus:  
24 (14) 06.78.093-College of Education Building—Pre-  
25 liminary plans, working drawings, and construc-  
26 tion  
27 (3) Item 6610-302-6041, Budget Act of 2005 (Chs. 38 and  
28 39, Stats. 2005), as reappropriated by Item 6610-491,  
29 Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)  
30 Fresno Campus:  
31 (3) 06.56.093-Library Addition and Renova-  
32 tion—Working drawings and construction  
33 Long Beach Campus:  
34 (7) 06.71.111-Library Addition and Renova-  
35 tion—Working drawings and construction  
36 San Luis Obispo:  
37 (12) 06.96.115-Engineering and Architecture Renova-  
38 tion and Replacement, Phase II—Equipment  
39 6048—2006 University Capital Outlay Bond Fund

- 1 (1) *Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and*
- 2 *48, Stats. 2006)*
- 3 *Systemwide:*
- 4 (1) *06.48.315-Minor Capital Outlay—Preliminary*
- 5 *plans, working drawings, and construction*
- 6 *Monterey Bay Campus:*
- 7 (5) *06.74.007-Infrastructure Improvements—Equip-*
- 8 *ment*
- 9 (2) *Item 6610-301-6048, Budget Act of 2007 (Chs. 171*
- 10 *and 172, Stats. 2007)*
- 11 *San Luis Obispo Campus:*
- 12 (12) *06.96.116-Center for Science—Working drawings*

13

14 *SEC. 460. Item 6610-494 is added to Section 2.00 of the Budget*

15 *Act of 2009, to read:*

- 16
- 17 *6610-494—Reappropriation, California State University.*
- 18 *Notwithstanding any other provision of law, the period to*
- 19 *liquidate encumbrances of the following citation is extended*
- 20 *to June 30, 2011:*
- 21 *6048—2006 University Capital Outlay Bond Fund*
- 22 (1) *Item 6610-002-6048, Budget Act of 2006 (Chs. 47 and*
- 23 *48, Stats. 2006)*

24

25 *SEC. 461. Item 6870-001-0001 of Section 2.00 of the Budget*

26 *Act of 2009 is amended to read:*

27

28 6870-001-0001—For support of Board of Governors of the

29 California Community Colleges..... 10,155,000

30 Schedule:

31 (1) 10-Appportionments..... 1,196,000

32 (2) 20-Special Services and Operations..... ~~17,390,000~~

33 *18,390,000*

34 (3) 30.01-Administration..... 4,453,000

35 (4) 30.02-Administration—Distributed..... -4,453,000

36 (5) Reimbursements..... ~~-8,431,000~~

37 *-9,431,000*

38 Provisions:

39 1. Funds appropriated in this item may be expended or

40 encumbered to make one or more payments under a

1 personal services contract of a visiting educator pur-  
2 suant to Section 19050.8 of the Government Code, a  
3 long-term special consultant services contract, or an  
4 employment contract between an entity that is not a  
5 state agency and a person who is under the direct or  
6 daily supervision of a state agency, only if all of the  
7 following conditions are met:

- 8 (a) The person providing service under the contract  
9 provides full financial disclosure to the Fair Polit-  
10 ical Practices Commission in accordance with the  
11 rules and regulations of the Commission.
- 12 (b) The service provided under the contract does not  
13 result in the displacement of any represented civil  
14 service employee.
- 15 (c) The rate of compensation for salary and health  
16 benefits for the person providing service under  
17 the contract does not exceed by more than 10  
18 percent the current rate of compensation for salary  
19 and health benefits determined by the Department  
20 of Personnel Administration for civil service per-  
21 sonnel in a comparable position. The payment of  
22 any other compensation or any reimbursement  
23 for travel or per diem expenses shall be in accor-  
24 dance with the State Administrative Manual and  
25 the rules and regulations of the Department of  
26 Personnel Administration.

- 27 2. The funds appropriated in Schedule (5) reflect  
28 \$140,000 to support a position through an interagency  
29 agreement with the Department of Corrections and  
30 Rehabilitation for the purpose of coordinating and  
31 administering funds to districts for department staff  
32 training and instruction services.
- 33 3. *The funds appropriated in Schedules (2) and (5) reflect*  
34 *an interagency agreement with the California Emer-*  
35 *gency Management Agency for \$400,000 in reimburse-*  
36 *ments to conduct emergency planning and prepared-*  
37 *ness training for community college districts.*
- 38 4. *The funds appropriated in Schedules (2) and (5) reflect*  
39 *an interagency agreement with the Employment Devel-*  
40 *opment Department for \$600,000 in reimbursements*



1	(5) 20.10.005-Student Financial Aid Admin-	
2	istration.....	52,203,000
3		52,884,000
4	(6) 20.10.020-Disabled Students.....	118,461,000
5		96,057,240
6	(7) 20.10.045-Special Services for Cal-	
7	WORKs Recipients.....	43,580,000
8		37,043,000
9	(8) 20.10.060-Foster Care Education Pro-	
10	gram.....	5,254,000
11	(9) 20.10.070-Matriculation.....	104,857,000
12		68,248,760
13	(10) 20.20.020-Academic Senate for the	
14	Community Colleges.....	467,000
15		317,560
16	(11) 20.20.041-Equal Employment Opportu-	
17	nity pursuant to Ch. 1169, Stats.	
18	2002.....	1,747,000
19		1,187,960
20	(12) 20.20.050-Part-time Faculty Health In-	
21	surance.....	1,000,000
22		680,000
23	(13) 20.20.051-Part-time Faculty Compensa-	
24	tion.....	50,828,000
25		34,563,040
26	(14) 20.20.055-Part-time Faculty Office	
27	Hours.....	7,172,000
28		4,876,960
29	(15) 20.30.011-Telecommunications and	
30	Technology Services.....	26,197,000
31		21,217,380
32	(16) 20.30.050-Economic Development....	46,790,000
33		31,817,200
34	(17) 20.30.070-Transfer Education and Ar-	
35	ticulation.....	1,424,000
36		968,320
37	(18) 20.40.026-Physical Plant and Instruc-	
38	tional Support.....	27,345,000
39		0

1	(19) 20.10.010-Extended Opportunity Pro-	
2	grams and Services and Special Ser-	
3	vices.....	125,960,000
4		102,137,400
5	(20) 20.30.045-Fund for Student Success....	6,158,000
6		5,262,820
7	(21) 20.70.010-Career Technical Educa-	
8	tion.....	20,000,000
9		0
10	(22) 20.80.010-Campus— <del>Childcare</del> <i>Child</i>	
11	Care Tax Bailout.....	6,836,000
12		4,648,480
13	(23) 20.95.010-Nursing Program Support....	22,100,000
14		18,564,000
15	(24) 97.20.001-Unallocated Reduction....	-130,000,000
16	(25) 97.20.005-Unallocated.....	130,000,000
17	(26) Reimbursements.....	-130,000,000
18	Provisions:	
19	1. The funds appropriated in this item are for transfer by	
20	the Controller during the 2009–10 fiscal year to Sec-	
21	tion B of the State School Fund.	
22	2. Notwithstanding any other provision of law, apportion-	
23	ment funding for community college districts shall be	
24	based on the greater of the current year or prior year	
25	level of full-time equivalent students (FTES), consis-	
26	tent with K–12 declining enrollment practices pursuant	
27	to Section 42238.5 of the Education Code. Decreases	
28	in FTES shall result in a revenue reduction at the dis-	
29	trict’s average level of apportionment funding per	
30	FTES and shall be made in the year following the ini-	
31	tial year of decrease in FTES.	
32	3. The funds appropriated in Schedule (1) for Apportion-	
33	ments include \$31,409,000 to encourage district-level	
34	accountability efforts pursuant to Section 84754.5 of	
35	the Education Code. It is intended that the Chancellor	
36	of the California Community Colleges submit an an-	
37	nuual report on district-specific accountability measures	
38	by March 19 of each year. This report shall reflect	
39	outcomes from the most recently completed fiscal year	

- 1 for which data is available pursuant to Section 84754.5  
2 of the Education Code.
- 3 4. Of the funds appropriated in Schedule (1), Apportion-  
4 ments:
- 5 (a) Up to \$100,000 is for a maintenance allowance,  
6 pursuant to Section 54200 of Title 5 of the Cali-  
7 fornia Code of Regulations.
- 8 (b) Up to \$500,000 is to reimburse colleges for the  
9 costs of federal aid repayments related to assessed  
10 fees for fee waiver recipients. This reimbursement  
11 only applies to students who completely withdraw  
12 from college before the census date pursuant to  
13 Section 58508 of Title 5 of the California Code  
14 of Regulations.
- 15 ~~5. Of the amount appropriated in Schedule (1),~~  
16 ~~\$10,000,000 shall only be available for noncredit in-~~  
17 ~~struction to prepare pupils to pass the California High~~  
18 ~~School Exit Examination (CAHSEE). The first priority~~  
19 ~~shall be to serve high school pupils from the classes~~  
20 ~~of 2007 and 2008 who met all other graduation require-~~  
21 ~~ments except for passage of the CAHSEE. Remaining~~  
22 ~~funds may be used to support other necessary noncredit~~  
23 ~~courses for other pupils who not only did not pass the~~  
24 ~~CAHSEE, but who did not complete other coursework~~  
25 ~~necessary to meet high school graduation requirements.~~  
26 ~~These funds are intended to supplement but not sup-~~  
27 ~~plant existing funding for these purposes.~~
- 28 6. Notwithstanding any other provision of law, the  
29 Chancellor of the California Community Colleges  
30 shall not reduce district workload obligations for a  
31 lack of a funded cost-of-living adjustment.
- 32 7. (a) ~~Of the~~ *The* amount appropriated in Schedule (2)  
33 for the Apprenticeship Program, ~~up to~~  
34 ~~\$14,641,000~~ shall be available as necessary upon  
35 certification by the Chancellor of the California  
36 Community Colleges for the purpose of funding  
37 community college-related and supplemental in-  
38 struction pursuant to Section 3074 of the Labor  
39 Code, as provided in Section 8152 of the Educa-  
40 tion Code. No community college district shall

1 use funds available under this provision to offer  
 2 any new apprenticeship training program or the  
 3 expansion of any existing program unless the new  
 4 program or expansion has been approved by the  
 5 chancellor.

6 (b) Notwithstanding Section 8152 of the Education  
 7 Code, each 60-minute hour of teaching time de-  
 8 voted to each indentured apprentice enrolled in  
 9 and attending classes of related and supplemental  
 10 instruction as provided under Section 3074 of the  
 11 Labor Code shall be reimbursed at the rate of  
 12 \$5.06 per hour. For purposes of this provision,  
 13 each hour of teaching time may include up to 10  
 14 minutes for passing time and breaks.

15 8. Funds appropriated in Schedule (3), Growth for Ap-  
 16 portionments, shall be available first to any districts  
 17 bringing online in the current fiscal year newly accred-  
 18 ited colleges or California Postsecondary Education  
 19 Commission-approved educational centers. It is the  
 20 intent of the Legislature that increases in basic founda-  
 21 tion allocations to each college be funded prior to ad-  
 22 ditional growth in full-time equivalent students. The  
 23 Chancellor of the California Community Colleges  
 24 shall provide a report by November 1 of each year, to  
 25 the Department of Finance and the Legislative Analyst,  
 26 on the number of new centers and colleges added for  
 27 the current fiscal year and those anticipated to be added  
 28 for the prospective budget year. This report shall also  
 29 detail the specific funding adjustments provided for  
 30 basic foundation allocations to each college and center  
 31 for the current fiscal year.

32 9. Notwithstanding any other provision of law, funds  
 33 appropriated in Schedule (3) for Growth for Apportion-  
 34 ments shall only be allocated for growth in full-time  
 35 equivalent students (FTES), on a district-by-district  
 36 basis, as determined by the Chancellor of the Califor-  
 37 nia Community Colleges. The chancellor shall not in-  
 38 clude any FTES from concurrent enrollment in physi-  
 39 cal education, dance, recreation, study skills, and per-  
 40 sonal development courses and other courses in con-

1           flict with existing law for the purpose of calculating  
2           a district's three-year overcap adjustment. The Board  
3           of Governors of the California Community Colleges  
4           shall implement the criteria required by subdivision  
5           (a) of Provision 5 of Item 6870-101-0001 of the Bud-  
6           get Act of 2003 (Ch. 157, Stats. 2003) for the alloca-  
7           tion of funds appropriated in Schedules (1) and (3),  
8           so as to ensure that courses related to student needs  
9           for transfer, basic skills, and vocational/workforce  
10          training are accorded the highest priority and are pro-  
11          vided to the maximum extent possible within budgeted  
12          funds.

13        10. The funds appropriated in Schedule (4), Student Suc-  
14        cess for Basic Skills Students, shall be allocated as  
15        follows:

16        (a) ~~\$1,600,000~~ *\$1,344,000* for faculty and staff devel-  
17        opment to improve curriculum, instruction, stu-  
18        dent services, and program practices in the areas  
19        of basic skills and English as a Second Language  
20        (ESL) programs. The Office of the Chancellor of  
21        the California Community Colleges shall select  
22        a district, utilizing a competitive process, to carry  
23        out these faculty and staff development activities.  
24        All colleges receiving funds pursuant to subdivi-  
25        sion (b) shall be provided with the opportunity to  
26        participate in the faculty and staff development  
27        programs specified in this subdivision. The  
28        chancellor shall report on the use of these funds  
29        by the selected district to the Legislative Analyst  
30        and the Department of Finance not later than  
31        September 1, 2010.

32        (b) ~~\$31,500,000~~ *\$26,460,000* for allocation by the  
33        chancellor to community college districts for im-  
34        proving outcomes of students who enter college  
35        needing at least one course in ESL or basic skills,  
36        with particular emphasis on students transitioning  
37        from high school.

38        (c) Funding specified in subdivisions (a) and (b) shall  
39        be distributed to eligible applicants pursuant to  
40        Chapter 489 of the Statutes of 2007.

- 1 (d) The Office of the Chancellor shall work jointly
- 2 with the Department of Finance and the Legisla-
- 3 tive Analyst to ~~develop~~ *evaluate and refine, as*
- 4 *necessary, the annual accountability measures for*
- 5 *this program. It is the intent of the Legislature*
- 6 *that annual performance accountability measures*
- 7 *for this program utilize, to the extent possible,*
- 8 *data available as part of the accountability system*
- 9 *developed pursuant to Section 84754.5 of the*
- 10 *Education Code. By ~~November 1, 2010~~, *Septem-**
- 11 *ber 1, 2009, the chancellor shall submit a report*
- 12 *the first in a series of reports to the Governor and*
- 13 *Legislature on the annual accountability measures*
- 14 *developed pursuant to this process basic skills*
- 15 *accountability using system and college level data.*
- 16 11. (a) Of the funds appropriated in Schedule (5) for
- 17 Student Financial Aid Administration, not less
- 18 than ~~\$10,561,000~~ *\$11,034,000* is available to
- 19 provide \$0.91 per unit reimbursement to commu-
- 20 nity college districts for the provision of board of
- 21 governors (BOG) fee waiver awards pursuant to
- 22 paragraph (2) of subdivision (m) of Section 76300
- 23 of the Education Code.
- 24 (b) Of the funds appropriated in Schedule (5), not
- 25 less than ~~\$4,642,000~~ *\$4,850,000* is available to
- 26 provide reimbursement of 2 percent of total
- 27 waiver value to community college districts for
- 28 the provision of BOG fee waiver awards pursuant
- 29 to paragraph (2) of subdivision (m) of Section
- 30 76300 of the Education Code.
- 31 (c) Funding provided to community college districts
- 32 in subdivisions (a) and (b) ~~of this provision~~ is
- 33 provided to directly offset any mandated costs
- 34 claimed by community college districts pursuant
- 35 to Commission on State Mandates Test Claims
- 36 99-TC-13 (Enrollment Fee Collection) and 00-
- 37 TC-15 (Enrollment Fee Waivers).
- 38 (d) (1) Of the amount appropriated in Schedule (5),
- 39 \$2,800,000 shall be for a contract with a
- 40 community college district to conduct a

1 statewide media campaign to promote the  
2 general message to prospective students as  
3 follows: (A) the California Community Col-  
4 leges (CCC) remain affordable, (B) financial  
5 aid and tax credits are available to cover en-  
6 rollment fees and help with books and other  
7 costs, and (C) the active encouragement of  
8 contact between pupils and local CCC finan-  
9 cial aid offices. Any funds used from this  
10 source to produce radio, television, or mail  
11 campaigns must emphasize the availability  
12 of financial aid, the easiest and most reliable  
13 method of accessing the aid, a contact tele-  
14 phone number, an Internet Web site address,  
15 where applicable, and the physical location  
16 of a financial aid office. Any mail campaign  
17 must give priority to existing pupils, recent  
18 high school graduates, and 12th graders. The  
19 outreach and information campaign should  
20 target its efforts in high schools, welfare of-  
21 fices, unemployment offices, churches,  
22 community centers, and any other location  
23 that will most effectively reach low-income  
24 and disadvantaged students who must over-  
25 come barriers in accessing postsecondary  
26 education. The community college district  
27 awarded the contract shall consult with the  
28 Chancellor of the California Community  
29 Colleges and the Student Aid Commission  
30 prior to performing any activities to ensure  
31 appropriate coordination with any other state  
32 efforts in this area and ensure compliance  
33 with this provision.

- 34 (2) Of the amount appropriated in Schedule (5),  
35 not more than \$34,200,000 shall be for direct  
36 contact with potential and current financial  
37 aid applicants. Each CCC campus shall re-  
38 ceive a minimum allocation of \$50,000. The  
39 remainder of the funding shall be allocated  
40 to campuses based upon a formula reflecting

1 full-time equivalent students (FTES)  
 2 weighted by a measure of low-income popu-  
 3 lations as demonstrated by BOG fee waiver  
 4 program participation within a district. It is  
 5 the intent of the Legislature, to the extent that  
 6 funds are provided in this item, that all cam-  
 7 puses provide additional staff resources to  
 8 increase both financial aid participation and  
 9 student access to low-income and disadvan-  
 10 taged students who must overcome barriers  
 11 in accessing postsecondary education. Funds  
 12 may be used for screening current students  
 13 for possible financial aid eligibility and offer-  
 14 ing personal assistance to these students in  
 15 accessing financial aid, providing individual  
 16 help in multiple languages for families and  
 17 students in filling out the necessary paper-  
 18 work to apply for financial aid, and increas-  
 19 ing financial aid staff to process additional  
 20 financial aid forms.

21 (3) Funding provided to community college dis-  
 22 tricts in ~~Subdivision (d)(2) of Provision H~~  
 23 ~~paragraph (2) of this subdivision (d)~~ is pro-  
 24 vided to directly offset any mandated costs  
 25 claimed by community college districts pur-  
 26 suant to the Commission on State Mandates  
 27 test claim 02-TC-28 (Cal Grants) and 02-TC-  
 28 21 (Tuition Fee Waivers).

29 (4) Funds allocated to a community college dis-  
 30 trict for financial aid personnel, outreach de-  
 31 termination of financial need, and delivery  
 32 of student financial aid services shall supple-  
 33 ment, and shall not supplant, the level of  
 34 funds allocated for the administration of stu-  
 35 dent financial aid programs during the  
 36 2001–02 fiscal year or 2006–07, whichever  
 37 is greater.

38 (5) It is the intent of the Legislature that the Of-  
 39 fice of the Chancellor of the California  
 40 Community Colleges provide the Legislature

1 with a report not later than April 1, 2010, on  
2 the use of the funds allocated pursuant to  
3 paragraphs (1) and (2) of this subdivision (d),  
4 including the distribution of the funds, specif-  
5 ic uses of the funds, strategies employed to  
6 reach low-income and disadvantaged students  
7 potentially eligible for financial aid, and the  
8 extent to which districts were successful in  
9 increasing the number of students accessing  
10 financial aid, particularly the maximum Pell  
11 Grant award.

12 (6) It is the intent of the Legislature that the  
13 chancellor report by May 15, 2010, in the  
14 manner and using the factors set forth in  
15 paragraph (5) of subdivision (c) of Provision  
16 11 of Item 6870-101-0001 of the Budget Act  
17 of 2007, on the impact of outreach efforts on  
18 student headcount and FTES enrollment for  
19 the 2006–07 and 2007–08 academic years.

20 12. (a) The funds appropriated in Schedule (6) for the  
21 Disabled Students Program are for assisting dis-  
22 tricts in funding the excess direct instructional  
23 cost of providing special support services or in-  
24 struction, or both, to disabled students enrolled at  
25 community colleges, and for state hospital pro-  
26 grams, as mandated by federal law.

27 (b) Of the amount appropriated in Schedule (6), no  
28 less than ~~\$3,945,000~~ \$3,166,000 shall be used to  
29 address deficiencies identified by the federal Of-  
30 fice of Civil Rights (OCR), as determined by the  
31 Office of the Chancellor of the California Com-  
32 munity Colleges.

33 (c) Of the amount appropriated in Schedule (6), at  
34 least ~~\$943,000~~ \$757,000 shall be used for support  
35 of the High Tech Centers for activities including,  
36 but not limited to, training of district employees,  
37 staff, and students in the use of specialized com-  
38 puter equipment for the disabled. All High Tech  
39 Centers shall meet standards developed by the  
40 Office of the Chancellor. Colleges that receive

- 1           these augmentations shall not supplant existing
- 2           resources provided to the centers.
- 3       (d) Notwithstanding any other provision of law, of
- 4           the funds appropriated in Schedule (6), ~~\$1,246,000~~
- 5           \$1,000,000 shall be for state hospital adult educa-
- 6           tion programs at the hospitals served by the Coast
- 7           and Kern Community College Districts since the
- 8           1986–87 fiscal year. If adult education services
- 9           at any of the three hospitals are not supported by
- 10          the community colleges in any portion of the
- 11          2009–10 fiscal year, remaining funds shall, upon
- 12          order of the Department of Finance, after 30 days’
- 13          notice to the Chairperson of the Joint Legislative
- 14          Budget Committee, be transferred to the State
- 15          Department of Developmental Services (DDS).
- 16          For any transfer of funds to DDS during the
- 17          2009–10 fiscal year, the Proposition 98 base
- 18          funding levels for community colleges and DDS
- 19          shall be adjusted accordingly.
- 20       (e) Of the funds appropriated in Schedule (6) for the
- 21          Disabled Student Services, no less than
- 22          ~~\$9,600,000~~ \$7,704,000 shall be allocated to sup-
- 23          port high-cost sign language interpreter services
- 24          and real-time captioning equipment or other
- 25          communication accommodations for hearing-im-
- 26          paired students based on a 4-to-1 state-to-local
- 27          district match.
- 28       13. The funds appropriated in Schedule (7), Special Ser-
- 29          vices for CalWORKs Recipients, are for the purpose
- 30          of assisting welfare recipient students and those in
- 31          transition off of welfare to achieve long-term self-
- 32          sufficiency through coordinated student services of-
- 33          fered at community colleges, including workstudy,
- 34          other educational related work experience, job place-
- 35          ment services, child care services, and coordination
- 36          with county welfare offices to determine eligibility
- 37          and availability of services. All services funded in
- 38          Schedule (7) shall be for current CalWORKs recipients
- 39          or prior CalWORKs recipients who are in transition
- 40          off of cash assistance for no more than two years.

1 Current cash-assistance recipients may utilize these  
2 services until their initial educational objectives are  
3 met. Former recipients in transition off of cash assis-  
4 tance may utilize these services for a period of up to  
5 two years after leaving cash assistance subject to the  
6 conditions of this provision. These funds shall be used  
7 to supplement and not supplant existing funds and  
8 services provided for CalWORKs recipients attending  
9 community colleges. The Chancellor of the California  
10 Community Colleges shall develop an equitable  
11 method for allocating funds to all districts and colleges  
12 based on the relative numbers of CalWORKs recipients  
13 in attendance and shall allocate funds for the following  
14 purposes:

- 15 (a) Job placement.
- 16 (b) Coordination with county welfare offices and  
17 other local agencies, including local workforce  
18 investment boards.
- 19 (c) Curriculum development and redesign.
- 20 (d) Child care and workstudy.
- 21 (e) Instruction.
- 22 (f) Postemployment skills training and related skills.
- 23 (g) Campus-based case management, limited to on-  
24 campus assistance and services not provided by  
25 county case workers that do not supplant other  
26 counseling and academic support services funded  
27 through existing California Community Colleges  
28 categorical programs.

29 Of the amount appropriated in Schedule (7),  
30 ~~\$15,000,000~~ \$12,750,000 is for child care and does  
31 not require a district match. For the remaining funds,  
32 districts shall, as a condition of receipt of these funds,  
33 provide a \$1 match for every \$1 provided by the state.

34 Funds utilized for subsidized child care shall be for  
35 children of CalWORKs recipients through campus-  
36 based centers or parental choice vouchers at rates and  
37 with rules consistent with those applied to related  
38 programs operated by the State Department of Educa-  
39 tion in the 2009–10 fiscal year, including eligibility,  
40 reimbursement rates, and parental contribution

1 schedules. Subsidized campus child care for Cal-  
2 WORKs recipients may be provided during the period  
3 they are engaged in qualifying state and federal work  
4 activities through attainment of their initial education  
5 and training plan and for up to three months thereafter  
6 or until the end of the academic year, whichever period  
7 of time is greater.

8 Funds utilized for workstudy shall be used solely  
9 for payments to employers that currently participate  
10 in campus-based workstudy programs or are providing  
11 work experiences that are directly related to and in  
12 furtherance of student educational programs and work  
13 participation requirements, provided that those pay-  
14 ments may not exceed 75 percent of the wage for the  
15 workstudy positions, and the employers shall pay at  
16 least 25 percent of the wage for the workstudy posi-  
17 tions. These funds may be expended only if the total  
18 hours of education, employment, and workstudy for  
19 the student are sufficient to meet both state and federal  
20 minimum requirements for qualifying work-related  
21 activities.

22 Funds may be used to provide credit or noncredit  
23 classes for CalWORKs students if a district has com-  
24 mitted all of its funded full-time equivalent students  
25 (FTES) and is unable to offer the additional instruc-  
26 tional services to meet the demand for CalWORKs  
27 students. This determination shall be based on fall  
28 enrollment information. Districts shall submit applica-  
29 tions to the Office of the Chancellor by October 15 of  
30 each year. If the chancellor approves the use of funds  
31 for direct instructional workload, the Office of the  
32 Chancellor shall submit a report to the Department of  
33 Finance and the Joint Legislative Budget Committee  
34 by November 15, 2009, that (a) identifies the enroll-  
35 ment of new CalWORKs students, (b) states whether  
36 and why additional classes were needed to accommo-  
37 date the needs of CalWORKs students, and (c) sets  
38 forth an expenditure plan for the balance of funds.

39 As a condition of receipt of the funds appropriated  
40 in Schedule (7), by the fourth week following the end

1 of the semester or quarter term commencing in January  
2 2010, each participating community college shall  
3 submit to the Office of the Chancellor a report, in the  
4 format specified by the chancellor in consultation with  
5 the State Department of Social Services, that includes,  
6 but is not limited to, the funded components, the  
7 number of hours of child care provided, the average  
8 monthly enrollment of CalWORKs dependents served  
9 in child care, the number of workstudy hours provided,  
10 the hourly salaries and type of jobs, the number of  
11 students being case managed, the short-term programs  
12 available, the student participation rates, and other  
13 outcome data. It is intended that, to the extent ~~practical~~  
14 *practicable*, reporting from colleges utilize data gath-  
15 ered for federal reporting requirements at the state and  
16 local level. Further, it is intended that the Office of  
17 the Chancellor compile the information for annual re-  
18 ports to the Legislature, the Governor, the Legislative  
19 Analyst, the Department of Finance, and the State  
20 Department of Social Services by November 15 of  
21 each year.

22 First priority for expenditures of any funds appropri-  
23 ated in Schedule (7) shall be in support of current  
24 CalWORKs recipients. However, if caseloads are in-  
25 sufficient to fully utilize all of the funding in this  
26 schedule in a cost-beneficial way, it is intended that  
27 up to \$5,000,000 of the funds subject to local matching  
28 requirements may be allocated for providing postem-  
29 ployment services to former CalWORKs recipients  
30 who have been off of cash assistance for no longer  
31 than two years to assist them in upgrading skills, job  
32 retention, and advancement. Allowable services in-  
33 clude direct instruction that cannot be funded under  
34 available growth funding, child care to support atten-  
35 dance in these classes consistent with this provision,  
36 job development and placement services, and career  
37 counseling and assessment activities which cannot be  
38 funded through other programs. Child care services  
39 may only be provided for periods commensurate with

1 a student’s need for postemployment training within  
 2 the two-year transitional period.

3 Prior to allocation of funds for postemployment  
 4 services, the chancellor shall first secure the approval  
 5 of the Department of Finance for the allocations,  
 6 complete a cumulative report on the outcomes, activi-  
 7 ties, and cost-effectiveness of the program no later  
 8 than November 15, 2009, in compliance with the  
 9 Budget Acts of 1998 (Ch. 324, Stats. 1998) and 1999  
 10 (Ch. 50, Stats. 1999) and this act, and shall provide  
 11 the rationale and justification for the proposed alloca-  
 12 tion of postemployment services to districts for transi-  
 13 tional students.

14 If a district is unable to fully expend its share of  
 15 child care funds, it may request that the Office of the  
 16 Chancellor approve a reallocation to other CalWORKs  
 17 purposes authorized by this provision, subject to all  
 18 pertinent limitations and district match required for  
 19 these purposes under this provision.

20 Of the funds appropriated in Schedule (7) for the  
 21 Special Services for CalWORKs Recipients Program,  
 22 no less than ~~\$8,000,000~~ \$6,800,000 is to provide direct  
 23 workstudy wage reimbursement for students served  
 24 under this program, and ~~\$1,000,000~~ \$850,000 is  
 25 available for campus job development and placement  
 26 services.

27 14. Funds appropriated in Schedule (7) for the Special  
 28 Services for CalWORKs Recipients Program have  
 29 been budgeted to meet the state’s Temporary Assis-  
 30 tance for Needy Families maintenance-of-effort require-  
 31 ment pursuant to the federal Personal Responsibility  
 32 and Work Opportunity Reconciliation Act of 1996  
 33 (P.L. 104-193) and may not be expended in any way  
 34 that would cause their disqualification as a federally  
 35 allowable maintenance-of-effort expenditure.

36 15. (a) Funds provided in Schedule (8) for the Foster  
 37 Care Education Program shall be allocated to  
 38 provide foster and relative/kinship care education  
 39 and training. Districts shall ensure that education  
 40 and training required by Sections 1529.1 and

- 1 1529.2 of the Health and Safety Code and Section  
2 16003 of the Welfare and Institutions Code re-  
3 ceive priority. Districts may use any remaining  
4 funds for additional parenting skills training.
- 5 (b) Funds provided in Schedule (8) shall be used for  
6 foster parent and relative/kinship care provider  
7 education training services consistent with the  
8 following criteria:
- 9 (1) The Chancellor of the California Community  
10 Colleges shall use these funds exclusively  
11 for foster parent and relative/kinship care  
12 provider education and training, as specified  
13 by the chancellor in consultation with an ad-  
14 visory committee that includes foster parents,  
15 representatives of statewide foster parent or-  
16 ganizations, parent and relative/kinship care  
17 providers, and representatives from the State  
18 Department of Social Services.
- 19 (2) Acceptance of funds under this program shall  
20 constitute agreement by the district to comply  
21 with such reporting requirements, guidelines,  
22 and other conditions for receipt of funding  
23 as the chancellor may establish.
- 24 (3) Each college plan for foster and relative/kin-  
25 ship care education programs shall include  
26 the provision of training to facilitate the de-  
27 velopment of foster family homes, small  
28 family homes, and relative/kinship homes to  
29 care for no more than six children who have  
30 special mental, emotional, developmental, or  
31 physical needs.
- 32 (4) The State Department of Social Services shall  
33 facilitate the participation of county welfare  
34 departments in the foster and relative/kinship  
35 care education program.
- 36 16. (a) Funds appropriated in Schedule (9) for the Matric-  
37 ulation Program are for the purpose of student  
38 matriculation pursuant to Article 1 (commencing  
39 with Section 78210) of Chapter 2 of Part 48 of  
40 Division 7 of Title 3 of the Education Code.

- 1 (b) Of the amount appropriated in Schedule (9),
- 2 ~~\$20,000,000~~ *\$13,017,000* shall be allocated to
- 3 community college districts on a one-to-one
- 4 matching funds basis to provide matriculation
- 5 services, including, but not limited to, orientation,
- 6 assessment, and counseling, for students enrolled
- 7 in designated noncredit classes and programs who
- 8 may benefit most, as determined by the Chancel-
- 9 lor of the California Community Colleges pur-
- 10 suant to Sections 78216 to 78218, inclusive, of
- 11 the Education Code.
- 12 17. The funds in Schedule (13) for the Part-time Faculty
- 13 Compensation Program shall be allocated solely to
- 14 increase compensation for part-time faculty from the
- 15 amounts previously authorized. Funds shall be distribut-
- 16 ed to districts based on the total actual full-time
- 17 equivalent students served in the previous fiscal year
- 18 and include a small district factor as determined by
- 19 the Chancellor of the California Community Colleges.
- 20 These funds are to be used to assist districts in making
- 21 part-time faculty salaries more comparable to full-time
- 22 salaries for similar work, as determined through each
- 23 district’s local collective bargaining process. These
- 24 funds shall not supplant the amount of resources each
- 25 district used to compensate part-time faculty or be
- 26 used to exceed parity of each part-time faculty em-
- 27 ployed by each district with regular full-time faculty
- 28 at the same district, as certified by the chancellor. If
- 29 a district achieves parity, its allocation may be used
- 30 for any other educational purpose.
- 31 18. (a) ~~\$24,197,000~~ *\$19,637,380* of the funds provided
- 32 in Schedule (15) for the Telecommunications and
- 33 Technology Services Program shall be for the
- 34 purpose of supporting technical and application
- 35 innovations and for coordination of activities that
- 36 serve to maximize the utility of the technology
- 37 investments of the community college system to-
- 38 wards improving learning outcomes. Allocations
- 39 shall be made by the Chancellor of the California
- 40 Community Colleges, based on criteria and

1 guidelines as developed by the chancellor, on a  
2 competitive basis through the RFA/RFP applica-  
3 tion process for the following purposes:

- 4 (1) Provision of access to statewide multimedia  
5 hosting and delivery services for system col-  
6 leges and districts.
- 7 (2) Provision of systemwide Internet, audio  
8 bridging, and telephony.
- 9 (3) Technical assistance and planning, coopera-  
10 tive purchase agreements, and faculty and  
11 staff development in a manner consistent with  
12 paragraph (3) of subdivision (b) of Provision  
13 17 of Item 6870-101-0001 of Section 2.00 of  
14 the Budget Act of 1996 (Ch. 162, Stats.  
15 1996).
- 16 (4) Ongoing support for the California Virtual  
17 Campus Distance Education Program.
- 18 (5) Ongoing support for programs designed to  
19 use technology in assisting accreditation and  
20 the alignment of curricula across K–20 seg-  
21 ments in California.
- 22 (6) Support for technology pilots and ongoing  
23 technology programs and applications that  
24 serve to maximize the utility and economy  
25 of scale of the technology investments of the  
26 community college system towards improv-  
27 ing learning outcomes.

28 In addition, a portion of the funds provided in this  
29 subdivision shall be available for allocations to dis-  
30 tricts. It is the intent of the Legislature that these funds  
31 be used by colleges to maintain the technology capa-  
32 bilities specified in subdivision (a) of Provision 21 of  
33 Item 6870-101-0001 of the Budget Act of 2003 (Ch.  
34 157, Stats. 2003). These funds shall not supplant exist-  
35 ing funds used for those purposes, and colleges shall  
36 match maintenance and ongoing costs with other funds  
37 as provided by Provision 21(a) of Item 6870-101-0001  
38 of the Budget Act of 2003 (Ch. 157, Stats. 2003).

- 39 (b) The Office of the Chancellor of the California  
40 Community Colleges shall develop the reporting

1 criteria for all programs funded by this item and  
 2 shall submit that for review along with an annual  
 3 progress report on program implementation to the  
 4 Legislative Analyst, the Office of the Secretary  
 5 for Education, and the Department of Finance no  
 6 later than December 1 of each year. Reporting  
 7 shall include summaries of allocations and expen-  
 8 ditures by program and by district, where applica-  
 9 ble.

10 (c) Of the funds provided in Schedule (15),  
 11 ~~\$2,000,000~~ \$1,580,000 is for ongoing support and  
 12 expansion of the California Partnership for  
 13 Achieving Student Success (Cal-PASS) program.  
 14 As a condition of receipt of these funds, the  
 15 grantee shall submit to the Office of the Chancel-  
 16 lor, by October 15 of each year, all of the follow-  
 17 ing: (1) a report that includes the numbers and  
 18 percentages of institutions and school districts  
 19 that have signed agreements and the number and  
 20 percentage that have actively submitted data in  
 21 the current year and (2) an annual financial audit,  
 22 as prescribed by the chancellor, that includes an  
 23 accounting of all funding sources and all uses of  
 24 funds by funding source. The report and audit also  
 25 shall be submitted to the Legislative Analyst, the  
 26 Department of Finance, and the appropriate bud-  
 27 get subcommittees. It is the intent of the Legisla-  
 28 ture that all reporting requirements contained in  
 29 this subdivision shall be completed using funds  
 30 provided to the grantee.

31 19. Of the funds provided in Schedule (16) for the Eco-  
 32 nomic and Workforce Development Program:

33 (a) ~~\$22,830,000~~ \$15,524,000 is allocated for regional  
 34 business resources assistance and innovation net-  
 35 work centers. Each allocation to a district for  
 36 Centers for International Development shall con-  
 37 tain sufficient funds, as determined by the Chan-  
 38 cellor of the California Community Colleges, for  
 39 the continued operation of Mexican International  
 40 Trade Centers.

- 1 (b) ~~\$7,822,000~~-\$5,319,000 is allocated for industry-  
2 driven regional education and training collabora-  
3 tives. These allocations shall be made on a com-  
4 petitive basis and the amounts shall not be restrict-  
5 ed to any predetermined limit, but rather shall be  
6 funded on their individual merits.
- 7 (c) ~~\$3,609,000~~-\$2,454,000 is allocated for statewide  
8 network leadership, organizational development,  
9 coordination, information and support services,  
10 or other program purposes.
- 11 (d) ~~\$4,529,000~~-\$3,080,000 is available for Job Devel-  
12 opment Incentive Training programs focused on  
13 job creation for public assistance recipients. Any  
14 annual savings from this subdivision shall only  
15 be available for expenditure for one-time activities  
16 listed under subdivision (j) of Section 88531 of  
17 the Education Code.
- 18 (e) ~~\$8,000,000~~-\$5,440,200 is allocated for the estab-  
19 lishment of a Responsive Incumbent Worker  
20 Training Fund, which will serve to expand the  
21 delivery of performance improvement training to  
22 employers and incumbent workers in high-growth  
23 industries. Funds shall also be used to develop  
24 programs that integrate basic skills and career  
25 technical education curriculum in ways that pro-  
26 vide students with seamless educational course-  
27 work that transitions students into high-tech and  
28 high-demand job sectors.
- 29 (f) The following provisions apply to the expenditure  
30 of funds within subdivisions (a) and (b): Funds  
31 allocated for centers and regional collaboratives  
32 shall seek to maximize the use of state funds for  
33 subdivisions (g) to (j), inclusive, of Section 88531  
34 of the Education Code. Funds allocated to districts  
35 for purposes of subdivisions (g) and (i) of Section  
36 88531 of the Education Code for performance-  
37 based training and student internships shall be  
38 matched by a minimum of \$1 of private business  
39 and industry funding for each \$1 of state funds.  
40 Funds allocated for purposes of subdivision (h)

1 of Section 88531 of the Education Code for  
 2 credit and noncredit instruction may be transferred  
 3 to Schedule (1) or (3) to facilitate distribution at  
 4 the chancellor’s discretion. Any funds that become  
 5 available from network centers due to savings,  
 6 discontinuance, or reduction of amounts shall first  
 7 be made available for additional allocations in  
 8 subdivision (b) to increase the level of subsidized  
 9 training otherwise available.

10 (g) Funds allocated by the Board of Governors of the  
 11 California Community Colleges under this provi-  
 12 sion may not be used by community college dis-  
 13 tricts to supplant existing courses or contract edu-  
 14 cation offerings. The chancellor shall ensure that  
 15 funds are spent only for expanded services and  
 16 shall implement accountability reporting for dis-  
 17 tricts receiving these funds to ensure that training,  
 18 credit, and noncredit programs remain relevant  
 19 to business needs. Programs that do not demon-  
 20 strate continued relevance and support by business  
 21 shall not be eligible for continued funding. The  
 22 board of governors shall consider the level of in-  
 23 volvement and financial commitments of business  
 24 and industry as primary factors in making awards.  
 25 The chancellor shall incorporate project require-  
 26 ments into the guidelines for audits of economic  
 27 development projects.

28 (h) Primary objectives of the Economic and Work-  
 29 force Development Program are to maximize in-  
 30 struction, to prepare students for entry-level jobs,  
 31 to increase skills of the current workforce, and to  
 32 stimulate the growth of businesses through train-  
 33 ing so that more jobs are created. As part of the  
 34 annual report on the performance of the Economic  
 35 and Workforce Development Program, the chan-  
 36 cellor shall provide disaggregated data detailing  
 37 the funding provided to each economic develop-  
 38 ment regional center and each industry-driven  
 39 regional education and training collaborative, and  
 40 to the extent practicable, the total number of hours

- 1 of contract education services, performance im-  
2 provement training, credit and noncredit instruc-  
3 tion, and job placements created as a result of  
4 each center and collaborative.
- 5 20. (a) The funds appropriated in Schedule (17) for the  
6 Transfer Education and Articulation Program are  
7 available to support transfer and articulation pro-  
8 jects and common course numbering projects.
- 9 (b) Funding provided to community college districts  
10 from Schedule (17) is provided to directly offset  
11 any mandated costs claimed by community col-  
12 lege districts pursuant to Chapter 737 of the  
13 Statutes of 2004.
- 14 21. (a) ~~\$13,673,000~~ *One-half* of the funds appropriated  
15 in Schedule (18) ~~is~~ *are* available for the following  
16 purposes:
- 17 (1) Scheduled maintenance and special repairs  
18 of facilities. The Chancellor of the California  
19 Community Colleges shall allocate funds to  
20 districts on the basis of actual reported full-  
21 time equivalent students (FTES), and may  
22 establish a minimum allocation per district.  
23 As a condition for receiving and expending  
24 these funds for maintenance or special re-  
25 pairs, a district shall certify that it will in-  
26 crease its operations and maintenance  
27 spending from the 1995–96 fiscal year by the  
28 amount it allocates from this appropriation  
29 for maintenance and special repairs, plus an  
30 equal amount to be provided from district  
31 discretionary funds. The chancellor may  
32 waive all or a portion of the matching require-  
33 ment based upon a review of a district’s finan-  
34 cial condition. The question of whether a  
35 district has complied with its resolution shall  
36 be reviewed under the annual audit of that  
37 district. For every \$1 a district expends from  
38 this appropriation for scheduled maintenance  
39 and special repairs, the recipient district shall  
40 provide \$1 in matching funds.

- 1 (2) Hazardous substances abatement, cleanup,
- 2 and repairs.
- 3 (3) Architectural barrier removal projects that
- 4 meet the requirements of the federal Americans
- 5 with Disabilities Act of 1990 (42 U.S.C.
- 6 Sec. 12101 et seq.) and seismic retrofit pro-
- 7 jects limited to \$400,000. Districts that re-
- 8 ceive funds for architectural barrier removal
- 9 projects shall provide a \$1 match for every
- 10 \$1 provided by the state.
- 11 (b) ~~\$13,672,000~~ *One-half* of the funds appropriated
- 12 in Schedule (18) ~~is~~ *are* available for replacement
- 13 of instructional equipment and library materials.
- 14 For every \$3 a district expends from this appropri-
- 15 ation for replacement of instructional equipment
- 16 or library materials, the recipient district shall
- 17 provide \$1 in matching funds. The chancellor may
- 18 waive all or a portion of the matching requirement
- 19 based upon a review of a district’s financial con-
- 20 dition. The funds provided for instructional
- 21 equipment and library materials shall not be used
- 22 for personal services costs or operating expenses.
- 23 The chancellor shall allocate funds to districts on
- 24 the basis of actual reported FTES and may estab-
- 25 lish a minimum allocation per district. The ques-
- 26 tion of whether a district has complied with its
- 27 resolution shall be reviewed under the annual au-
- 28 dit of that district.
- 29 (c) The funds appropriated in Schedule (18) shall be
- 30 available for expenditure until June 30, ~~2010~~
- 31 *2011*.
- 32 22. Of the funds appropriated in Schedule (19) for Extend-
- 33 ed Opportunity Programs and Services, ~~\$106,786,000~~
- 34 *\$89,188,000* is for Extended Opportunity Programs
- 35 and Services (EOPS) in accordance with Article 8
- 36 (commencing with Section 69640) of Chapter 2 of
- 37 Part 42 of Division 5 of Title 3 of the Education Code.
- 38 Funds provided in this item for EOPS shall be avail-
- 39 able to students on all campuses within the California
- 40 Community College system, including those students

1 on new campuses or in new districts. In addition,  
2 ~~\$15,505,000~~ *\$12,949,400* is for funding, at all colleges,  
3 the Cooperative Agencies Resources for Education  
4 (CARE) program in accordance with Article 4 (com-  
5 mencing with Section 79150) of Chapter 9 of Part 48  
6 of Division 7 of Title 3 of the Education Code. The  
7 Board of Governors of the California Community  
8 Colleges shall allocate funds on a priority basis to local  
9 programs on the basis of need for student services.

10 23. Of the funds appropriated in Schedule (19) for the  
11 Extended Opportunity Programs and Services, no less  
12 than \$6,900,000 shall be available to support additional  
13 textbook assistance grants to community college stu-  
14 dents as an allowable expenditure consistent with  
15 paragraph (10) of subdivision (b) of Section 69648 of  
16 the Education Code. In addition, these funds shall not  
17 supplant the amount of resources used for ~~text book~~  
18 *textbook* grants in 2001–02.

19 24. The funds appropriated in Schedule (20) for the Fund  
20 for Student Success is for additional targeted student  
21 services, to be expended as follows:

22 (a) ~~\$1,921,000~~ *\$1,642,000* is for the Puente Project  
23 to support up to 75 colleges. These funds are  
24 available if matched by \$200,000 of private funds  
25 and the participating community colleges and  
26 University of California campuses maintain their  
27 1995–96 fiscal year support level for the Puente  
28 Project. All funding shall be allocated directly to  
29 participating districts in accordance with their  
30 participation agreement.

31 (b) Up to ~~\$2,459,000~~ *\$2,102,000* is for the Mathemat-  
32 ics, Engineering and Science Achievement  
33 (MESA) Program. For each dollar allocated, the  
34 recipient district shall provide \$1 in matching  
35 funds.

36 (c) No less than ~~\$1,778,000~~ *\$1,518,820* is for the  
37 Middle College High School Program. With the  
38 exception of fully compliant special part-time  
39 students at the community colleges pursuant to  
40 Sections 48802 and 76001 of the Education Code,

1 student workload based on participation in the  
 2 Middle College High School Program shall not  
 3 be eligible for community college state apportion-  
 4 ment. Further, no community college state apportion-  
 5 ment shall be made available for physical ed-  
 6 ucation classes, noncredit classes, nor other  
 7 courses specified in Provision 8.

8 25. Pursuant to Sections 69648.5, 78216, and 84850, and  
 9 subdivision (b) of Section 87108, of the Education  
 10 Code, the Board of Governors of the California Com-  
 11 munity Colleges may allocate funds appropriated in  
 12 Schedules (6), (9), (11), and (19) by grant or contract,  
 13 or through the apportionment process, to one or more  
 14 districts for the purpose of providing program evalua-  
 15 tion, accountability, monitoring, or program develop-  
 16 ment services, as appropriate under the applicable  
 17 statute.

18 26. The funds appropriated in ~~Schedule (21)~~ for the Career  
 19 Technical Education Program are for the purpose of  
 20 aligning career-technical education curriculum be-  
 21 tween K-12 and community colleges in targeted indus-  
 22 try-driven programs offered through the Economic  
 23 and Workforce Development Program. Prior to the  
 24 allocation of these funds, the Chancellor of the Cali-  
 25 fornia Community Colleges, in conjunction with the  
 26 State Department of Education, shall submit a pro-  
 27 posed expenditure plan for the funds contained in this  
 28 item, and the rationale therefor, to the Department of  
 29 Finance by August 1, 2009, for approval.

30 Of the funds appropriated in ~~Schedule (21)~~ for the  
 31 *Career Technical Education Program*, no more than  
 32 \$2,500,000 is available for the development and en-  
 33 hancement of health-related career pathway programs  
 34 in grades 7 to 12, inclusive, and for the articulation  
 35 and alignment of health-related curriculum between  
 36 schools with pupils in kindergarten and grades 1 to  
 37 12, inclusive, and the California Community Colleges.

38 27. The funds appropriated in Schedule (22) for the  
 39 Campus ~~Childcare~~ *Child Care* Tax Bailout shall be  
 40 allocated by the Chancellor of the California Commu-

1 nity Colleges to community college districts that levied  
2 child care permissive override taxes in the 1977–78  
3 fiscal year pursuant to Sections 8329 and 8330 of the  
4 Education Code in an amount ~~equal~~ *proportional* to  
5 the property tax revenues, tax relief subventions, and  
6 state aid required to be made available by the district  
7 to its child care and development program for the  
8 1979–80 fiscal year pursuant to Section 30 of Chapter  
9 1035 of the Statutes of 1979, increased by any cost-  
10 of-living increases granted in subsequent fiscal years.  
11 These funds shall be used only for the purpose of  
12 community college child care and development pro-  
13 grams.

14 28. With regard to the funds appropriated in Schedule  
15 (23), Nursing Program Support, all of the following  
16 shall apply:

- 17 (a) ~~\$14,000,000~~ *\$11,760,000* shall be used to provide  
18 support for nursing program enrollment and  
19 equipment needs consistent with paragraph (2) of  
20 subdivision (a) of Section 2 of Chapter 514 of the  
21 Statutes of 2001. Funding for nursing enrollment  
22 shall provide a marginal increase in funding in  
23 addition to the amount provided for each full-time  
24 equivalent student for regular growth in apportion-  
25 ments.
- 26 (b) ~~\$8,100,000~~ *\$6,804,000* shall be used to provide  
27 diagnostic and support services, preentry course-  
28 work, alternative program delivery model devel-  
29 opment, and other services to reduce the incidence  
30 of student attrition in nursing programs.
- 31 (c) Funds shall be allocated according to the follow-  
32 ing criteria:
  - 33 (1) The degree to which the funds provided  
34 would be used to increase student enrollment  
35 in nursing programs beyond the level of full-  
36 time equivalent students served in the  
37 2008–09 academic year.
  - 38 (2) The district’s level of attrition from nursing  
39 programs and the suitability of planned ex-  
40 penditures to address attrition levels.

- 1                   (3) The degree to which funds provided would
- 2                   be used to support infrastructure or equip-
- 3                   ment needs with the intent of building capac-
- 4                   ity and increasing the number of nursing
- 5                   students served.
- 6                   (4) For districts with attrition rates of 15 percent
- 7                   or more, new funding shall focus on attrition
- 8                   reduction. For districts with attrition rates
- 9                   below 15 percent, new funding shall focus
- 10                  on enrollment expansion.
- 11                 (d) On or before March 1 of each year, the Chancellor
- 12                 of the California Community Colleges shall pro-
- 13                 vide the Legislature and the Department of Fi-
- 14                 nance with a report on the allocation of funding.
- 15                 For each district receiving funding under this item,
- 16                 the report shall include all of the following: (1)
- 17                 the amount of funding received, (2) the number
- 18                 of nursing full-time equivalent students served in
- 19                 the 2006–07 academic year, and the additional
- 20                 number of nursing full-time equivalent students
- 21                 served with funding provided in this item in each
- 22                 subsequent year, (3) the district’s attrition and
- 23                 completion rates in the 2006–07 academic year
- 24                 and subsequent years, (4) any equipment or infra-
- 25                 structure-related items acquired with the funds
- 26                 appropriated in this item, and (5) the number of
- 27                 new and existing faculty receiving annual stipend
- 28                 awards.
- 29                 29. *Notwithstanding any other provision of law, the*
- 30                 *Chancellor of the California Community Colleges may*
- 31                 *reduce community college district base workload*
- 32                 *measures to match available funding under Schedule*
- 33                 *(1), which reflects a base reduction of \$120,000,000,*
- 34                 *and local revenues designated to support community*
- 35                 *college district general apportionments. It is the intent*
- 36                 *of the Legislature that community college districts, to*
- 37                 *the greatest extent possible, shall implement any nec-*
- 38                 *essary workload reductions in areas other than basic*
- 39                 *skills, workforce training, and transfer. On or before*
- 40                 *March 1, 2010, the chancellor shall provide the Leg-*

1 *islature and the Director of Finance with a report on*  
2 *the implementation of this provision.*

3 30. *Notwithstanding any other provision of law, the*  
4 *Chancellor of the California Community Colleges*  
5 *shall allocate categorical funds as specified in legisla-*  
6 *tion enacted in 2009. Pursuant to the conditions*  
7 *specified in that legislation, districts may utilize funds*  
8 *allocated from Schedules (2), (9), (10), (11), (12), (13),*  
9 *(14), (16), (17), (18), (21), and (22) as further specified*  
10 *in that legislation.*

11  
12 *SEC. 464. Item 6870-103-0001 of Section 2.00 of the Budget*  
13 *Act of 2009 is amended to read:*

14  
15 6870-103-0001—For local assistance, Board of Governors of  
16 the California Community Colleges (Proposition 98), to  
17 allow selected community colleges to make required lease-  
18 purchase payments..... 66,829,000  
19 Schedule:  
20 (1) Rental and administration..... 68,911,000  
21 (2) Reimbursements..... -2,082,000

- 22 Provisions:  
23 1. ~~The funds appropriated in this item are for transfer by~~  
24 ~~the Controller to Section B of the State School~~  
25 ~~Fund.~~*The Controller shall transfer funds appropriated*  
26 *in this item for base rental, fees, and insurance as and*  
27 *when provided for in the schedule submitted by the*  
28 *State Public Works Board or the Department of Fi-*  
29 *nance. Notwithstanding the payment dates in any re-*  
30 *lated Facility Lease or Indenture, the schedule may*  
31 *provide for an earlier transfer of funds to ensure debt*  
32 *requirements are met and base rental payments are*  
33 *paid in full when due.*  
34 2. The Controller shall transfer funds appropriated in this  
35 item according to a schedule to be provided by the  
36 State Public Works Board. The schedule shall be pro-  
37 vided on a monthly basis or as otherwise needed to  
38 ensure debt requirements are met.  
39 3. This item may contain adjustments pursuant to Section  
40 4.30 that are not currently reflected. Any adjustments

1 to this item shall be reported to the Joint Legislative  
2 Budget Committee pursuant to Section 4.30.

3  
4 *SEC. 465. Item 6870-111-0001 of Section 2.00 of the Budget*  
5 *Act of 2009 is amended to read:*

6	6870-111-0001—For local assistance, Board of Governors of	
7	the California Community Colleges.....	0
8	Schedule:	
9	(1) 10.20-CalWORKs Services.....	8,000,000
10	(2) 20.10.060-Foster Parent Training.....	6,112,000
11	(3) 20.30.030-Vocational Education.....	<del>56,741,000</del>
12		76,287,000
13	(3.5) 20.30.034-Corrections Training Pro-	
14	gram.....	2,610,000
15	(4) 20.30.011-Telecommunications and	
16	Technology Infrastructure.....	292,000
17	(5) 20.30.050-Economic Development.....	<del>1,340,000</del>
18		10,540,000
19	(6) Reimbursements.....	<del>-75,095,000</del>
20		-103,841,000

- 21 Provisions:
- 22 1. The funds appropriated in Schedules (1) and (3) are
  - 23 for transfer by the Controller to Section B of the State
  - 24 School Fund.
  - 25 2. The funds appropriated in Schedule (1) are to fund
  - 26 additional fixed, variable, and one-time costs for pro-
  - 27 viding support services and instruction for CalWORKs
  - 28 students that include, but are not limited to, job
  - 29 placement and coordination, curriculum development
  - 30 and redesign, child care and workstudy, and instruc-
  - 31 tion. As a condition of receiving funding, colleges are
  - 32 required to submit a plan to the Office of the Chancel-
  - 33 lor of the California Community Colleges describing
  - 34 how the funds will be utilized, which shall be based
  - 35 on collaboration with county welfare offices regarding
  - 36 the services and instruction that are needed for Cal-
  - 37 WORKs recipients.
  - 38 3. The funds appropriated in Schedule (3.5) reflect an
  - 39 interagency agreement with the Department of Correc-
  - 40

1 tions and Rehabilitation to support the delivery of staff  
2 training and instruction services to the department's  
3 staff throughout the state. These funds shall not be  
4 made available to the community colleges until 30  
5 days after the interagency agreement is provided to  
6 the Legislature.

7 4. The funds appropriated in Schedule (4) shall be used  
8 to support Phase 2 of the CCCTran project.

9 5. ~~The~~ *Of the* funds appropriated in Schedule (5),  
10 \$1,340,000 shall be used to support an interagency  
11 agreement between the Office of the Chancellor of the  
12 California Community Colleges and the Department  
13 of Transportation for the purpose of providing assis-  
14 tance and training in business management practices  
15 to small and disadvantaged businesses in an effort to  
16 increase their capacity to be successful in bidding for  
17 state transportation contracts.

18 6. *The funds appropriated in Schedule (5) reflect an in-*  
19 *crease of \$3,200,000 to support interagency agree-*  
20 *ments between the Office of the Chancellor of the*  
21 *California Community Colleges and the Employment*  
22 *Development Department for the following purposes:*

23 (a) *Offering bridging courses and programs for li-*  
24 *censed vocational nurses, paramedics, or independ-*  
25 *ent duty corpsmen to meet the requirements for*  
26 *taking and successfully completing examinations*  
27 *to become a registered nurse.*

28 (b) *Expanding enrollments in allied health occupation*  
29 *programs in community colleges.*

30 7. *The funds appropriated in Schedule (5) reflect an in-*  
31 *crease of \$6,000,000 to support interagency agree-*  
32 *ments between the Office of the Chancellor of the*  
33 *California Community Colleges and the Employment*  
34 *Development Department for the continued support*  
35 *of the Governor's Nursing Initiative.*

36  
37 *SEC. 466. Item 6870-295-0001 of Section 2.00 of the Budget*  
38 *Act of 2009 is amended to read:*

1 6870-295-0001—For local assistance, Board of Governors of  
2 the California Community Colleges (Proposition 98), for  
3 reimbursement, in accordance with provisions of Section  
4 6 of Article XIII B of the California Constitution or Section  
5 17561 of the Government Code, of the costs of any new  
6 program or increased level of service of an existing pro-  
7 gram mandated by statute or executive order, for disburse-  
8 ment by the Controller..... 3,000  
9 Schedule:  
10 (1) ~~98.01.000.184-Health~~—98.01.001.184-  
11 Health Fees (Ch. 1, Stats. 1984, 2nd Ex.  
12 Sess.) (CSM-4206)..... 1,000  
13 (2) 98.01.090.896-Sex Offenders: Disclo-  
14 sure Requirements (Ch. 908, Stats.  
15 1996) (CSM-97-TC-15)..... 1,000  
16 (3) 98.01.028.498-Law Enforcement Juris-  
17 diction Agreements (Ch. 284, Stats.  
18 1998) (CSM-98-TC-20)..... 1,000  
19 Provisions:  
20 1. Allocation of funds appropriated in this item to the  
21 appropriate local entities shall be made by the Con-  
22 troller in accordance with the provisions of each statute  
23 or executive order that mandates the reimbursement  
24 of the costs, and shall be audited to verify the actual  
25 amount of the mandated costs in accordance with  
26 subdivision (d) of Section 17561 of the Government  
27 Code. Audit adjustments to prior-year claims may be  
28 paid from this item. Funds appropriated in this item  
29 may be used to provide reimbursement pursuant to  
30 Article 5 (commencing with Section 17615) of Chapter  
31 4 of Part 7 of Division 4 of Title 2 of the Government  
32 Code.  
33 2. If any of the scheduled amounts are insufficient to  
34 provide full reimbursement of costs, the Controller  
35 may, upon notifying the Director of Finance in writing,  
36 augment those deficient amounts from the unencum-  
37 bered balance of any other scheduled amounts therein.  
38 No order may be issued pursuant to this provision un-  
39 less written notification of the necessity therefor is  
40 provided to the chairpersons of the committees in each

house of the Legislature that consider appropriations,  
and the Chairperson of the Joint Legislative Budget  
Committee or his or her designee.

SEC. 467. Item 6870-301-6028 of Section 2.00 of the Budget  
Act of 2009 is repealed.

~~6870-301-6028—For capital outlay, Board of Governors of the  
California Community Colleges, to be allocated by the  
board of governors to community college districts for ex-  
penditure as set forth in the schedule below, payable from  
the 2002 Higher Education Capital Outlay Bond Fund.... 12,387,000~~

~~Schedule:~~

~~San Diego Community College District~~

~~San Diego City College~~

~~(1) 40.47.103-Child Development Center—~~

~~Preliminary plans and working draw-  
ings..... 594,000~~

~~West Valley-Mission Community College District~~

~~Districtwide~~

~~(2) 40.69.301-Fire Alarm System Replace-~~

~~ment—Construction..... 11,793,000~~

SEC. 468. Item 6870-301-6041 of Section 2.00 of the Budget  
Act of 2009 is amended to read:

6870-301-6041—For capital outlay, Board of Governors of the  
California Community Colleges, to be allocated by the  
board of governors to community college districts for ex-  
penditure as set forth in the schedule below, payable from  
the 2004 Higher Education Capital Outlay Bond Fund.... 20,246,000

7,031,000

Schedule:

Coast Community College District

Orange Coast College

(1) 40.11.313-Music Building Moderniza-

tion—Preliminary plans and working  
drawings..... 343,000

Los Rios Community College District

American River College

1	(2) 40.27.108-Life Science and Fine Arts	
2	Modernization—Preliminary plans and	
3	working drawings.....	128,000
4	Santa Clarita Community College District	
5	College of the Canyons	
6	(3) 40.54.117-Administration/Student Ser-	
7	vices—Preliminary plans and working	
8	drawings.....	236,000
9	<del>Siskiyou Joint Community College District</del>	
10	<del>College of the Siskiyou</del>	
11	<del>(4) 40.59.104-Science Complex Moderniza-</del>	
12	<del>tion—Construction and equipment.....</del>	<del>13,215,000</del>
13	<del>State Center Community College District</del>	
14	<del>Fresno City College</del>	
15	(5) 40.64.109-Old Administration Building,	
16	North and East Wings, Phase III—Pre-	
17	liminary plans and working drawings....	153,000
18	Ventura County Community College District	
19	Ventura College	
20	(6) 40.65.305-Buildings APP, S, and DP	
21	Modernization—Construction and	
22	equipment.....	5,294,000
23	Yuba Community College District	
24	Yuba College	
25	(7) 40.71.111-Building 1100 Learning Re-	
26	source Center Renovation—Preliminary	
27	plans and working drawings.....	877,000

28

29 *SEC. 469. Item 6870-301-6049 of Section 2.00 of the Budget*

30 *Act of 2009 is amended to read:*

31		
32	6870-301-6049—For capital outlay, Board of Governors of the	
33	California Community Colleges, to be allocated by the	
34	board of governors to community college districts for ex-	
35	penditure as set forth in the schedule below, payable from	
36	the 2006 California Community College Capital Outlay	
37	Bond Fund.....	155,809,000
38		204,082,000

39 Schedule:

40 Antelope Valley Community College District

1	Antelope Valley College	
2	(1) 40.03.115-Health and Science Build-	
3	ing—Equipment.....	1,716,000
4	El Camino Community College District	
5	El Camino College Compton Center	
6	(2) 40.14.116-Infrastructure Replacement	
7	Phase 1—Construction.....	29,480,000
8	(3) 40.14.202-Infrastructure Replacement	
9	Phase 2—Preliminary plans and work-	
10	ing drawings.....	1,040,000
11	Imperial Community College District	
12	Imperial Valley College	
13	(4) 40.21.105-Building 400 Moderniza-	
14	tion—Preliminary plans and working	
15	drawings.....	209,000
16	Kern Community College District	
17	Bakersfield College	
18	(5) 40.22.112-Performing Arts Moderniza-	
19	tion—Preliminary plans and working	
20	drawings.....	1,637,000
21	Long Beach Community College District	
22	Long Beach City College, Pacific Coast Campus	
23	(6) 40.25.117-Multi-Disciplinary Academic	
24	Building—Construction and equip-	
25	ment.....	15,793,000
26	Los Angeles Community College District	
27	East Los Angeles College	
28	(7) 40.26.107-Fine and Performing Arts	
29	Center—Equipment.....	2,824,000
30	Los Rios Community College District	
31	Cosumnes River College	
32	(8) 40.27.214-North East Buildings Modern-	
33	ization—Preliminary plans and working	
34	drawings.....	178,000
35	Monterey Peninsula Community College District	
36	Monterey Peninsula College	
37	(9) 40.32.107-Modernize Humanities,	
38	Business, and Student Services Build-	
39	ings—Preliminary plans and working	
40	drawings.....	403,000

1	Redwoods Community College District	
2	College of the Redwoods	
3	(10) 40.42.107-New Science/Humanities	
4	Building Seismic Replacement—Con-	
5	struction Replacement—Working	
6	drawings and construction.....	27,304,000
7		28,047,000
8	Riverside Community College District	
9	Moreno Valley Center	
10	(11) 40.44.208-Phase III Student Academic	
11	Services Building—Preliminary plans	
12	and working drawings.....	437,000
13	South Orange County Community College District	
14	Irvine Valley College	
15	(12) 40.45.131-Life Sciences Building—	
16	Construction and equipment.....	16,111,000
17	<i>Santa Barbara Community College District</i>	
18	<i>Santa Barbara City College</i>	
19	(12.5) 40.53.122-High Technology Center—	
20	Construction and equipment.....	22,522,000
21	Sequoias Community College District	
22	College of the Sequoias	
23	(13) 40.56.116-Administration Building	
24	Remodel for Efficiency—Preliminary	
25	plans and working drawings.....	603,000
26	Tulare Center	
27	(14) 40.56.200-Phase I Site Development	
28	and Facilities—Construction and	
29	equipment.....	55,414,000
30	<i>Siskiyou Joint Community College District</i>	
31	<i>College of the Siskiyous</i>	
32	(14.5) 40.59.104-Science Complex Modern-	
33	ization—Construction and equip-	
34	ment.....	13,215,000
35	Sonoma County Junior Community College	
36	Santa Rosa Junior College	
37	(15) 40.61.104-Health, Physical Education	
38	and Wellness Complex—Preliminary	
39	plans and working drawings.....	2,317,000

1	<del>Chabot-Los Chabot-Las</del> Positas Community College Dis-	
2	trict	
3	Chabot College	
4	(16) 40.62.116-Math-Science Moderniza-	
5	tion—Preliminary plans and working	
6	drawings.....	163,000
7	Ventura County Community College District	
8	Ventura College	
9	(17) 40.65.308-Studio Arts Building Modern-	
10	ization—Preliminary plans and working	
11	drawings.....	180,000
12	<i>West Valley-Mission Community College District</i>	
13	<i>Districtwide</i>	
14	(18) 40.69.301-Fire Alarm System Replace-	
15	ment—Construction.....	11,793,000

16  
17 *SEC. 470. Item 6870-490 is added to Section 2.00 of the Budget*  
18 *Act of 2009, to read:*

19  
20 *6870-490—Reappropriation, Board of Governors of the Cali-*  
21 *fornia Community Colleges. The balances of the appropri-*  
22 *ations provided in the following citations are reappropri-*  
23 *ated for the purposes and subject to the limitations, unless*  
24 *otherwise specified, in those appropriations:*  
25 *0785—1988 Higher Education Capital Outlay Bond Fund*  
26 *(1) Item 6870-301-0785, Budget Act of 2008 (Chs. 268*  
27 *and 269, Stats. 2008)*  
28 *Los Angeles Community College District*  
29 *Los Angeles City College*  
30 *(1) 40.26.209-Jefferson Hall Modernization—Con-*  
31 *struction and equipment*  
32 *South Orange County Community College District*  
33 *Irvine Valley College*  
34 *(2) 40.45.131-Life Sciences Building—Working*  
35 *drawings*  
36 *6028—2002 Higher Education Capital Outlay Bond Fund*  
37 *(1) Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and*  
38 *48, Stats. 2006)*  
39 *Desert Community College District*  
40 *College of the Desert*

1           (1) 40.10.113-Water and Sewer Infrastructure Re-  
2           placement—Construction  
3           San Luis Obispo County Community College District  
4           Cuesta College  
5           (4.5) 40.51.112-Theater Arts Building—Equipment  
6           6041—2004 Higher Education Capital Outlay Bond Fund  
7           (1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208,  
8           Stats. 2004), as reappropriated by Item 6870-490,  
9           Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and  
10          Item 6870-491, Budget Act of 2006 (Chs. 47 and 48,  
11          Stats. 2006), and reverted by Item 6870-497, Budget  
12          Act of 2006 (Chs. 47 and 48, Stats. 2006), and reap-  
13          propriated by Item 6870-490, Budget Act of 2007 (Chs.  
14          171 and 172, Stats. 2007) and Budget Act of 2008  
15          (Chs. 268 and 269, Stats. 2008)  
16          Los Angeles Community College District  
17          Los Angeles Pierce College  
18          (26) 40.26.505-Child Development Center—Equip-  
19          ment  
20          Copper Mountain Community College District  
21          Copper Mountain College  
22          (76) 40.72.100-Multi-Use Sports Complex—Equip-  
23          ment  
24          (2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and  
25          39, Stats. 2005), as reappropriated by Item 6870-491,  
26          Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and  
27          reverted by Item 6870-497, Budget Act of 2007 (Chs.  
28          171 and 172, Stats. 2007), and reappropriated by Item  
29          6870-490, Budget Act of 2007 (Chs. 171 and 172,  
30          Stats. 2007) and Budget Act of 2008 (Chs. 268 and  
31          269, Stats. 2008)  
32          Los Angeles Community College District  
33          Los Angeles Harbor College  
34          (15) 40.26.304-Child Development Center—Equip-  
35          ment  
36          Rio Hondo Community College District  
37          Rio Hondo College  
38          (30) 40.43.108-Learning Resource/High Technology  
39          Center—Equipment

- 1 (3) *Item 6870-301-6041, Budget Act of 2006 (Chs. 47 and*  
2 *48, Stats. 2006), as reappropriated by Item 6870-490,*  
3 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*  
4 *and Budget Act of 2008 (Chs. 268 and 269, Stats.*  
5 *2008)*  
6 *Chaffey Community College District*  
7 *Chaffey College*  
8 (1) *40.08.112-Health and Physical Science Building*  
9 *Renovation—Construction*  
10 *Citrus Community College District*  
11 *Citrus College*  
12 (2) *40.09.123-Vocational Technology Build-*  
13 *ing—Equipment*  
14 *Santa Barbara Community College District*  
15 *Santa Barbara City College*  
16 (4) *40.53.123-Drama/Music Building Moderniza-*  
17 *tion—Construction and equipment*  
18 (4) *Item 6870-303-6041, Budget Act of 2007 (Chs. 171*  
19 *and 172, Stats. 2007)*  
20 *San Mateo County Community College District*  
21 *College of San Mateo*  
22 (1) *40.52.208-Demolition of Seismic Hazardous*  
23 *Buildings—Construction*  
24 (5) *Item 6870-301-6041, Budget Act of 2008 (Chs. 268*  
25 *and 269, Stats. 2008)*  
26 *Cerritos Community College District*  
27 *Cerritos College*  
28 (1) *40.07.121-Gymnasium Seismic Retrofit—Construc-*  
29 *tion*  
30 *Siskiyou Joint Community College District*  
31 *College of the Siskiyous*  
32 (3) *40.59.104-Science Complex Moderniza-*  
33 *tion—Working drawings*  
34 *West Valley-Mission Community College District*  
35 *Districtwide*  
36 (4) *40.69.301-Fire Alarm System Replacement—Work-*  
37 *ing drawings*  
38 *6049—2006 California Community College Capital Outlay*  
39 *Bond Fund*

- 1 (1) *Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and*  
2 *48, Stats. 2006), as reappropriated by Item 6870-490,*  
3 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*  
4 *Butte-Glenn Community College District*  
5 *Butte College*  
6 *(1) 40.05.108-Instructional Arts Building—Equipment*  
7 *Citrus Community College District*  
8 *Citrus College*  
9 *(3) 40.09.126-Student Services Building—Equipment*  
10 *Grossmont-Cuyamaca Community College District*  
11 *Cuyamaca College*  
12 *(4) 40.19.118-Business/CIS Building—Construction*  
13 *and equipment*  
14 *Grossmont College*  
15 *(5) 40.19.210-Health Sciences Building—Construc-*  
16 *tion and equipment*  
17 *Hartnell Community College District*  
18 *Hartnell East Campus*  
19 *(6) 40.20.103-Center for Applied Technology—Equip-*  
20 *ment*  
21 *Kern Community College District*  
22 *Porterville College*  
23 *(8) 40.22.307-Wellness Center—Equipment*  
24 *Los Angeles Community College District*  
25 *Los Angeles City College*  
26 *(9) 40.26.208-Franklin Hall Modernization—Equip-*  
27 *ment*  
28 *Los Angeles Pierce College*  
29 *(11) 40.26.510-Physical Education Building Renova-*  
30 *tion—Equipment*  
31 *Los Angeles Trade-Technical College*  
32 *(12) 40.26.703-Renovate and Modernize Building*  
33 *A—Equipment*  
34 *Los Angeles Valley College*  
35 *(13) 40.26.804-Child Development Center—Equip-*  
36 *ment*  
37 *Mt. San Antonio Community College District*  
38 *Mt. San Antonio College*  
39 *(16) 40.33.116-Design and Online Tech Center—Con-*  
40 *struction and equipment*

- 1 *Napa Valley Community College District*
- 2 *Napa Valley College*
- 3 *(17) 40.35.104-Library/Learning Resource Cen-*
- 4 *ter—Construction and equipment*
- 5 *North Orange County Community College District*
- 6 *Cypress College*
- 7 *(18) 40.36.102-Humanities Building 1 Renova-*
- 8 *tion—Construction*
- 9 *Fullerton College*
- 10 *(19) 40.36.203-South Science Building Replace-*
- 11 *ment—Construction*
- 12 *Rio Hondo Community College District*
- 13 *Rio Hondo College*
- 14 *(20) 40.43.109-Physical Education Facilities—Con-*
- 15 *struction and equipment*
- 16 *State Center Community College District*
- 17 *Willow International Center*
- 18 *(27) 40.64.501-Academic Facilities, Phase*
- 19 *II—Equipment*
- 20 *Ventura County Community College District*
- 21 *Moorpark College*
- 22 *(28) 40.65.113-Health Science Expansion/Replac-*
- 23 *ement—Equipment*
- 24 *Oxnard College*
- 25 *(29) 40.65.207-OCTV Auditorium—Equipment*
- 26 *West Hills Community College District*
- 27 *West Hills College at Coalinga*
- 28 *(30) 40.67.104-Wellness Center—Construction and*
- 29 *equipment*
- 30 *West Hills College at Lemoore*
- 31 *(31) 40.67.206-Multi-Use Sports Complex—Construc-*
- 32 *tion and equipment*
- 33 *West Kern Community College District*
- 34 *Taft College*
- 35 *(32) 40.68.104-Tech Arts Modernization—Construc-*
- 36 *tion*
- 37 *Copper Mountain Community College District*
- 38 *Copper Mountain College*
- 39 *(33) 40.72.101-Remodel for Efficiency—Construction*
- 40 *and equipment*

- 1 (2) *Item 6870-301-6049, Budget Act of 2007 (Chs. 171*  
 2 *and 172, Stats. 2007), as reverted by Item 6870-497,*  
 3 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),*  
 4 *and reappropriated by Item 6870-490, Budget Act of*  
 5 *2008 (Chs. 268 and 269, Stats. 2008)*  
 6 *Allan Hancock Community College District*  
 7 *Allan Hancock College*  
 8 *(1) 40.02.118-One-Stop Student Services Cen-*  
 9 *ter—Construction and equipment*  
 10 *Contra Costa Community College District*  
 11 *Los Medanos College*  
 12 *(10) 40.13.316-Art Area Remodel—Construction*  
 13 *San Francisco Community College District*  
 14 *City College of San Francisco, Chinatown Center*  
 15 *(36) 40.48.301-Campus Building—Construction*  
 16 *San Joaquin Delta Community College District*  
 17 *San Joaquin Delta College*  
 18 *(37) 40.49.108-Goleman Learning Resource Center*  
 19 *Modernization—Construction and equipment*  
 20 *West Valley-Mission Community College District*  
 21 *West Valley College*  
 22 *(51) 40.69.110-Science and Math Building Renova-*  
 23 *tion—Construction*  
 24 (3) *Item 6870-303-6049, Budget Act of 2007 (Chs. 171*  
 25 *and 172, Stats. 2007)*  
 26 *Cabrillo Community College District*  
 27 *Cabrillo College*  
 28 *(1) 40.06.113-Visual Arts Reconstruction (Building*  
 29 *300)—Working drawings, construction, and*  
 30 *equipment*  
 31 *Ohlone Community College District*  
 32 *Ohlone College*  
 33 *(2) 40.16.113-Below Grade Water Intrusion Re-*  
 34 *pair—Construction*  
 35 *Grossmont-Cuyamaca Community College District*  
 36 *Cuyamaca College*  
 37 *(3) 40.19.119-LRC Expansion/Remodel, Phase*  
 38 *I—Working drawings, construction, and equip-*  
 39 *ment*  
 40 *Los Angeles Community College District*

- 1 *East Los Angeles College*
- 2 (4) 40.26.109-Bailey Library Modernization/Addi-
- 3 tion—Construction and equipment
- 4 *Los Angeles Mission College*
- 5 (5) 40.26.411-Media Arts Center—Construction and
- 6 equipment
- 7 *San Mateo County Community College District*
- 8 *Cañada College*
- 9 (6) 40.52.105-Reconstruction of Academic Facili-
- 10 ties—Construction and equipment
- 11 *West Kern Community College District*
- 12 *Taft College*
- 13 (7) 40.68.105-TIL Center—Construction and equip-
- 14 ment
- 15 (4) Item 6870-301-6049, Budget Act of 2008 (Chs. 268
- 16 and 269, Stats. 2008)
- 17 *Antelope Valley Community College District*
- 18 *Antelope Valley College*
- 19 (1) 40.03.115-Health and Science Building—Construc-
- 20 tion
- 21 *Barstow Community College District*
- 22 *Barstow College*
- 23 (2) 40.04.105-Wellness Center—Construction and
- 24 equipment
- 25 *Chaffey Community College District*
- 26 *Ralph M. Lewis Fontana Center*
- 27 (3) 40.08.201-Fontana Center Phase III, Academic
- 28 Building—Construction and equipment
- 29 *Coast Community College District*
- 30 *Orange Coast College*
- 31 (4) 40.11.312-Consumer and Science Laboratory
- 32 Building—Construction and equipment
- 33 *El Camino Community College District*
- 34 *El Camino College*
- 35 (5) 40.14.115-Social Science Remodel for Efficien-
- 36 cy—Construction and equipment
- 37 *El Camino College Compton Center*
- 38 (5.5) 40.14.116-Infrastructure Replacement Phase
- 39 I—Working drawings
- 40 *Los Angeles Community College District*

1	<i>Los Angeles Harbor College</i>
2	(6) 40.26.305-Library/Learning Resource Center—Construction
3	
4	<i>Los Angeles Trade-Technical College</i>
5	(7) 40.26.705-Learning Assistance Center Renovation—Construction and equipment
6	
7	<i>Los Rios Community College District</i>
8	<i>Sacramento City College</i>
9	(10) 40.27.313-Performing Arts Modernization—Construction
10	
11	<i>Mt. San Antonio Community College District</i>
12	<i>Mt. San Antonio College</i>
13	(11) 40.33.117-Administration Building Remodel—Construction and equipment
14	
15	<i>North Orange County Community College District</i>
16	<i>Fullerton College</i>
17	(12) 40.36.204-Technology and Engineering Complex—Construction and equipment
18	
19	<i>Redwoods Community College District</i>
20	<i>College of the Redwoods</i>
21	(14) 40.42.106-Student Services/Administration and Performing Arts Building—Construction
22	
23	<i>Riverside Community College District</i>
24	<i>Riverside City College</i>
25	(16) 40.44.104-Nursing/Science Building—Construction and equipment
26	
27	<i>San Joaquin Delta Community College District</i>
28	<i>San Joaquin Delta College</i>
29	(18) 40.49.109-Cunningham Math/Science Replacement—Construction
30	
31	<i>Santa Clarita Community College District</i>
32	<i>College of the Canyons</i>
33	(20) 40.54.116-Library Addition—Construction and equipment
34	
35	<i>Santa Monica Community College District</i>
36	<i>Santa Monica College</i>
37	(21) 40.55.110-Student Services and Administration Building—Construction and equipment
38	
39	<i>Sierra Joint Community College District</i>
40	<i>Sierra College</i>

- 1           (24) 40.58.108-Child Development Center—Construc-
- 2                            tion and equipment
- 3           Sonoma County Junior College District
- 4           Santa Rosa Junior College
- 5           (25) 40.61.401-Public Safety Training Center Ad-
- 6                            vanced Laboratory and Office Complex—Con-
- 7                            struction and equipment
- 8           West Hills Community College District
- 9           West Hills College, Coalinga
- 10          (26) 40.67.105-Agricultural Science Facility—Con-
- 11                            struction and equipment

12   Provisions:

- 13          1. Notwithstanding any other provision of law, the
- 14             reappropriations made in this item shall be available
- 15             for encumbrance as follows:
- 16             (a) Preliminary plans and working drawings until
- 17                 June 30, 2011.
- 18             (b) Construction and equipment until June 30, 2013.

19  
20   SEC. 471. Item 6870-491 is added to Section 2.00 of the Budget  
21 Act of 2009, to read:

- 22
- 23   6870-491—Reappropriation, Board of Governors of the Cali-
- 24             fornia Community Colleges. Notwithstanding any other
- 25             provision of law, the period to liquidate encumbrances of
- 26             the following citations is extended to June 30, 2011:
- 27             0574—1998 Higher Education Capital Outlay Bond Fund
- 28             (1) Item 6870-301-0574, Budget Act of 2001 (Ch. 106,
- 29                 Stats. 2001), as amended by Chapter 891 of the
- 30                 Statutes of 2001, and as reappropriated by Item 6870-
- 31                 490, Budget Act of 2002 (Ch. 379, Stats. 2002) and
- 32                 Budget Act of 2004 (Ch. 208, Stats. 2004), and revert-
- 33                 ed by Item 6870-497, Budget Act of 2006 (Chs. 47 and
- 34                 48, Stats. 2006)
- 35             Compton Community College District
- 36             Compton College
- 37             (15) 40.12.107-Seismic        Replacement/Expansion
- 38                            LRC—Equipment
- 39             (16) 40.12.109-Child Development Center—Equip-
- 40                            ment

- 1 6028—2002 *Higher Education Capital Outlay Bond Fund*  
 2 (1) *Item 6870-301-6028, Budget Act of 2003 (Ch. 157,*  
 3 *Stats. 2003), as reappropriated by Item 6870-490,*  
 4 *Budget Act of 2004 (Ch. 208, Stats. 2004) and Budget*  
 5 *Act of 2005 (Chs. 38 and 39, Stats. 2005), and reverted*  
 6 *by Item 6870-497, Budget Act of 2006 (Chs. 47 and*  
 7 *48, Stats. 2006)*  
 8 *Grossmont-Cuyamaca Community College District*  
 9 *Cuyamaca College*  
 10 (23) *40.19.116-Science and Technology*  
 11 *Mall—Equipment*  
 12 *Lake Tahoe Community College District*  
 13 *Lake Tahoe College*  
 14 (30) *40.23.111-Learning Resource Center—Equip-*  
 15 *ment*  
 16 *Santa Clarita Community College District*  
 17 *College of the Canyons*  
 18 (69) *40.54.112-Classroom/High Tech Center—Equip-*  
 19 *ment*  
 20 *Ventura County Community College District*  
 21 *Moorpark College*  
 22 (84) *40.65.109-Child Development Center—Equip-*  
 23 *ment*  
 24 (2) *Item 6870-301-6028, Budget Act of 2004 (Ch. 208,*  
 25 *Stats. 2004), as reappropriated by Item 6870-490,*  
 26 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)*  
 27 *Allan Hancock Joint Community College District*  
 28 *Allan Hancock College*  
 29 (1) *40.02.117-Skills Center Replacement—Construc-*  
 30 *tion and equipment*  
 31 *Foothill-De Anza Community College District*  
 32 *Foothill College*  
 33 (5) *40.15.211-Seismic Replacement-Student Ser-*  
 34 *vices—Equipment*  
 35 *North Orange County Community College District*  
 36 *Cypress College*  
 37 (11) *40.36.101-Piazza Infrastructure Repair—Con-*  
 38 *struction*  
 39 (3) *Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and*  
 40 *48, Stats. 2006)*

- 1 *San Bernardino Community College District*
- 2 *San Bernardino Valley College*
- 3 (2) *40.46.215-North Hall Seismic Replacement—Pre-*
- 4 *liminary plans and working drawings*
- 5 (3) *40.46.216-North Hall/Media Communications*
- 6 *Seismic Replacement—Preliminary plans and*
- 7 *working drawings*
- 8 (4) *40.46.217-Chemistry and Physical Science Seis-*
- 9 *mic Replacement—Preliminary plans and working*
- 10 *drawings*
- 11 *6041—2004 Higher Education Capital Outlay Bond Fund*
- 12 (1) *Item 6870-301-6041, Budget Act of 2004 (Ch. 208,*
- 13 *Stats. 2004), as reappropriated by Item 6870-490,*
- 14 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005) and*
- 15 *Item 6870-491, Budget Act of 2006 (Chs. 47 and 48,*
- 16 *Stats. 2006), and reverted by Item 6870-497, Budget*
- 17 *Act of 2006 (Chs. 47 and 48, Stats. 2006), and reap-*
- 18 *propriated by Item 6870-490, Budget Act of 2007 (Chs.*
- 19 *171 and 172, Stats. 2007), and reverted by Item 6870-*
- 20 *497, Budget Act of 2007 (Chs. 171 and 172, Stats.*
- 21 *2007), and reappropriated by Item 6870-490, Budget*
- 22 *Act of 2008 (Chs. 268 and 269, Stats. 2008)*
- 23 *Allan Hancock Joint Community College District*
- 24 *Allan Hancock College*
- 25 (1) *40.02.114-Science Health Occupations Com-*
- 26 *plex—Construction and equipment*
- 27 *Contra Costa Community College District*
- 28 *Los Medanos College*
- 29 (7) *40.13.314-Math, Science, Technology Build-*
- 30 *ing—Equipment*
- 31 *Foothill-De Anza Community College District*
- 32 *De Anza College*
- 33 (9) *40.15.109-Chemistry Building Conversion to*
- 34 *Math Lab—Equipment*
- 35 (11) *40.15.111-Kirsch Center for Environmental*
- 36 *Studies—Equipment*
- 37 (13) *40.15.113-Science Center—Equipment*
- 38 *Foothill College*
- 39 (14) *40.15.207-Life Sciences—Construction and*
- 40 *equipment*

1	<i>Grossmont-Cuyamaca Community College District</i>
2	<i>Cuyamaca College</i>
3	<i>(15) 40.19.117-Communication Arts Building—Equip-</i>
4	<i>ment</i>
5	<i>Grossmont College</i>
6	<i>(16) 40.19.208-New Digital Arts Lab—Equipment</i>
7	<i>Los Rios Community College District</i>
8	<i>Cosumnes River College</i>
9	<i>(29) 40.27.210-Science Building Modernization—Con-</i>
10	<i>struction</i>
11	<i>Merced Community College District</i>
12	<i>Merced College</i>
13	<i>(31) 40.30.116-Science Building Remodel—Equipment</i>
14	<i>Riverside Community College District</i>
15	<i>Riverside City College</i>
16	<i>(40) 40.44.103-Quadrangle Building Moderniza-</i>
17	<i>tion—Construction and equipment</i>
18	<i>Santa Barbara Community College District</i>
19	<i>Santa Barbara City College</i>
20	<i>(53) 40.53.122-High Technology Center—Working</i>
21	<i>drawings</i>
22	<i>Santa Clarita Community College District</i>
23	<i>College of the Canyons</i>
24	<i>(54) 40.54.113-Laboratory Expansion—Equipment</i>
25	<i>Chabot-Las Positas Community College District</i>
26	<i>Las Positas College</i>
27	<i>(60) 40.62.216-Multi-Disciplinary Education Build-</i>
28	<i>ing—Equipment</i>
29	<i>Southwestern Community College District</i>
30	<i>Otay Mesa Center</i>
31	<i>(62) 40.63.200-Phase I Buildings—Equipment</i>
32	<i>West Kern Community College District</i>
33	<i>Taft College</i>
34	<i>(70) 40.68.101-Child Development Center—Equip-</i>
35	<i>ment</i>
36	<i>Yuba Community College District</i>
37	<i>Yuba College</i>
38	<i>(74) 40.71.107-Engineering, Math, and Science Re-</i>
39	<i>model—Equipment</i>
40	<i>Woodland Center</i>

- 1           (75) 40.71.307-Learning Resources/Technology Cen-  
2                           ter—Equipment  
3       (2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and  
4           39, Stats. 2005), as reappropriated by Item 6870-491,  
5           Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and  
6           reverted by Item 6870-497, Budget Act of 2007 (Chs.  
7           171 and 172, Stats. 2007), and reappropriated by Item  
8           6870-490, Budget Act of 2007 (Chs. 171 and 172,  
9           Stats. 2007) and Budget Act of 2008 (Chs. 268 and  
10          269, Stats. 2008)  
11       Kern Community College District  
12       Porterville College  
13       (10) 40.22.306-Science Modernization—Preliminary  
14                           plans, working drawings, and construction  
15       Los Rios Community College District  
16       Sacramento City College  
17       (19) 40.27.311-North Gym Building Moderniza-  
18                           tion—Construction  
19       Palo Verde Community College District  
20       Palo Verde College  
21       (26) 40.37.104-Fine and Performing Arts—Prelimi-  
22                           nary plans and working drawings  
23       Santa Clarita Community College District  
24       College of the Canyons  
25       (40) 40.54.114-Physical Education Addition—Equip-  
26                           ment  
27       West Kern Community College District  
28       Taft College  
29       (49) 40.68.103-Science Modernization—Construction  
30                           and equipment  
31       6049—2006 California Community College Capital Outlay  
32       Bond Fund  
33       (1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and  
34           48, Stats. 2006), as reappropriated by Item 6870-490,  
35           Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),  
36           and reverted by Item 6870-497, Budget Act of 2008  
37           (Chs. 268 and 269, Stats. 2008)  
38       Allan Hancock Joint Community College District  
39       Allan Hancock College

- 1 (1) 40.02.118-One-Stop Student Services Center—Working drawings  
2  
3 Contra Costa Community College District  
4 Los Medanos College  
5 (5) 40.13.316-Art Area Remodel—Preliminary plans  
6 and working drawings  
7 Los Angeles Community College District  
8 East Los Angeles College  
9 (6) 40.26.108-Multi-Media Classrooms—Working  
10 drawings  
11 Los Rios Community College District  
12 American River College  
13 (7) 40.27.105-Fine Arts Instructional Space Expansion—Working drawings  
14  
15 Cosumnes River College  
16 (8) 40.27.212-Science Building Instructional Expansion—Working drawings  
17  
18 Sacramento City College  
19 (9) 40.27.312-Fine Arts Building Modernization—Working drawings  
20  
21 Mt. San Jacinto Community College District  
22 Menifee Valley Center  
23 (10) 40.34.213-General Classroom Building—Working drawings  
24  
25 Palomar Community College District  
26 Palomar College  
27 (12) 40.38.114-Multi-Disciplinary Building—Working drawings  
28  
29 South Orange County Community College District  
30 Saddleback College  
31 (13) 40.45.217-Learning Resource Center Renovation—Working drawings  
32  
33 San Bernardino Community College District  
34 Crafton Hills College  
35 (14) 40.46.106-Learning Resource/Technology Center—Working drawings  
36  
37 San Joaquin Delta Community College District  
38 San Joaquin Delta College

1 (17) 40.49.108-Goleman Learning Resource Center  
2 Modernization—Preliminary plans and working  
3 drawings

4 Sequoias Community College District  
5 College of the Sequoias

6 (19) 40.56.115-Nursing and Allied Health Cen-  
7 ter—Preliminary plans and working drawings

8 West Valley-Mission Community College District  
9 West Valley College

10 (20) 40.69.110-Science and Math Building Renova-  
11 tion—Preliminary plans and working drawings

12 Feather River Community College District  
13 Feather River College

14 (22) 40.73.105-Learning Resource Center and Tech-  
15 nology Building—Working drawings

16  
17 SEC. 472. Item 6870-492 is added to Section 2.00 of the Budget  
18 Act of 2009, to read:

19  
20 6870-492—Reappropriation, California Community Colleges,  
21 Proposition 98. The following amounts are hereby reappro-  
22 priated for apportionments and shall be available for en-  
23 cumbrance or expenditure until June 30, 2010, for the  
24 purpose of partially backfilling a projected shortfall in lo-  
25 cal property tax revenues from the 2009–10 fiscal year for  
26 community colleges:

27 (1) \$3,722,000 from Schedule (1) of Item 6870-101-0001  
28 of the Budget Act of 2008 (Chs. 268 and 269, Stats.  
29 2008)

30 (2) \$997,000 from Schedule (3) of Item 6870-101-0001  
31 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

32 (3) \$49,000 from Schedule (6) of Item 6870-101-0001 of  
33 the Budget Act of 2003 (Ch. 157, Stats. 2003)

34 (4) \$224,000 from Schedule (16) of Item 6870-101-0001  
35 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

36  
37 SEC. 473. Item 6870-493 is added to Section 2.00 of the Budget  
38 Act of 2009, to read:

1 6870-493—Reappropriation, Board of Governors of the Cali-  
2 fornia Community Colleges. The balances of the appropri-  
3 ations provided in the following citations are reappropri-  
4 ated for the purposes specified in Provision 1 and shall be  
5 available for encumbrance or expenditure until June 30,  
6 2010:

7 (1) Item 6870-002-0890, Budget Act of 2008 (Chs. 268  
8 and 269, Stats. 2008)

9 Provisions:

10 1. The funds appropriated in this item are available to  
11 support personnel and operating expenses necessary  
12 for the implementation of the community college logis-  
13 tics program pursuant to a grant from the United  
14 States Department of Labor pursuant to Public Law  
15 105-220.

16  
17 SEC. 474. Item 6870-497 is added to Section 2.00 of the Budget  
18 Act of 2009, to read:

19  
20 6870-497—Reversion, Board of Governors of the California  
21 Community Colleges. As of June 30, 2009, the balances  
22 specified below of the appropriations provided for in the  
23 following citations shall revert to the funds from which the  
24 appropriations were made:

25 0574—1998 Higher Education Capital Outlay Bond Fund

26 (1) Item 6870-301-0574, Budget Act of 2006 (Chs. 47 and  
27 48, Stats. 2006), as reappropriated by Item 6870-490,  
28 Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)  
29 Rio Hondo Community College District  
30 Rio Hondo College

31 (2) 40.43.106-Applied Technology  
32 Building Reconstruction—Construc-  
33 tion..... 1,467,000

34 6041—2004 Higher Education Capital Outlay Bond Fund

35 (1) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and  
36 39, Stats. 2005)

37 State Center Community College District  
38 Fresno City College

39 (43) 40.64.108-Student Services Building  
40 Remodel—Construction..... 68,000

- 1       6049—2006 California Community College Capital Outlay
- 2       Bond Fund
- 3       (1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and
- 4       48, Stats. 2006)
- 5       San Francisco Community College District
- 6       City College of San Francisco, Phelan Campus
- 7       (16) 40.48.110-Classroom/Lab Complex
- 8       for Theater, Music, Visual, and Me-
- 9       dia Arts—Preliminary plans..... 727,000
- 10      (2) Item 6870-301-6049, Budget Act of 2007 (Chs. 171
- 11      and 172, Stats. 2007), as partially reverted by Item
- 12      6870-497, and reappropriated by Item 6870-490,
- 13      Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- 14      Los Rios Community College District
- 15      American River College
- 16      (20) 40.27.105-Fine Arts Instructional
- 17      Space Expansion—Construction..... 811,000
- 18      Cosumnes River College
- 19      (22) 40.27.212-Science Building Instruc-
- 20      tional Expansion—Construction..... 1,558,000
- 21      Santa Barbara Community College District
- 22      Santa Barbara City College
- 23      (40) 40.53.122-High Technology Cen-
- 24      ter—Construction and equip-
- 25      ment..... 30,672,000
- 26      Shasta-Tehama-Trinity Joint Community College
- 27      District
- 28      Shasta College
- 29      (45) 40.57.103-Library Addition—Con-
- 30      struction..... 1,403,000
- 31      (3) Item 6870-301-6049, Budget Act of 2008 (Chs. 268
- 32      and 269, Stats. 2008)
- 33      Redwoods Community College District
- 34      College of the Redwoods
- 35      (15) 40.42.107-New Science/Humanities
- 36      Building Seismic Replace-
- 37      ment—Working drawings..... 1,110,000
- 38      (4) Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and
- 39      48, Stats. 2006), as reappropriated by Item 6870-490,
- 40      Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

1	<i>Hartnell Community College District</i>	
2	<i>Hartnell East Campus</i>	
3	(6) 40.20.103-Center for Applied Technol-	
4	ogy—Construction.....	676,000
5	<i>Los Rios Community College District</i>	
6	<i>Folsom Lake College</i>	
7	(14) 40.27.505-Physical Education Space,	
8	Phase I—Construction.....	1,278,000
9	<i>Merced Community College District</i>	
10	<i>Merced College</i>	
11	(15) 40.30.119-Allied Health Cen-	
12	ter—Construction.....	3,217,000
13	<i>Riverside Community College District</i>	
14	<i>Norco Campus</i>	
15	(21) 40.44.308-Industrial Technology	
16	Facility, Phase III—Construction.....	1,494,000
17	<i>State Center Community College District</i>	
18	<i>Willow International Center</i>	
19	(27) 40.64.501-Academic Facilities, Phase	
20	II—Construction.....	622,000
21		

22 SEC. 475. Item 7100-001-0001 of Section 2.00 of the Budget  
 23 Act of 2009 is amended to read:

24		
25	7100-001-0001—For support of Employment Development	
26	Department, for payment to Item 7100-001-0870.....	32,300,000
27		31,145,000

- 28 Provisions:
- 29 1. (a) Of the funds appropriated in this item, ~~\$9,202,000~~  
 30 \$8,047,000 is to support the development of the  
 31 Automated Collection Enhancement System  
 32 (ACES). These funds may not be used for any  
 33 other purpose or for items outside the approved  
 34 project scope. Changes in the project scope must  
 35 receive approval using the established administra-  
 36 tive and legislative reporting requirements.
  - 37 (b) The Director of Finance is authorized to increase  
 38 or decrease this item to fund ACES implementa-  
 39 tion workload upon receipt of a new post-vendor  
 40 procurement special project report. Notwithstand-

ing any other provision of law, any ~~augmentation~~  
*adjustment* under this provision shall be autho-  
 rized not sooner than 30 days after notification in  
 writing to the chairpersons of the fiscal commit-  
 tees of each house of the Legislature and the  
 Chairperson of the Joint Legislative Budget  
 Committee. The ACES procurement process for  
 the prime solution provider is in accordance with  
 Chapter 556 of the Statutes of 2005.

(c) The Department of Finance shall report to the  
 Legislature the number of positions to be admin-  
 istratively established for the Employment Devel-  
 opment Department.

*SEC. 476. Item 7100-001-0185 of Section 2.00 of the Budget  
 Act of 2009 is amended to read:*

7100-001-0185—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Development <i>Department</i> Contingent Fund.....	87,800,000 67,600,000
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Provisions:

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 1586 of the Unemployment Insurance Code.
2. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.
3. Notwithstanding any other provision of law and sections of this act, the Director of Employment Development may augment this item to make interest payments on an Unemployment Fund loan secured to pay Unemployment Insurance (UI) benefits. The Employment Development Department will notify the Department of Finance by September 1, 2009, of a planned augmentation by submitting an estimated interest calculation for review. The amount disbursed under this

- 1 augmentation is limited to actual interest due on an
- 2 Unemployment Fund loan secured to pay UI benefits.
- 3 Pursuant to Provision 1 of Item 7100-011-0185, any
- 4 amount not disbursed for the purpose specified above
- 5 shall be transferred to the General Fund.
- 6 4. Of the funds appropriated in this item, \$21,000 is to
- 7 support the development of the Automated Collection
- 8 Enhancement System. These funds may not be used
- 9 for any other purpose or for items outside the approved
- 10 project scope. Changes in the project scope must re-
- 11 ceive approval using the established administrative
- 12 and legislative reporting requirements.
- 13 5. Subdivision (b) of Provision 1 of Item 7100-001-0001
- 14 also applies to this item.
- 15 6. The Secretary of Labor and Workforce Development
- 16 shall report to the Director of Finance and the Joint
- 17 Legislative Budget Committee on the progress of the
- 18 Underground Economy Enforcement Program and
- 19 shall provide justification for its continuance by
- 20 September 13, 2009.

21

22 *SEC. 477. Item 7100-001-0514 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*

24

25 7100-001-0514—For support of Employment Development	
26 Department, for payment to Item 7100-001-0870, payable	
27 from the Employment Training Fund.....	81,427,000
28	46,427,000

- 29 Provisions:
- 30 1. Upon order of the Director of Finance, funds disencum-
  - 31 bered from Employment Training Fund training con-
  - 32 tracts during the 2009–10 fiscal year that have not re-
  - 33 verted as of July 1, 2009, may be appropriated in
  - 34 augmentation of this item.
  - 35 2. Notwithstanding subparagraph (B) of paragraph (2)
  - 36 of subdivision (a) of Section 10206 of the Unemploy-
  - 37 ment Insurance Code, the Employment Training Pan-
  - 38 nel’s administrative costs may exceed 15 percent of the
  - 39 amount appropriated in this item.

- 1 3. Of the funds appropriated in this item, \$21,000 is to
- 2 support the development of the Automated Collection
- 3 Enhancement System. These funds may not be used
- 4 for any other purpose or for items outside the approved
- 5 project scope. Changes in the project scope must re-
- 6 ceive approval using the established administrative
- 7 and legislative reporting requirements.
- 8 4. Subdivision (b) of Provision 1 of Item 7100-001-0001
- 9 also applies to this item.

10  
 11 *SEC. 478. Item 7100-001-0588 of Section 2.00 of the Budget*  
 12 *Act of 2009 is amended to read:*

13  
 14 7100-001-0588—For support of Employment Development  
 15 Department, for payment to Item 7100-001-0870, payable  
 16 from the Unemployment Compensation Disability Fund... *239,558,000*  
 17 *235,240,000*

18 Provisions:

- 19 1. The Employment Development Department shall
- 20 submit on October 1, 2009, and April 20, 2010, to the
- 21 Department of Finance for its review and approval,
- 22 an estimate of expenditures for both the current and
- 23 budget year, including the assumptions and calcula-
- 24 tions underlying Employment Development Depart-
- 25 ment projections for expenditures from this item. The
- 26 Department of Finance shall approve, or modify, the
- 27 assumptions underlying all estimates within 15 work-
- 28 ing days of the due date. If the Department of Finance
- 29 does not approve or modify in writing the assumptions
- 30 underlying all estimates within 15 working days of
- 31 the due date, the Employment Development Depart-
- 32 ment shall consider the assumptions and calculations
- 33 approved as submitted. If the Department of Finance
- 34 determines that the estimate of expenditures differs
- 35 from the amount appropriated by this item, the Director
- 36 of Finance shall so report to the Legislature. At the
- 37 time the report is made, the amount of this appropria-
- 38 tion shall be adjusted by the difference between this
- 39 Budget Act appropriation and the approved estimate
- 40 of the Department of Finance. Revisions reported

- 1           pursuant to this provision are not subject to Section
- 2           28.00.
- 3           2. Of the funds appropriated in this item, \$1,035,000 is
- 4           to support the development of the Automated Collec-
- 5           tion Enhancement System. These funds may not be
- 6           used for any other purpose or for items outside the
- 7           approved project scope. Changes in the project scope
- 8           must receive approval using the established adminis-
- 9           trative and legislative reporting requirements.
- 10          3. Subdivision (b) of Provision 1 of Item 7100-001-0001
- 11          also applies to this item.
- 12          4. (a) *Of the funds appropriated in this item,*
- 13             *\$11,261,000 is to support the development of the*
- 14             *Disability Insurance Automation Project. These*
- 15             *funds may not be used for any other purpose or*
- 16             *for items outside the approved project scope.*
- 17             *Changes in the project scope must receive ap-*
- 18             *proval using the established administrative and*
- 19             *legislative reporting requirements.*
- 20          (b) *The Director of Finance is authorized to increase*
- 21             *or decrease this item to fund Disability Insurance*
- 22             *Automation Project implementation workload*
- 23             *upon receipt of a new postvendor procurement*
- 24             *special project report. Notwithstanding any other*
- 25             *provision of law, any adjustment under this provi-*
- 26             *sion shall be authorized not sooner than 30 days*
- 27             *after notification in writing to the chairpersons*
- 28             *of the fiscal committees of each house of the*
- 29             *Legislature and the Chairperson of the Joint*
- 30             *Legislative Budget Committee.*
- 31          (c) *The Department of Finance shall report to the*
- 32             *Legislature the number of positions to be admin-*
- 33             *istratively established for the Employment Devel-*
- 34             *opment Department.*

35

36           SEC. 479. *Item 7100-001-0869 of Section 2.00 of the Budget*

37           *Act of 2009 is amended to read:*

1 7100-001-0869—For support of state programs under the  
 2 Workforce Investment Act (WIA), Employment Develop-  
 3 ment Department, payable from the Consolidated Work  
 4 Program Fund..... 152,297,000  
 5 232,396,000

6 Schedule:

- 7 (1) 61.35-WIA Administration and Program  
 8 Services..... 19,995,000  
 9 35,186,000  
 10 (2) 61.40-WIA Growth Industries..... 7,309,000  
 11 5,700,000  
 12 (3) 61.50-WIA Industries with a Statewide  
 13 Need..... 20,500,000  
 14 29,100,000  
 15 (4) 61.60-WIA Removing Barriers for Spe-  
 16 cial Needs Populations..... 12,929,000  
 17 64,338,000  
 18 (5) 61.70-WIA Rapid Response Activi-  
 19 ties..... 42,064,000  
 20 53,072,000  
 21 (5.5) 61.80-WIA Special Grants..... 4,500,000  
 22 (6) 62.10-National Emergency Grant Pro-  
 23 gram..... 45,000,000  
 24 (7) *Reimbursements*..... -4,500,000

25 Provisions:

- 26 1. Provision 1 of Item 7100-001-0588 also applies to  
 27 Schedules (1) and (5) of this item.  
 28 1.5. For Schedules (2), (3), and (4), the Employment De-  
 29 velopment Department (EDD) shall submit on October  
 30 1, 2009, and April 20, 2010, to the Department of Fi-  
 31 nance for its review and approval an estimate of expen-  
 32 ditures for both the current and prior budget fiscal  
 33 years, including the assumptions and calculations un-  
 34 derlying the EDD’s projections for expenditures from  
 35 these schedules. To the extent the EDD identifies un-  
 36 spent or receives unanticipated additional federal WIA  
 37 15-percent discretionary funds, the Department of Fi-  
 38 nance may increase expenditure authority for Sched-  
 39 ules (2) to (4), inclusive, if the additional funding is  
 40 consistent with the expenditure plan for WIA discre-

- 1            tionary funds in this item and meets the four require-  
 2            ments set forth in subdivision (b) of Section 28.00.  
 3            Any such augmentation exceeding \$250,000 may be  
 4            authorized not sooner than 30 days after written noti-  
 5            fication is provided to the chairpersons of the commit-  
 6            tees in each house of the Legislature that consider the  
 7            State Budget, and the Chairperson of the Joint Legisla-  
 8            tive Budget Committee, or not sooner than whatever  
 9            lesser time the Chairperson of the Joint Legislative  
 10           Budget Committee, or his or her designee, may in each  
 11           instance determine.
- 12        1.7. For Schedules (2), (3), and (4), in the event that the  
 13           Employment Development Department is notified of  
 14           a reduction in federal Workforce Investment Act  
 15           (WIA) 15-percent discretionary funds, the Department  
 16           of Finance may decrease expenditure authority for  
 17           Schedules (2) to (4), inclusive. Any such decrease that  
 18           exceeds \$250,000 may be authorized not sooner than  
 19           30 days after notification in writing is provided to the  
 20           chairpersons of the committees in each house of the  
 21           Legislature that consider the State Budget, and the  
 22           Chairperson of the Joint Legislative Budget Commit-  
 23           tee, or not sooner than whatever lesser time the  
 24           Chairperson of the Joint Legislative Budget Commit-  
 25           tee, or his or her designee, may in each instance deter-  
 26           mine.
- 27        2. The Secretary of Labor and Workforce Development  
 28           is authorized to transfer up to \$500,000 of the funds  
 29           appropriated in this item to the California Workforce  
 30           Investment Board, Federal Trust Fund, Item 7120-001-  
 31           0890, to facilitate the implementation and operation  
 32           of the WIA Program. Any transfer made pursuant to  
 33           this provision shall be reported in writing to the De-  
 34           partment of Finance, the chairpersons of the fiscal  
 35           committees of each house of the Legislature, and the  
 36           Chairperson of the Joint Legislative Budget Committee  
 37           within 30 days of the date of the transfer.
- 38        3. Notwithstanding any other provision of law, the Sec-  
 39           retary of Labor and Workforce Development is autho-  
 40           rized to transfer funds between categories (Schedules

(1) to (4), inclusive) as included in the schedule to be used for projects. Any transfer made pursuant to this provision shall be reported in writing to the Department of Finance, the chairpersons of the fiscal committees of each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

*SEC. 480. Item 7100-001-0870 of Section 2.00 of the Budget Act of 2009 is amended to read:*

7100-001-0870—For support of Employment Development Department, payable from the Unemployment Administration Fund-Federal.....	575,965,000
	854,184,000
Schedule:	
(1) 10-Employment and Employment Related Services.....	167,362,000
	203,430,000
(2) 21-Tax Collections and Benefit Payments.....	717,449,000
	900,256,000
(3) 22-California Unemployment Insurance Appeals Board.....	91,199,000
	124,870,000
(4) 30.01-General Administration.....	54,388,000
(5) 30.02-Distributed General Administration.....	-51,004,000
(6) 50-Employment Training Panel.....	76,101,000
	41,101,000
(7) Reimbursements.....	-22,916,000
(8) Amount payable from the General Fund (Item 7100-001-0001).....	-32,300,000
	-31,145,000
(9) Amount payable from the Employment Development Department Benefit Audit Fund (Item 7100-001-0184).....	-14,558,000

1	(10) Amount payable from the Employment	
2	Development Contingent Fund (Item	
3	7100-001-0185).....	-87,800,000
4		-67,600,000
5	(11) Amount payable from the Employment	
6	Training Fund (Item 7100-001-	
7	0514).....	-81,427,000
8		-46,427,000
9	(12) Amount payable from the Unemploy-	
10	ment Compensation Disability Fund	
11	(Item 7100-001-0588).....	-239,558,000
12		-235,240,000
13	(13) Amount payable from the School Em-	
14	ployees Fund (Item 7100-001-0908)....	-971,000
15	Provisions:	
16	1. Funds appropriated in this item are in lieu of the	
17	amounts that otherwise would have been appropriated	
18	pursuant to Section 1555 of the Unemployment Insur-	
19	ance Code.	
20	2. Provision 1 of Item 7100-001-0588 also applies to	
21	funds appropriated in this item for the Unemployment	
22	Insurance Program.	

23  
24 *SEC. 481. Item 7100-001-0871 is added to Section 2.00 of the*  
25 *Budget Act of 2009, to read:*

26  
27 *7100-001-0871—For support of Employment Development*  
28 *Department, for payment to Item 7100-001-0870, payable*  
29 *from the Unemployment Fund—Federal..... 0*

30 *Provisions:*  
31 *1. The Director of Finance is authorized to augment this*  
32 *item to fund unemployment insurance modernization*  
33 *projects through funds made available from the*  
34 *American Recovery and Reinvestment Act (P.L. 111-*  
35 *5). These projects include, but are not be limited to,*  
36 *implementation of an Alternate Base Period and con-*  
37 *version of the Single Client Database to a relational*  
38 *database management system. Notwithstanding any*  
39 *other provision of law, any adjustment under this*  
40 *provision shall be authorized not sooner than 30 days*

1 after notification in writing to the chairpersons of the  
 2 fiscal committees of each house of the Legislature and  
 3 the Chairperson of the Joint Legislative Budget Com-  
 4 mittee, or no sooner than any lesser time than the  
 5 chairperson of the joint committee may in each in-  
 6 stance determine.

7  
 8 *SEC. 482. Item 7100-011-0185 of Section 2.00 of the Budget*  
 9 *Act of 2009 is amended to read:*

10  
 11 7100-011-0185—For transfer by the Controller from the Em-  
 12 ployment Development Department Contingent Fund, to  
 13 the General Fund..... (489,000)  
 14 (20,689,000)

15 Provisions:

- 16 1. Notwithstanding any other provision of law, the Con-  
 17 troller shall transfer to the General Fund the unencum-  
 18 bered balance, as determined by the Director of Fi-  
 19 nance, in the Employment Development Department  
 20 Contingent Fund as of June 30, 2010.

21  
 22 *SEC. 483. Item 7100-011-0890 of Section 2.00 of the Budget*  
 23 *Act of 2009 is amended to read:*

24  
 25 7100-011-0890—For support of Employment Development  
 26 Department, payable from the Federal Trust Fund, for  
 27 transfer to the Unemployment Administration Fund—  
 28 Federal..... (575,965,000)  
 29 (854,184,000)

30  
 31 *SEC. 484. Item 7100-021-0890 of Section 2.00 of the Budget*  
 32 *Act of 2009 is amended to read:*

33  
 34 7100-021-0890—For support of Employment Development  
 35 Department, payable from the Federal Trust Fund, for  
 36 transfer to the Consolidated Work Program Fund..... (152,297,000)  
 37 (232,396,000)

38  
 39 *SEC. 485. Item 7100-101-0588 of Section 2.00 of the Budget*  
 40 *Act of 2009 is amended to read:*

1	7100-101-0588—For local assistance, Employment Develop-	
2	ment Department, for Program 21—Tax collections and	
3	benefit payments, payable from the Unemployment	
4	Compensation Disability Fund.....	5,116,229,000
5		5,131,282,000

- 6 Provisions:
- 7 1. Provision 1 of Item 7100-001-0588 also applies to this
  - 8 item.
  - 9 2. Funds appropriated in this item are in lieu of the
  - 10 amounts that otherwise would have been appropriated
  - 11 pursuant to Section 3012 of the Unemployment Insur-
  - 12 ance Code.
  - 13 3. Apart from the estimate of expenditures that the Em-
  - 14 ployment Development Department provides to the
  - 15 Department of Finance on October 1 and April 20 of
  - 16 each year, the Department of Finance is authorized to
  - 17 approve requests for expenditure adjustments for this
  - 18 item in those amounts made necessary by changes in
  - 19 either workload or payments, any rule or regulation
  - 20 adopted as a result of the enactment of a federal or
  - 21 state law, the adoption of a federal regulation, or the
  - 22 following of a court decision during the 2009–10 fiscal
  - 23 year that are within or in excess of amounts appropri-
  - 24 ated in this act for that year. The Department of Fi-
  - 25 nance shall approve or modify the request for change
  - 26 in expenditures within seven working days of receipt
  - 27 of the request. If the Department of Finance does not
  - 28 approve or modify the request, the Employment De-
  - 29 velopment Department shall consider the assumptions
  - 30 and calculations approved as submitted. The Depart-
  - 31 ment of Finance shall notify the Legislature of any
  - 32 modifications to expenditures made pursuant to this
  - 33 provision.

34

35 *SEC. 486. Item 7100-101-0869 of Section 2.00 of the Budget*

36 *Act of 2009 is amended to read:*

1 7100-101-0869—For local assistance under Workforce Invest-  
 2 ment Act (WIA), Employment Development Department,  
 3 Program 61-WIA Program, payable from the Consolidated  
 4 Work Program Fund..... 320,616,000  
 5 357,658,000

6 Provisions:

- 7 1. Provision 1 of Item 7100-001-0588 also applies to this
- 8 item.

9  
 10 *SEC. 487. Item 7100-101-0871 of Section 2.00 of the Budget*  
 11 *Act of 2009 is amended to read:*

12  
 13 7100-101-0871—For local assistance, Employment Devel-  
 14 opment Department, for Program 21—Tax collections  
 15 and benefit payments, payable from the Unemployment  
 16 Fund—Federal..... 7,816,107,000  
 17 30,153,102,000

18 Provisions:

- 19 1. Funds appropriated in this item are in lieu of the
- 20 amounts that would have otherwise been appropriated
- 21 pursuant to Section 1521 of the Unemployment Insur-
- 22 ance Code.
- 23 2. Provision 1 of Item 7100-001-0588 also applies to this
- 24 item.
- 25 3. Provision 3 of Item 7100-101-0588 also applies to this
- 26 item.

27  
 28 *SEC. 488. Item 7100-101-0890 of Section 2.00 of the Budget*  
 29 *Act of 2009 is amended to read:*

30  
 31 7100-101-0890—For local assistance, Employment Develop-  
 32 ment Department, payable from the Federal Trust Fund,  
 33 for transfer to the Consolidated Work Program Fund..... (320,616,000)  
 34 (357,658,000)

35  
 36 *SEC. 489. Item 7100-101-0908 of Section 2.00 of the Budget*  
 37 *Act of 2009 is amended to read:*

1 7100-101-0908—For local assistance, Employment Develop-  
 2 ment Department, for Program 21—Tax collections and  
 3 benefit payments, payable from the School Employees  
 4 Fund..... 93,024,000  
 5 165,703,000

- 6 Provisions:  
 7 1. Provision 1 of Item 7100-001-0588 also applies to this  
 8 item.  
 9 2. Funds appropriated in this item are in lieu of the  
 10 amounts that otherwise would have been appropriated  
 11 for benefits pursuant to Section 822 of the Unemploy-  
 12 ment Insurance Code.  
 13 3. Provision 3 of Item 7100-101-0588 also applies to this  
 14 item.

15  
 16 *SEC. 490. Item 7100-111-0890 of Section 2.00 of the Budget*  
 17 *Act of 2009 is amended to read:*  
 18

19 7100-111-0890—For local assistance, Employment De-  
 20 velopment Department, payable from the Federal  
 21 Trust Fund, for transfer to the Unemployment  
 22 Fund—Federal..... (7,816,107,000)  
 23 (30,153,102,000)  
 24

25 *SEC. 491. Item 7120-001-0890 of Section 2.00 of the Budget*  
 26 *Act of 2009 is amended to read:*  
 27

28 7120-001-0890—For support of the California Workforce In-  
 29 vestment Board, payable from the Federal Trust Fund.... 3,030,000  
 30 3,320,000

- 31 Schedule:  
 32 (1) 10-California Workforce Investment  
 33 Program..... 3,280,000  
 34 3,570,000  
 35 (2) Reimbursements..... -250,000

- 36 Provisions:  
 37 1. The Secretary of ~~the~~ Labor and Workforce Develop-  
 38 ment ~~Agency~~, with the approvals of the California  
 39 Workforce Investment Board and Department of Fi-  
 40 nance, and not sooner than 30 days after notification

1 to the Joint Legislative Budget Committee, is autho-  
 2 rized to transfer funds appropriated in this item to the  
 3 Employment Development Department, Consolidated  
 4 Work Program Fund, Item 7100-001-0869, to facilitate  
 5 the implementation and operation of the Workforce  
 6 Investment Act Program.

7  
 8 *SEC. 492. Item 7350-001-0001 of Section 2.00 of the Budget*  
 9 *Act of 2009 is amended to read:*

10			
11	7350-001-0001—For support of Department of Industrial Rela-		
12	tions.....		66,894,000
13			26,794,000
14	Schedule:		
15	(1) 10-Self-Insurance Plans.....	3,858,000	
16		3,818,000	
17	(2) 20-Mediation/Conciliation.....	2,458,000	
18	(3) 30-Division of Workers’ Compensa-		
19	tion.....	170,008,000	
20	(4) 36-Commission on Health and Safety		
21	and Workers’ Compensation.....	3,341,000	
22	(5) 40-Division of Occupational Safety		
23	and Health.....	<del>107,919,000</del>	
24		109,449,000	
25	(6) 50-Division of Labor Standards Enforce-		
26	ment.....	50,402,000	
27		51,685,000	
28	(7) 60-Division of Apprenticeship Stan-		
29	dards.....	13,064,000	
30	(8) 70-Division of Labor Statistics and Re-		
31	search.....	3,685,000	
32	(9) 80-Claims, Wages, and Contingen-		
33	cies.....	1,182,000	
34	(10) 94.01-Administration.....	34,942,000	
35	(11) 94.02-Distributed Administration.....	-34,942,000	
36	(13) Reimbursements.....	-2,343,000	
37	(14) Reimbursements for Division of Work-		
38	ers’ Compensation.....	-1,558,000	

1	(15) Amount payable from the Farmworker	
2	Remedial Account (Item 7350-001-	
3	0023).....	-102,000
4	(16) Amount payable from the Cal-OSHA	
5	Targeted Inspection and Consultation	
6	Fund (Item 7350-001-0096).....	-9,785,000
7	(17) Amount payable from the Workers’	
8	Compensation Managed Care Fund	
9	(Item 7350-001-0132).....	-359,000
10	(18) Amount payable from the Industrial	
11	Relations Construction Industry Enforce-	
12	ment Fund (Item 7350-001-0216).....	-63,000
13	(19) Amount payable from the Workers’	
14	Compensation Administration Re-	
15	volving Fund (Item 7350-001-	
16	0223).....	-170,925,000
17	(20) Amount payable from the Asbestos	
18	Consultant Certification Account (Item	
19	7350-001-0368).....	-368,000
20	(21) Amount payable from the Asbestos	
21	Training Approval Account (Item 7350-	
22	001-0369).....	-134,000
23	(22) Amount payable from the Self-Insur-	
24	ance Plans Fund (Item 7350-001-	
25	0396).....	-3,818,000
26	(23) Amount payable from the Elevator	
27	Safety Account (Item 7350-001-	
28	0452).....	-21,283,000
29	(24) Amount payable from the Pressure	
30	Vessel Account (Item 7350-001-	
31	0453).....	-5,335,000
32	(25) Amount payable from the Garment	
33	Manufacturers Special Account (Item	
34	7350-001-0481).....	-500,000
35	(26) Amount payable from the Employment	
36	Training Fund (Item 7350-001-0514)....	-3,287,000
37	(27) Amount payable from the Uninsured	
38	Employers’ Account, Uninsured Em-	
39	ployers Benefits Trust Fund (Item 7350-	
40	001-0571).....	-5,314,000

1	(28) Amount payable from the Federal	
2	Trust Fund (Item 7350-001-0890).....	-29,619,000
3	(29) Amount payable from the Industrial	
4	Relations Unpaid Wage Fund (Item	
5	7350-001-0913).....	-3,587,000
6	(30) Amount payable from the Industrial	
7	Relations Unpaid Wage Fund (Section	
8	96.6 of the Labor Code).....	-500,000
9	(31) Amount payable from the Electrician	
10	Certification Fund (Item 7350-001-	
11	3002).....	-2,698,000
12	(32) Amount payable from the Garment In-	
13	dustry Regulations Fund (Item 7350-	
14	001-3004).....	-2,962,000
15	(33) Amount payable from the Apprentice-	
16	ship Training Contribution Fund (Item	
17	7350-001-3022).....	-7,079,000
18	(34) Amount payable from the Workers'	
19	Occupational Safety and Health Educa-	
20	tion Fund (Item 7350-001-3030).....	-1,220,000
21	(35) Amount payable from the Workers'	
22	Compensation Return-to-Work Fund	
23	(Item 7350-001-3031).....	-499,000
24	(36) Amount payable from the Car Wash	
25	Worker Restitution Fund (Item 7350-	
26	001-3071).....	-80,000
27	(37) Amount payable from the Car Wash	
28	Worker Fund (Item 7350-001-3072).....	-202,000
29	(38) Amount payable from the Occupation-	
30	al Safety and Health Fund (Item 7350-	
31	001-3121).....	-15,403,000
32		-41,760,000
33	(39) Amount payable from the State Public	
34	Works Enforcement Fund (Item 7350-	
35	001-3150).....	-1,283,000
36	(40) Amount payable from the Labor En-	
37	forcement and Compliance Fund (Item	
38	7350-001-3152).....	-15,233,000

1 Provisions:  
 2 1. The Secretary of Labor and Workforce Development  
 3 shall report to the Director of Finance and the Joint  
 4 Legislative Budget Committee on the progress of the  
 5 Underground Economy Enforcement Program and  
 6 shall provide justification for its continuance by  
 7 September 13, 2009.

8  
 9 *SEC. 493. Item 7350-001-3121 of Section 2.00 of the Budget*  
 10 *Act of 2009 is amended to read:*

11  
 12 7350-001-3121—For support of Department of Industrial Rela-  
 13 tions, for payment to Item 7350-001-0001, payable from  
 14 the Occupational Safety and Health Fund ..... 15,403,000  
 15 41,760,000

16 *Provisions:*  
 17 1. *Of the amount appropriated in this item, \$1,530,000*  
 18 *shall be used to conduct a targeted outreach campaign*  
 19 *to reduce the incidence of heat-related illness in the*  
 20 *California workplace. Funds shall be focused on direct*  
 21 *outreach to workers identified by the Department of*  
 22 *Industrial Relations as most at risk of suffering from*  
 23 *heat-related illness and their employers, in order to*  
 24 *educate them on how best to prevent heat-related ill-*  
 25 *ness, and to better inform them of their rights and re-*  
 26 *sponsibilities under the law. None of these funds shall*  
 27 *be expended on television air time, and no more than*  
 28 *50 percent of these funds may be expended on the*  
 29 *purchase of radio air time or other media. Any media*  
 30 *utilized in this outreach campaign shall reference a*  
 31 *toll-free hotline number to file a complaint or to re-*  
 32 *ceive information about employee and employer rights*  
 33 *and responsibilities regarding safety and health. The*  
 34 *department shall track the amount and cost of any*  
 35 *radio air time purchased, number of calls, actions*  
 36 *taken, and outcomes achieved and report to the*  
 37 *Legislature by April 1, 2010, with the intent that the*  
 38 *data collected will better inform the design of future*  
 39 *outreach.*  
 40

1 SEC. 494. Item 7350-001-3150 is added to Section 2.00 of the  
2 Budget Act of 2009, to read:

3  
4 7350-001-3150—For support of Department of Industrial Rela-  
5 tions, for payment to Item 7350-001-0001, payable from  
6 the State Public Works Enforcement Fund..... 1,283,000  
7

8 SEC. 495. Item 7350-001-3152 is added to Section 2.00 of the  
9 Budget Act of 2009, to read:

10  
11 7350-001-3152—For support of Department of Industrial Rela-  
12 tions, for payment to Item 7350-001-0001, payable from  
13 the Labor Enforcement and Compliance Fund..... 15,233,000  
14

15 SEC. 496. Item 7350-011-0001 is added to Section 2.00 of the  
16 Budget Act of 2009, to read:

17  
18 7350-011-0001—For transfer by the Controller to the State  
19 Public Works Enforcement Fund..... (1,283,000)

20 Provisions:

21 1. The amount transferred in this item is a loan to the  
22 State Public Works Enforcement Fund. This loan shall  
23 be repaid no later than June 30, 2012, with interest  
24 calculated at the rate earned by the Pooled Money  
25 Investment Account at the time of transfer.  
26

27 SEC. 497. Item 7350-012-0001 is added to Section 2.00 of the  
28 Budget Act of 2009, to read:

29  
30 7350-012-0001—For transfer by the Controller to the Occupa-  
31 tional Safety and Health Fund..... (14,506,000)

32 Provisions:

33 1. The amount transferred in this item is a loan to the  
34 Occupational Safety and Health Fund. This loan shall  
35 be repaid no later than June 30, 2010.  
36

37 SEC. 498. Item 7980-001-0001 of Section 2.00 of the Budget  
38 Act of 2009 is amended to read:

39  
40 7980-001-0001—For support of Student Aid Commission..... 12,623,000

1	Schedule:	
2	(1) 15-Financial Aid Grants Program.....	13,049,000
3	(1.5) 50-California Loan Program.....	514,000
4	(2) 80.01-Administration and Support Ser-	
5	vices.....	3,376,000
6	(3) 80.02-Distributed Administration and	
7	Support Services.....	-3,376,000
8	(4) Reimbursements.....	-296,000
9	(4.5) Amount payable from the Student	
10	Loan Operating Fund (Item 7980-001-	
11	0784).....	-514,000
12	(5) Amount payable from the Federal Trust	
13	Fund (Item 7980-001-0890).....	-130,000
14	Provisions:	
15	1. The funds appropriated in this item are available only	
16	for the Student Aid Commission’s state operations	
17	activities.	
18	2. Of the funds appropriated in Schedule (1), up to	
19	\$369,000 is available for expenditure to support en-	
20	hancement of the Student Aid Commission’s Grant	
21	Delivery System.	
22	3. Of the funds appropriated in Schedule (1), \$850,000	
23	is only available for the support of 7.0 auditor positions	
24	and 1.0 audit supervisor position for the purpose of	
25	conducting program compliance reviews for institu-	
26	tions participating in the Cal Grant Program under	
27	Chapter 1.7 (commencing with Section 69430) of Part	
28	42 of Division 5 of Title 3 of the Education Code and	
29	the Assumption Program of Loans for Education under	
30	Article 5 (commencing with Section 69612) of Chapter	
31	2 of Part 42 of Division 5 of Title 3 of the Education	
32	Code, <i>and other specialized grant programs as deemed</i>	
33	<i>necessary by the Student Aid Commission</i> , with the	
34	objective of auditing higher risk institutions once every	
35	three years. The audits shall emphasize verification of	
36	applicant eligibility, fund disbursement, and payment	
37	reconciliation. <del>The Student Aid Commission</del> <i>commis-</i>	
38	<i>sion</i> shall prioritize its review of institutions that have	
39	demonstrated noncompliance in prior audits. <i>The</i>	
40	<i>commission may also conduct compliance reviews of</i>	

1           the California Student Opportunity and Access Pro-  
 2           gram under Article 4 (commencing with Section  
 3           69560) of Chapter 2 of Part 42 of Division 5 of Title  
 4           3 of the Education Code. The commission shall report  
 5           to the Legislature and the ~~Governor~~ Department of  
 6           Finance by September 30, 2009, on the institutions  
 7           audited in the 2007–08 and 2008–09 fiscal years, the  
 8           rate of noncompliance with each major program re-  
 9           quirement, *the amount of funding that was not expend-*  
 10          *ed in compliance with applicable requirements, the*  
 11          *amount of funding repaid due to noncompliance,* and  
 12          the steps taken to address noncompliance.

13          4. (a) This item reflects \$514,000 payable from the  
 14             Student Loan Operating Fund for the purpose of  
 15             funding, on a limited-term basis, 6.0 positions in  
 16             the Federal Policy and Programs Division. Those  
 17             positions shall be continued until a sale or other  
 18             authorized transaction is completed pursuant to  
 19             Chapter 182 of the Statutes of 2007, which is an-  
 20             ticipated to occur in the 2010–11 fiscal year.

22          SEC. 499. *Item 7980-101-0784 is added to Section 2.00 of the*  
 23          *Budget Act of 2009, to read:*

25          7980-101-0784—*For local assistance, Student Aid Commission,*  
 26             *Cal Grant Program, for payment to Item 7980-101-0001,*  
 27             *payable from the Student Loan Operating Fund..... 32,000,000*

29          SEC. 500. *Item 7980-490 is added to Section 2.00 of the Budget*  
 30          *Act of 2009, to read:*

32          7980-490—*Reappropriation, Student Aid Commission. The*  
 33             *balances of the appropriations provided in the following*  
 34             *citations are reappropriated for the purposes specified in*  
 35             *Provision 1 and shall be available for encumbrance or*  
 36             *expenditure until June 30, 2010:*

37             (1) *Item 7980-001-0001, Budget Act of 2007 (Chs. 171*  
 38             *and 172, Stats. 2007), as reappropriated by Item 7980-*  
 39             *490, Budget Act of 2008 (Chs. 268 and 269, Stats.*  
 40             *2008)*

1 Provisions:  
 2 1. The funds reappropriated in this item are available  
 3 for any expenses that may be necessary or convenient  
 4 to further the intent of the sale or other authorized  
 5 transaction of EdFund pursuant to Chapter 182 of the  
 6 Statutes of 2007. These funds shall not be expended  
 7 unless first approved by the Department of Finance.  
 8

9 SEC. 501. Item 8260-001-0001 of Section 2.00 of the Budget  
 10 Act of 2009 is amended to read:

11	8260-001-0001—For support of California Arts Council.....	1,116,000
12	Schedule:	
13	(1) 90-California Arts Council.....	<del>3,222,000</del>
14		3,247,000
15	(2) Reimbursements.....	-197,000
16	(3) Amount payable from the Graphic De-	
17	sign License Plate Account (Item 8260-	
18	001-0078).....	-874,000
19	(4) Amount payable from the Federal Trust	
20	Fund (Item 8260-001-0890).....	<del>-1,035,000</del>
21		-1,060,000
22		

23  
 24 SEC. 502. Item 8260-001-0890 of Section 2.00 of the Budget  
 25 Act of 2009 is amended to read:

26	8260-001-0890—For support of California Arts Council, for	
27	payment to Item 8260-001-0001, payable from the Federal	
28	Trust Fund.....	<del>1,035,000</del>
29		1,060,000
30		

31  
 32 SEC. 503. Item 8260-101-0890 of Section 2.00 of the Budget  
 33 Act of 2009 is amended to read:

34	8260-101-0890—For local assistance, California Arts Council,	
35	payable from the Federal Trust Fund.....	<del>100,000</del>
36		578,000
37		
38		

39 SEC. 504. Item 8380-001-0001 of Section 2.00 of the Budget  
 40 Act of 2009 is amended to read:

1	8380-001-0001—For support of Department of Personnel Ad-	
2	ministration.....	6,645,000
3	Schedule:	
4	(1) 30-Personnel Management.....	17,613,000
5		18,131,000
6	(2) 40.01-Administration.....	4,416,000
7	(3) 40.02-Distributed Administration.....	-4,416,000
8	(4) 54-Benefits Administration.....	36,964,000
9	(5) Reimbursements.....	-19,106,000
10		-19,624,000
11	(6) Amount payable from the Flexelect	
12	Benefit Fund (Item 8380-001-0821).....	-1,266,000
13	(7) Amount payable from the Deferred	
14	Compensation Plan Fund (Item 8380-	
15	001-0915).....	-15,144,000
16	(8) Amount payable from the Vision Care	
17	Program for State Annuitants Fund	
18	(Item 8380-001-8049).....	-8,784,000
19	(9) Amount payable from the Central Ser-	
20	vice Cost Recovery Fund (Item 8380-	
21	001-9740).....	-3,632,000
22	Provisions:	
23	1. The Department of Personnel Administration may use	
24	funds appropriated in this item to complete comprehen-	
25	sive salary surveys that include private and public	
26	employers, geographical data, and total compensation.	
27	The department shall provide to the appropriate fiscal	
28	and policy committees of each house of the Legislature	
29	and the Legislative Analyst, within 30 days of comple-	
30	tion, each completed salary survey report.	
31	2. Of the funds appropriated in this item, \$350,000 may	
32	be spent by the Department of Personnel Administra-	
33	tion to contract with one or more recruitment contrac-	
34	tors to locate and develop a pool of prospective health	
35	care professionals for various state departments that	
36	employ medical, mental health, or dental professionals.	
37	It is the intent of the Legislature that these contracts	
38	will be structured on a performance basis with pay-	
39	ments tied to the successful hiring of state staff. Should	
40	the Director of Finance, upon receiving a recommen-	

1            dation ~~of~~ *from* the Director of the Department of Per-  
 2            sonnel Administration, determine that it would be in  
 3            the interests of the state to expand the dollar amount  
 4            committed to this project, he or she may submit to the  
 5            Chairperson of the Joint Legislative Budget Committee  
 6            and the Legislative Analyst a report describing the  
 7            number of individuals who have been successfully  
 8            hired to permanent positions in affected departments  
 9            as a result of the recruitment contractors' work to date  
 10           and the anticipated benefits (including funds that af-  
 11           fected departments would revert to the State Treasury  
 12           due to decreased overtime and contracted personnel  
 13           costs) that would result from an expansion of the funds  
 14           committed to this project. Not less than 30 days after  
 15           submitting the report described above, the Director of  
 16           Finance may augment this item by an amount not ex-  
 17           ceeding \$1,500,000 in order to increase health care  
 18           personnel recruitment efforts.

19           3. The Department of General Services, with the consent  
 20           of the Department of Personnel Administration and  
 21           the State Personnel Board, may enter into a lease,  
 22           lease-purchase agreement, or lease with an option to  
 23           purchase for a build-to-suit facility for the ~~co-location~~  
 24           *colocation* of the Department of Personnel Adminis-  
 25           tration and the State Personnel Board in the Sacramen-  
 26           to area, subject to Department of Finance approval of  
 27           the terms and conditions of the agreement. At least 30  
 28           days prior to entering into any agreement, the Depart-  
 29           ment of General Services shall notify the chairpersons  
 30           of the committees in each house of the Legislature that  
 31           consider appropriations and the Joint Legislative  
 32           Budget Committee of the terms and conditions of the  
 33           agreement. If the Joint Legislative Budget Committee  
 34           does not express any opposition, the Department of  
 35           General Services may proceed with the agreement after  
 36           30 days from when the Department of General Ser-  
 37           vices gave notice to the chairpersons.

38  
 39           *SEC. 505. Item 8380-004-0001 of Section 2.00 of the Budget*  
 40           *Act of 2009 is amended to read:*

1 8380-004-0001—For support of Department of Personnel Ad-  
 2 ministration..... 15,734,000  
 3 1,088,000

4 Schedule:  
 5 (1) 54-Benefits Administration..... 15,734,000  
 6 1,088,000

- 7 Provisions:
- 8 1. The funds appropriated in this item are available for  
 9 expenditure until January 1, 2012—~~per~~, pursuant to  
 10 Section 22877 of the Government Code.
  - 11 2. *No funds appropriated in this item or in any other item*  
 12 *of this act may be used or expended to fund the Rural*  
 13 *Health Care Equity Program described in Section*  
 14 *22877 of the Government Code, except that funds may*  
 15 *be used or expended to fund the Rural Health Care*  
 16 *Equity Program for members of State Bargaining Unit*  
 17 *5. This provision implements the Legislature’s deci-*  
 18 *sion, consistent with subdivision (b) of Section 3517.6*  
 19 *of, and Sections 3517.61 and 3517.7 of, the Govern-*  
 20 *ment Code, and other applicable provisions of law,*  
 21 *not to approve the expenditure of funds for the Rural*  
 22 *Health Care Equity Program for any state employees*  
 23 *other than those employees in State Bargaining Unit*  
 24 *5.*

25  
 26 *SEC. 506. Item 8550-001-0191 of Section 2.00 of the Budget*  
 27 *Act of 2009 is repealed.*

28  
 29 8550-001-0191—For support of California Horse Racing Board,  
 30 payable from the Fair and Exposition Fund..... 10,418,000  
 31 Schedule:  
 32 (1) 10-California Horse Racing Board..... 11,833,000  
 33 (2) Amount payable from the Racetrack  
 34 Security Account, Special Deposit Fund  
 35 (Item 8550-001-0942)..... -1,415,000  
 36

37 *SEC. 507. Item 8550-001-0942 of Section 2.00 of the Budget*  
 38 *Act of 2009 is repealed.*

1 ~~8550-001-0942—For support of California Horse Racing Board,~~  
 2 ~~for payment to Item 8550-001-0191, payable from the~~  
 3 ~~Racetrack Security Account, Special Deposit Fund..... 1,415,000~~  
 4

5 *SEC. 508. Item 8550-001-3153 is added to Section 2.00 of the*  
 6 *Budget Act of 2009, to read:*  
 7

8 ~~8550-001-3153—For support of California Horse Racing Board,~~  
 9 ~~payable from the Horse Racing Fund..... 11,833,000~~  
 10

10 *Schedule:*  
 11 *(1) 10-California Horse Racing Board..... 11,833,000*  
 12

12 *Provisions:*  
 13 *1. Pursuant to Section 19616.51 of the Business and*  
 14 *Professions Code, all racing associations and fairs*  
 15 *including all breeds of racing shall remit a license fee*  
 16 *to the California Horse Racing Board to be deposited*  
 17 *in the Horse Racing Fund, which is hereby established.*  
 18 *For the 2009–10 fiscal year, each racing association*  
 19 *and fair shall pay a proportionate share of*  
 20 *\$11,833,000 in the form of a license fee in accordance*  
 21 *with a formula developed by the board.*  
 22

23 *SEC. 509. Item 8550-011-0942 of Section 2.00 of the Budget*  
 24 *Act of 2009 is repealed.*  
 25

26 ~~8550-011-0942—Notwithstanding paragraph (1) of subdivision~~  
 27 ~~(b) of Section 19641 of the Business and Professions Code,~~  
 28 ~~there is hereby transferred to the General Fund the unen-~~  
 29 ~~umbered balance of the Racetrack Security Account,~~  
 30 ~~Special Deposit Fund, as of June 30, 2010..... (300,000)~~  
 31

32 *SEC. 510. Item 8550-011-3153 is added to Section 2.00 of the*  
 33 *Budget Act of 2009, to read:*

1 8550-011-3153—Notwithstanding any other provision of law,  
 2 but subject to Section 19641 of the Business and Profes-  
 3 sions Code, any redistributable money in a parimutuel pool  
 4 on races conducted prior to July 1, 2009, subject to pay-  
 5 ment to a claimant, but not successfully claimed within the  
 6 claiming period, that is paid to the California Horse Racing  
 7 Board pursuant to Section 19641 of the Business and  
 8 Professions Code shall be deposited into the Horse Racing  
 9 Fund for the 2009–10 fiscal year, the first \$300,000 of  
 10 which shall be transferred to the General Fund ..... (300,000)

11  
 12 *SEC. 511. Item 8570-001-0001 of Section 2.00 of the Budget*  
 13 *Act of 2009 is amended to read:*

14  
 15 8570-001-0001—For support of Department of Food and  
 16 Agriculture..... 80,810,000  
 17 Schedule:  
 18 (1) 11-Agricultural Plant and Animal  
 19 Health; Pest Prevention; Food Safety  
 20 Services..... ~~116,049,000~~  
 21 *117,049,000*  
 22 (2) 21-Marketing, Commodities, and Agri-  
 23 cultural Services..... 15,685,000  
 24 (3) 31-Assistance to Fairs and County  
 25 Agricultural Activities..... 3,239,000  
 26 (4) 41.01-Executive, Management, and  
 27 Administrative Services..... 19,151,000  
 28 (5) 41.02-Distributed Executive, Manage-  
 29 ment, and Administrative Services..... -17,987,000  
 30 (6) 51-General Agricultural Activities..... 26,814,000  
 31 (7) Reimbursements..... -9,350,000  
 32 (8) Amount payable from the Motor Vehicle  
 33 Account, State Transportation Fund  
 34 (Item 8570-001-0044)..... -6,218,000  
 35 (9) Amount payable from the Department  
 36 of Agriculture Account, Department  
 37 of *Food and Agriculture* Fund (Item  
 38 8570-001-0111)..... -15,954,000  
 39 (10) Amount payable from the Fair and Ex-  
 40 position Fund (Item 8570-001-0191).... -3,916,000

- 1 (11) Amount payable from the Harbors and
- 2 Watercraft Revolving Fund (Item 8570-
- 3 001-0516)..... -3,508,000
- 4 (12) Amount payable from the *Department*
- 5 *of Agriculture Building Fund* (Item
- 6 8570-001-0601)..... -3,369,000
- 7 (13) Amount payable from the Federal
- 8 Trust Fund (Item 8570-001-0890)..... ~~-38,799,000~~
- 9 ~~-39,799,000~~
- 10 (14) Amount payable from the Antiterrorism
- 11 Fund (Item 8570-001-3034)..... -547,000
- 12 (15) Amount payable from the Satellite
- 13 Wagering Account (Item 8570-012-
- 14 0192)..... -480,000
- 15 Provisions:
- 16 1. The Secretary of Food and Agriculture shall furnish
- 17 annual reports on all expenditures from all fund
- 18 sources for emergency detection and eradication activ-
- 19 ities relating to agricultural plant or animal pests or
- 20 diseases as defined by (a) no other program funds are
- 21 available to be used to detect or eradicate such pest or
- 22 disease; and (b) the pest or disease is not considered
- 23 established in California and the pest or disease infests
- 24 or infects plants or animals of commercial or noncom-
- 25 mercial agriculture, ornamental horticultural, or habitat
- 26 of significance, to the Director of Finance and the
- 27 Chairperson of the Joint Legislative Budget Commit-
- 28 tee. The report shall specify the amount expended by
- 29 funding source, the activities performed, the pest or
- 30 disease, the location where the pest was detected, the
- 31 location where the eradication efforts were performed,
- 32 and the animal or plant affected for each emergency
- 33 detection or eradication.
- 34 2. Notwithstanding any other provision of law,
- 35 \$1,500,000 of the amount appropriated in Schedule
- 36 (1) shall be made available for use by the Department
- 37 of Food and Agriculture for the Weed Management
- 38 Area Program.
- 39 3. On or before January 10, 2011, the Department of
- 40 Food and Agriculture shall submit to the office of the

1 State Chief Information Officer and the Joint Legisla-  
 2 tive Budget Committee, a report identifying the  
 3 workload levels for positions supporting the informa-  
 4 tion technology projects that are part of the Emerging  
 5 Threats budget augmentation.

6 4. Notwithstanding any other provision of law, \$343,415  
 7 of the funds appropriated in this item shall be made  
 8 available for the implementation of the Global  
 9 Warming Solutions Act of 2006 (*Ch. 488, Stats. 2006*).  
 10 Funding made available in this provision to implement  
 11 the act shall not result in a reduction of funding for  
 12 county agricultural commissioners.

13 Of the amounts appropriated in this ~~section~~ *item* to  
 14 implement the Global Warming Solutions Act of 2006,  
 15 expenditures shall only be used to develop improved  
 16 greenhouse gas emission reduction methods that are  
 17 the maximum technology feasible and cost-effective  
 18 while maintaining a viable food production system.  
 19 Such methods shall be demonstrated as part of an  
 20 agricultural system and may include, but are not limit-  
 21 ed to, energy efficiency improvements, manure man-  
 22 agement, animal husbandry practices, methane capture,  
 23 conservation tillage practices, agricultural biomass  
 24 recycling and reuse, water conservation and improved  
 25 irrigation efficiency, increase integrated pest manage-  
 26 ment activities, and improved cropping system.

27  
 28 *SEC. 512. Item 8570-001-0111 of Section 2.00 of the Budget*  
 29 *Act of 2009 is amended to read:*

30  
 31 8570-001-0111—For support of Department of Food and  
 32 Agriculture, for payment to Item 8570-001-0001, payable  
 33 from the Department of Agriculture Account, Department  
 34 of *Food and Agriculture Fund*..... 15,954,000

35 Provisions:

36 1. The amount appropriated in this item includes revenues  
 37 derived from the assessment of fines and penalties  
 38 imposed as specified in Section 13332.18 of the Gov-  
 39 ernment Code.

40

1 SEC. 513. Item 8570-001-0890 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3		
4	8570-001-0890—For support of Department of Food and	
5	Agriculture, for payment to Item 8570-001-0001, payable	
6	from the Federal Trust Fund.....	38,799,000
7		39,799,000
8		

9 SEC. 514. Item 8660-001-0462 of Section 2.00 of the Budget  
10 Act of 2009 is amended to read:

11		
12	8660-001-0462—For support of Public Utilities Commission,	
13	payable from the Public Utilities Commission Utilities	
14	Reimbursement Account.....	79,348,000
15		82,309,000

16 Schedule:

17	(1) 10-Regulation of Utilities.....	126,627,000
18		129,588,000
19	(2) 15-Universal Service Telephone Pro-	
20	grams.....	638,749,000
21	(3) 20-Regulation of Transportation.....	21,711,000
22		21,711,000
23	(4) 30.01-Administration.....	28,507,000
24	(5) 30.02-Distributed Administration.....	-28,507,000
25	(6) Reimbursements.....	-18,331,000
26	(6.5) Reimbursement to the Division of	
27	Ratepayer Advocates.....	-4,035,000
28	(7) Amount payable from the State High-	
29	way Account, State Transportation Fund	
30	(Item 8660-001-0042).....	-3,762,000
31	(8) Amount payable from the Public Trans-	
32	portation Account, State Transportation	
33	Fund (Item 8660-001-0046).....	-3,907,000
34	(9) Amount payable from the Transporta-	
35	tion Rate Fund (Item 8660-001-0412)....	-2,715,000
36	(10) Amount payable from the Public Util-	
37	ities Commission Transportation Re-	
38	imbursement Account (Item 8660-001-	
39	0461).....	-11,327,000

1	(11) Amount payable from California High-	
2	Cost Fund-A Administrative Commit-	
3	tee Fund (Item 8660-001-0464).....	-64,795,000
4	(12) Amount payable from California High-	
5	Cost Fund-B Administrative Commit-	
6	tee Fund (Item 8660-001-0470).....	-51,565,000
7	(13) Amount payable from Universal	
8	Lifeline Telephone Service Trust	
9	Administrative Committee Fund	
10	(Item 8660-001-0471).....	-329,558,000
11	(14) Amount payable from Deaf and Dis-	
12	abled Telecommunications Program	
13	Administrative Committee Fund (Item	
14	8660-001-0483).....	-68,953,000
15	(15) Amount payable from Payphone Ser-	
16	vice Providers Committee Fund (Item	
17	8660-001-0491).....	-149,000
18	(16) Amount payable from California	
19	Teleconnect Fund Administrative	
20	Committee Fund (Item 8660-001-	
21	0493).....	-73,508,000
22	(17) Amount payable from the Federal Trust	
23	Fund (Item 8660-001-0890).....	-1,284,000
24	(18) Amount payable from the Public Util-	
25	ities Commission Ratepayer Advocate	
26	Account (Item 8660-001-3089).....	-23,629,000
27	(19) Amount payable from the California	
28	Advanced Services Fund (Item 8660-	
29	001-3141).....	-50,221,000

30 Provisions:

- 31 1. The Public Utilities Commission shall require any
- 32 public utility requesting a merger to reimburse the
- 33 commission for those necessary expenses that the
- 34 commission incurs in its consideration of the proposed
- 35 merger.
- 36 2. *The Public Utilities Commission shall not directly*
- 37 *engage in workforce education and training curricu-*
- 38 *lum development as part of the commission’s energy*
- 39 *efficiency programs.*

40

1 SEC. 515. Item 8855-011-0001 is added to Section 2.00 of the  
2 Budget Act of 2009, to read:

3  
4 8855-011-0001—For transfer by the Controller to the State  
5 Audit Fund..... 1,600,000

6 Provisions:

7 1. The amount transferred in this item is a loan to the  
8 State Audit Fund. This loan shall be repaid not later  
9 than June 30, 2010. It is the intent of the Legislature  
10 that the amount transferred in this item be used to  
11 address costs associated with the Bureau of State Au-  
12 dits' American Recovery and Reinvestment Act (ARRA)  
13 (P.L. 111-5) workload, including preparedness work  
14 and early internal control testing of ARRA programs.

15  
16 SEC. 516. Item 8860-001-0001 of Section 2.00 of the Budget  
17 Act of 2009 is amended to read:

18  
19 8860-001-0001—For support of Department of Finance..... 19,423,000

20 Schedule:

- 21 (1) 10-Annual Financial Plan..... 22,874,000
- 22 (2) 15-Financial Information System for
- 23 California (FI\$Cal) Project Support.... 3,414,000
- 24 (3) 20-Program and Information System
- 25 Assessments..... 14,720,000
- 26 (4) 30-Supportive Data..... 13,308,000
- 27 (4.5) 35-American Recovery and Reinvest-
- 28 ment Act Oversight..... 4,100,000
- 29 (5) 40.01-Administration..... 6,263,000
- 30 (6) 40.02-Distributed Administration..... -6,263,000
- 31 (7) Reimbursements..... -21,181,000
- 32 -25,281,000
- 33 (8) Amount payable from Unallocated
- 34 Special Funds (Item 8860-011-0494).... -594,000
- 35 (9) Amount payable from Unallocated Bond
- 36 Funds—Select (Item 8860-011-0797).... -130,000
- 37 (10) Amount payable from Other Unallocat-
- 38 ed Nongovernmental Cost Funds (Item
- 39 8860-011-0988)..... -355,000

- 1 (11) Amount payable from Local Streets and
- 2 Road Improvement, Congestion Relief,
- 3 and Traffic Safety Account of 2006,
- 4 Highway Safety, Traffic Reduction, Air
- 5 Quality, and Port Security Fund of 2006
- 6 (Item 8860-001-6065)..... -111,000
- 7 (12) Amount payable from Central Service
- 8 Cost Recovery Fund (Item 8860-001-
- 9 9740)..... -12,522,000
- 10 Provisions:
- 11 1. The funds appropriated in this item for CALSTARS
- 12 shall be transferred by the Controller, upon order of
- 13 the Director of Finance, or made available by the De-
- 14 partment of Finance as a reimbursement, to other items
- 15 and departments for CALSTARS-related activities by
- 16 the Department of Finance.
- 17 2. The funds appropriated in this act for purposes of
- 18 CALSTARS-related data-processing costs may be
- 19 transferred between any items in this act by the Con-
- 20 troller upon order of the Director of Finance. Any
- 21 funds so transferred shall be used only for support of
- 22 CALSTARS-related data-processing costs incurred.
- 23 3. Notwithstanding any other provision of law, the Direc-
- 24 tor of Finance may authorize a loan from the General
- 25 Fund to the Department of Finance for the purpose of
- 26 meeting operational cashflow obligations for the
- 27 2009–10 fiscal year. The loan shall not exceed the es-
- 28 timated amount of uncollected reimbursements for the
- 29 final quarter of the fiscal year.
- 30 4. From the funds appropriated in Schedule (3) for the
- 31 purpose of evaluating and continuing development
- 32 and enhancement of the Governor’s Budget Presenta-
- 33 tion System (GBPS), the following provisions apply:
- 34 (a) From time to time, but no later than December 1,
- 35 2009, the Department of Finance shall update the
- 36 Legislature on anticipated changes to the GBPS.
- 37 In addition, the Department of Finance shall (1)
- 38 no later than the approximate same time the
- 39 Governor’s Budget is formally presented in elec-
- 40 tronic or any other Web-based form, provide

1 printed and bound hard copies of the Governor’s  
 2 Budget and Governor’s Budget Summary as fol-  
 3 lows: to the Legislative Analyst’s Office—45  
 4 copies, the Office of the Legislative Counsel—  
 5 ~~six~~ *Counsel*—6 copies, offices of the Members of  
 6 the Legislature—120 copies, the Rules Commit-  
 7 tees of the Assembly and Senate—5 copies each,  
 8 and the fiscal committees of the Legislature—60  
 9 copies, and (2) no later than four weeks after the  
 10 Governor’s Budget is formally presented in elec-  
 11 tronic or any other Web-based form, 131 printed  
 12 and bound hard copies of the Governor’s Budget  
 13 and Governor’s Budget Summary shall be provid-  
 14 ed as follows: ~~two~~ 2 copies to the State Library,  
 15 to ensure that the State Librarian maintains at least  
 16 one public copy and one for the permanent re-  
 17 search collections, and 129 copies: one copy to  
 18 each depository public library in the state. Addi-  
 19 tional copies, either bound or unbound, shall be  
 20 available for purchase by the public based on the  
 21 cost of producing the documents requested.  
 22 Whenever the Department of Finance submits to  
 23 the Legislature changes to the Governor’s Budget  
 24 or to the Budget Bill, these requests shall be pro-  
 25 vided in hard copy form to the Legislature includ-  
 26 ing the appropriate staff of the fiscal committees  
 27 and the Legislative Analyst’s Office. Whenever  
 28 the Department of Finance releases a document  
 29 summarizing changes proposed for the Governor’s  
 30 Budget or to the Budget Bill, the Department of  
 31 Finance shall provide the summaries in hard copy  
 32 form to the Legislature including the appropriate  
 33 staff of the fiscal committees and the Legislative  
 34 Analyst’s Office.

(b) Notwithstanding any other provision of law, the  
 35 Department of Finance may amend its existing  
 36 contract with the Web development firm to aug-  
 37 ment and continue consulting services until June  
 38 30, 2010, for the purpose of providing continuity  
 39 of services.  
 40

1 6. *It is the intent of the Legislature that the \$4,100,000*  
2 *appropriated to the Department of Finance in Schedule*  
3 *(4.5) be used, subject to the provisions of Section 8.55,*  
4 *to address costs of the state's American Recovery and*  
5 *Reinvestment Act (ARRA) (P.L. 111-5) coordinating*  
6 *task force, the Inspector General appointed by the*  
7 *Governor, and the efforts of the Office of State Audits*  
8 *and Evaluations (OSAE) to assist the Inspector Gen-*  
9 *eral appointed by the Governor and to assist depart-*  
10 *ments with ARRA compliance. It is the intent of the*  
11 *Legislature that new staff hired to assist the Inspector*  
12 *General be very limited in number, and that these staff*  
13 *appointments all be limited-term in nature. It is the*  
14 *intent of the Legislature that approximately \$500,000*  
15 *of the \$4,100,000 appropriated in Schedule (4.5) be*  
16 *used to support OSAE activities described above. It is*  
17 *the intent of the Legislature that approximately*  
18 *\$500,000 of the \$4,100,000 appropriated in Schedule*  
19 *(4.5) be used to support activities of the Inspector*  
20 *General. It is the intent of the Legislature that*  
21 *\$200,000 of the \$4,100,000 appropriated in Schedule*  
22 *(4.5) be used to support operating expenses, equip-*  
23 *ment, and travel costs of the activities described in*  
24 *this provision and that no additional travel expenses*  
25 *be requested for these activities in the 2009–10 fiscal*  
26 *year in any future request for funds described in Sec-*  
27 *tion 8.55. It is the intent of the Legislature that*  
28 *\$400,000 of the \$4,100,000 appropriated in Schedule*  
29 *(4.5) be used to support activities of the ARRA coordi-*  
30 *nating task force. It is the intent of the Legislature that*  
31 *\$2,500,000 of the \$4,100,000 appropriated in Schedule*  
32 *(4.5) be available to the task force solely to acquire,*  
33 *deploy, and operate the information technology neces-*  
34 *sary for the state to meet the data collection, tracking,*  
35 *and reporting requirements of ARRA, and to provide*  
36 *the public with full transparency of the uses of ARRA*  
37 *funds in California through a readily accessible and*  
38 *comprehensive Internet Web site.*  
39

1 SEC. 517. Item 8885-295-0001 of Section 2.00 of the Budget  
2 Act of 2009 is amended to read:

3  
4 8885-295-0001—For local assistance for reimbursement, in  
5 accordance with the provisions of Section 6 of Article  
6 XIII B of the California Constitution or Section 17561 of  
7 the Government Code, of the costs of any new program  
8 or increased level of service of an existing program man-  
9 dated by statute or executive order, for disbursement by  
10 the Controller for claims for costs incurred during the  
11 specified periods..... 142,000,000  
12 76,420,000

13 Schedule:

- 14 (1) For payment of the following mandate
- 15 claims for costs incurred in the
- 16 2004–05 through 2007–08 fiscal
- 17 years..... 134,000,000
- 18 76,420,000
- 19 (a) ~~Crime Victim Rights (Ch. 411, Stats. 1995)~~
- 20 ~~(CSM-96-358-01)~~
- 21 (b) Threats Against Peace Officers (Ch. 1249, Stats.
- 22 1992; Ch. 666, Stats. 1995) (CSM-96-365-02)
- 23 (c) Custody of Minors-Child Abduction and Recovery
- 24 (Ch. 1399, Stats. 1976; Ch. 162, Stats. 1992; and
- 25 Ch. 988, Stats. 1996) (CSM-4237)
- 26 (d) ~~Stolen Vehicle Notification (Ch. 337, Stats. 1990)~~
- 27 ~~(CSM-4403)~~
- 28 (e) Absentee Ballots (Ch. 77, Stats. 1978) (CSM-
- 29 3713)
- 30 (f) Permanent Absent Voters (Ch. 1422, Stats. 1982)
- 31 (CSM-4358)
- 32 (g) Voter Registration Procedures (Ch. 704, Stats.
- 33 1975) (04-LM-04)
- 34 (h) Absentee Ballots-Tabulation by Precinct (Ch. 697,
- 35 Stats. 1999) (00-TC-08)
- 36 (i) Brendon Maguire Act (Ch. 391, Stats. 1988)
- 37 (CSM-4357)
- 38 (j) Medi-Cal Beneficiary Death Notices (Chs. 102
- 39 and 1163, Stats. 1981) (CSM-4032)

- 1           (k) ~~Pacific Beach Safety (Ch. 961, Stats. 1992)~~  
2           ~~(CSM-4432)~~
- 3           (f) ~~Perinatal Services (Ch. 1603, Stats. 1990) (CSM-~~  
4           ~~4397)~~
- 5           (m) ~~AIDS/Search Warrant (Ch. 1088, Stats. 1988)~~  
6           ~~(CSM-4392)~~
- 7           (n) ~~Mentally Retarded Defendants Representation~~  
8           ~~(Ch. 1253, Stats. 1980) (04-LM-12)~~
- 9           (o) ~~Judicial Proceedings (Ch. 644, Stats. 1980) (CSM-~~  
10           ~~4366)~~
- 11           (p) ~~Conservatorship: Developmentally Disabled~~  
12           ~~Adults (Ch. 1304, Stats. 1980) (04-LM-13)~~
- 13           (q) ~~Developmentally Disabled Attorneys' Services~~  
14           ~~(Ch. 694, Stats. 1975) (04-LM-03)~~
- 15           (r) ~~Coroners Costs (Ch. 498, Stats. 1977) (04-LM-~~  
16           ~~07)~~
- 17           (s) ~~Not Guilty by Reason of Insanity (Ch. 1114, Stats.~~  
18           ~~1979) (CSM-2753)~~
- 19           (t) ~~Mentally Disordered Offenders' Extended Com-~~  
20           ~~mitments Proceedings (Ch. 435, Stats. 1991) (98-~~  
21           ~~TC-09)~~
- 22           (u) ~~Sexually Violent Predators (Chs. 762 and 763,~~  
23           ~~Stats. 1995) (CSM-4509)~~
- 24           (v) ~~Mentally Disordered Sex Offenders' Recommit-~~  
25           ~~ments (Ch. 1036, Stats. 1978) (04-LM-09)~~
- 26           (w) ~~Domestic Violence Treatment Services (Ch. 183,~~  
27           ~~Stats. 1992) (CSM-96-281-01)~~
- 28           (x) ~~Police Officer's Cancer Presumption (Ch. 1171,~~  
29           ~~Stats. 1989) (CSM-4416)~~
- 30           (y) ~~Firefighter's Cancer Presumption (Ch. 1568, Stats.~~  
31           ~~1982) (CSM-4081)~~
- 32           (z) ~~Domestic Violence Arrest Policies (Ch. 246, Stats.~~  
33           ~~1995) (CSM-96-362-02)~~
- 34           (aa) ~~Animal Adoption (Ch. 752, Stats. 1998) (98-TC-~~  
35           ~~11)~~
- 36           (bb) ~~Unitary Countywide Tax Rates (Ch. 921, Stats.~~  
37           ~~1987) (CSM-4355 and CSM-4317)~~
- 38           (cc) ~~Senior Citizens Property Tax Deferral (Ch. 1242,~~  
39           ~~Stats. 1977) (CSM-4359)~~

- 1 (dd) Allocation of Property Tax Revenues (Ch. 697,
- 2 Stats. 1992) (CSM-4448)
- 3 (ee) ~~Photographic Record of Evidence (Ch. 875, Stats.~~
- 4 ~~1985)(98-TC-07)~~
- 5 (ff) Rape Victim Counseling (Ch. 999, Stats. 1991)
- 6 (CSM-4426)
- 7 (gg) Health Benefits for Survivors of Peace Officers
- 8 and Firefighters (Ch. 1120, Stats. 1996) (97-TC-
- 9 25)
- 10 (hh) ~~Post Mortem Examinations (Ch. 284, Stats. 2000)~~
- 11 ~~(00-TC-18)~~
- 12 (ii) ~~False Reports of Police Misconduct (Ch. 590,~~
- 13 ~~Stats. 1995)(00-TC-26)~~
- 14 (jj) Crime Victim’s Domestic Violence Incident Re-
- 15 ports (Ch. 1022, Stats. 1999) (99-TC-08)
- 16 (kk) Peace Officer Personnel Records: Unfounded
- 17 Complaints and Discovery (Ch. 630, Stats. 1978;
- 18 Ch. 741, Stats. 1994) (00-TC-24)
- 19 (ll) Domestic Violence Arrests and Victims Assis-
- 20 tance (Chs. 698, 701, and 703, Stats. 1998) (98-
- 21 TC-14)
- 22 (mm) ~~Post Conviction: DNA Court Proceedings (Ch.~~
- 23 ~~943, Stats. 2001)(00-TC-21, 01-TC-08)~~
- 24 (nn) ~~DNA Database and Amendment to Post Mortem~~
- 25 ~~Examinations: Unidentified Bodies (Ch. 822,~~
- 26 ~~Stats. 2000; Ch. 467, Stats. 2001)(00-TC-27; 02-~~
- 27 ~~TC-39)~~
- 28 (oo) Handicapped and Disabled Students II (Ch. 1128,
- 29 Stats. 1994; Ch. 654, Stats. 1996) (02-TC-40; 02-
- 30 TC-49)
- 31 (pp) ~~Costs for AB 3632 mandates: Services to Handi-~~
- 32 ~~capped Students (Ch. 1747, Stats. 1984)(CSM-~~
- 33 ~~4282) and Seriously Emotionally Disturbed~~
- 34 ~~Pupils (Ch. 654, Stats. 1996)(97-TC-05)~~
- 35 (qq) ~~Binding Arbitration (Ch. 906, Stats. 2000)(01-~~
- 36 ~~TC-07)~~
- 37 (rr) ~~Firearm Hearings for Discharged Inpatients(Ch.~~
- 38 ~~578, Stats. 1999)~~

1	(2) For payment of mandate claims for the	
2	2005–06, 2006–07, and 2007–08 fiscal	
3	years for the Public Safety Officers	
4	Procedural Bill of Rights Act (Ch. 675,	
5	Stats. 1990) (CSM-4499).....	8,000,000
6		0
7	(3) Pursuant to the provisions of Section	
8	17581 of the Government Code, the	
9	mandates identified in the following	
10	schedule are specifically identified by	
11	the Legislature for suspension during	
12	the 2009–10 fiscal year.....	0
13	(a) Adult Felony Restitution (Ch. 1123, Stats. 1977)	
14	(04-LM-08)	
15	(b) AIDS/Search Warrant (Ch. 1088, Stats. 1988)	
16	(CSM-4392)	
17	(c) Animal Adoption (Ch. 752, Stats. 1998) (04-PGA-	
18	01, 98-TC-11)	
19	(d) Binding Arbitration (Ch. 906, Stats. 2000) (01-	
20	TC-07)	
21	(e) Conservatorship: Developmentally Disabled	
22	Adults (Ch. 1304, Stats. 1980) (04-LM-13)	
23	(f) Coroners Costs (Ch. 498, Stats. 1977) (04-LM-	
24	07)	
25	(g) Crime Victims Rights (Ch. 411, Stats. 1995)	
26	(CSM-96-358-01)	
27	(h) Deaf Teletype Equipment (Ch. 1032, Stats. 1980)	
28	(04-LM-11)	
29	(i) Developmentally Disabled Attorneys' Service (Ch.	
30	694, Stats. 1975) (04-LM-03)	
31	(j) DNA Database and Amendment to Post Mortem	
32	Examinations: Unidentified Bodies (Ch. 822,	
33	Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27; 02-	
34	TC-39)	
35	(k) Domestic Violence Information (Ch. 1609, Stats.	
36	1984) (CSM-4222)	
37	(l) Elder Abuse, Law Enforcement Training (Ch. 444,	
38	Stats. 1997) (98-TC-12)	
39	(m) Extended Commitment, Youth Authority (Ch. 267,	
40	Stats. 1998) (98-TC-13)	

- 1           (n) *False Reports of Police Misconduct* (Ch. 590,
- 2                 *Stats. 1995*) (00-TC-26)
- 3           (o) *Filipino Employee Surveys* (Ch. 845, *Stats. 1978*)
- 4                 (CSM-2142)
- 5           (p) *Fire Safety Inspections of Care Facilities* (Ch.
- 6                 993, *Stats. 1989*) (01-TC-16)
- 7           (q) *Firearm Hearings for Discharged Inpatients* (Chs.
- 8                 578, *Stats. 1999*) (99-TC-11)
- 9           (r) *Grand Jury Proceedings* (Ch. 1170, *Stats. 1996*)
- 10                (98-TC-27)
- 11           (s) *Guardianship/Conservatorship Filings* (Ch. 1357,
- 12                 *Stats. 1976*) (04-LM-15)
- 13           (t) *Handicapped Voter Access Information* (Ch. 494,
- 14                 *Stats. 1979*) (CSM-4363)
- 15           (u) *Inmate AIDS Testing* (Ch. 1597, *Stats. 1988*)
- 16                 (CSM-4369)
- 17           (v) *Judicial Proceedings* (Ch. 644, *Stats. 1980*)
- 18                 (CSM-4366)
- 19           (w) *Law Enforcement Sexual Harassment Training*
- 20                 (Ch. 126, *Stats. 1993*) (97-TC-07)
- 21           (x) *Local Coastal Plans* (Ch. 1330, *Stats. 1976*)
- 22                 (CSM-4431)
- 23           (z) *Mentally Disordered Offenders' Treatment as a*
- 24                 *Condition of Parole* (Ch. 228, *Stats. 1989*; Ch.
- 25                 706, *Stats. 1994*) (00-TC-28, 05-TC-06)
- 26           (aa) *Mentally Disordered Offenders' Extended Com-*
- 27                 *mitments Proceedings* (Ch. 435, *Stats. 1991*) (98-
- 28                 TC-09)
- 29           (bb) *Mentally Disordered Sex Offenders' Recommit-*
- 30                 *ments* (Ch. 1036, *Stats. 1978*) (04-LM-09)
- 31           (cc) *Mentally Retarded Defendants Representation*
- 32                 (Ch. 1253, *Stats. 1980*) (04-LM-12)
- 33           (dd) *Missing Persons Report* (Ch. 1456, *Stats. 1988*;
- 34                 Ch. 59, *Stats. 1993*) (CSM-4255, CSM-4484, and
- 35                 CSM-4368)
- 36           (ee) *Not Guilty by Reason of Insanity* (Ch. 1114, *Stats.*
- 37                 *1979*) (CSM-2753)
- 38           (ff) *Pacific Beach Safety* (Ch. 961, *Stats. 1992*) (CSM-
- 39                 4432)

- 1 (gg) *Perinatal Services (Ch. 1603, Stats. 1990) (CSM-*
- 2 *4397)*
- 3 (hh) *Personal Alarm Devices (8 Cal. Code Regs.*
- 4 *3401(c)) (CSM-4087)*
- 5 (ii) *Photographic Record of Evidence (Ch. 875, Stats.*
- 6 *1985) (98-TC-07)*
- 7 (jj) *Pocket Masks (Ch. 1334, Stats. 1987) (CSM-4291)*
- 8 (kk) *Post Conviction: DNA Court Proceedings (Ch.*
- 9 *943, Stats. 2001) (00-TC-21, 01-TC-08)*
- 10 (ll) *Post Mortem Examinations (Ch. 284, Stats. 2000)*
- 11 *(00-TC-18)*
- 12 (mm) *Prisoner Parental Rights (Ch. 820, Stats. 1991)*
- 13 *(CSM-4427)*
- 14 (mn) *Senior Citizens Property Tax Deferral (Ch. 1242,*
- 15 *Stats. 1977) (CSM-4359)*
- 16 (oo) *Sex Crime Confidentiality (Ch. 502, Stats. 1992;*
- 17 *Ch. 36, Stats. 1994, 1st Ex. Sess.) (98-TC-21)*
- 18 (pp) *Sex Offenders: Disclosure by Law Enforcement*
- 19 *Officers (Chs. 908 and 909, Stats. 1996) (97-TC-*
- 20 *15)*
- 21 (rr) *SIDS Autopsies (Ch. 955, Stats. 1989) (CSM-*
- 22 *4393)*
- 23 (ss) *SIDS Contacts by Local Health Officers (Ch. 268,*
- 24 *Stats. 1991) (CSM-4424)*
- 25 (tt) *SIDS Notices (Ch. 453, Stats. 1974) (04-LM-01)*
- 26 (uu) *SIDS Training for Firefighters (Ch. 1111, Stats.*
- 27 *1989) (CSM-4412)*
- 28 (vv) *Stolen Vehicle Notification (Ch. 337, Stats. 1990)*
- 29 *(CSM-4403)*
- 30 (ww) *Structural and Wildland Firefighter Safety*
- 31 *Clothing and Equipment (8 Cal. Code Regs.*
- 32 *3401 to 3410, incl.) (CSM-4261 to CSM-4281)*
- 33 (xx) *Substandard Housing (Ch. 238, Stats. 1974)*
- 34 *(CSM-4303)*
- 35 (yy) *Very High Fire Hazard Severity Zones (Ch. 1188,*
- 36 *Stats. 1992) (97-TC-13)*
- 37 (zz) *Victims Statements-Minors (Ch. 332, Stats. 1981)*
- 38 *(04-LM-14)*
- 39 (aaa) *Racial Profiling: Law Enforcement Training*
- 40 *(Ch. 684, Stats. 2000) (01-TC-01)*

- 1 Provisions:
- 2 1. Allocations of funds provided in this item to the appro-
- 3 priate local entities shall be made by the Controller in
- 4 accordance with the provisions of each statute or exec-
- 5 utive order that mandates the reimbursement of the
- 6 costs, and shall be audited to verify the actual amount
- 7 of the mandated costs in accordance with subdivision
- 8 (d) of Section 17561 of the Government Code. Audit
- 9 adjustments to prior-year claims may be paid from
- 10 this item. The funds appropriated in this item shall be
- 11 allocated only for the payment of claims as required
- 12 by Chapter 4 (commencing with Section 17550) of
- 13 Part 7 of Division 4 of Title 2 of the Government
- 14 Code, and that payment shall be made pursuant to
- 15 Article 5 (commencing with Section 17615) of that
- 16 chapter. Notwithstanding any other provision of law,
- 17 interest shall be paid from funds appropriated in this
- 18 item only to the extent, and in the amount, authorized
- 19 by Section 17561.5 of the Government Code.
- 20 2. Notwithstanding any other provision of law, the pay-
- 21 ment of estimated reimbursement claims for the
- 22 2008–09 fiscal year shall not be made from this appro-
- 23 priation.
- 24 3. The Controller shall offset payments made from the
- 25 appropriation in this item to recoup the amount of any
- 26 unallowable mandate claim costs determined by desk
- 27 or field audits.
- 28 4. Notwithstanding any other provision of law, accounts
- 29 receivable for recoveries that result in savings as de-
- 30 scribed in Provision 3 shall have no effect upon the
- 31 positive balance of the General Fund. The savings may
- 32 be used to pay claims for costs incurred to carry out
- 33 the cited state mandates in this item.
- 34 5. Of the funds appropriated in Schedule (1), \$21,500,000
- 35 may be used to fund the initial reimbursement claims
- 36 for mandates approved during the 2008–09 fiscal year.
- 37 6. *The Department of Finance, in consultation with the*
- 38 *California State Association of Counties, shall review*
- 39 *all mandates funded under this item relating to elec-*
- 40 *tions. The department shall submit a report to the Joint*

1           *Legislative Budget Committee, by October 1, 2009,*  
 2           *with recommendations regarding simplifying the reim-*  
 3           *bursement process for these mandates, including re-*  
 4           *placement of the current mandates' parameters and*  
 5           *guidelines with a reasonable reimbursement method-*  
 6           *ology. The Controller's office shall not disburse, prior*  
 7           *to June 1, 2010, any funds appropriated under this*  
 8           *item to pay election mandate claims, unless the Direc-*  
 9           *tor of Finance has submitted a letter to the Joint Leg-*  
 10           *islative Budget Committee and the Controller's office*  
 11           *indicating that the director has reached an agreement*  
 12           *with the California Association of Counties on either*  
 13           *the revised mandate reimbursement process proposed*  
 14           *by the Department of Finance or an alternative, sim-*  
 15           *plified mandate reimbursement process proposed by*  
 16           *the California Association of Counties.*

17       7. *The Department of Finance and the Department of*  
 18       *Justice shall review the mandates funded under this*  
 19       *item relating to domestic violence and rape counseling.*  
 20       *The departments shall submit a report to the Joint*  
 21       *Legislative Budget Committee, by January 1, 2010,*  
 22       *with recommendations regarding consolidating the*  
 23       *mandated requirements, coordinating the mandated*  
 24       *requirements with voter-approved measures, and, if*  
 25       *appropriate, reallocating funding for these mandates*  
 26       *to victims' assistance programs.*

27       8. *The Department of Finance shall review the mandate*  
 28       *reimbursement process and shall submit a report to*  
 29       *the Joint Legislative Budget Committee, by April 1,*  
 30       *2010, with a recommendation regarding simplifying*  
 31       *the mandate reimbursement process and reducing its*  
 32       *costs.*

33  
 34       *SEC. 518. Item 8940-001-0001 of Section 2.00 of the Budget*  
 35       *Act of 2009 is amended to read:*

36		
37	8940-001-0001—For support of Military Department.....	41,683,000
38	Schedule:	
39	(1) 10-Army National Guard.....	74,019,000
40		74,470,000

1	(2) 20-Air National Guard.....	21,546,000
2	(3) 30.01-Office of the Adjutant General....	11,116,000
3	(4) 30.02-Distributed Office of the Adjutant General.....	-11,029,000
4		
5	(5) 35-Military Support to Civil Authority.....	20,069,000
6		
7	(6) 40-Military Retirement.....	3,035,000
8	(7) 50-California Cadet Corps.....	348,000
9	(8) 55-California State Military Reserve.....	478,000
10	(9) 65-California National Guard Youth Programs.....	18,434,000
11		
12	(11) Reimbursements.....	-19,881,000
13	(12) Amount payable from the Armory Discretionary Improvement Account (Item 8940-001-0485).....	-158,000
14		
15	(13) Amount payable from the Federal Trust Fund (Item 8940-001-0890).....	-76,294,000
16		
17	(14) Amount payable from the Mental Health Services Fund (Item 8940-001-3085)....	-451,000
18		
19	Provisions:	
20		
21	1. No expenditures shall be made from the funds appropriated in this item as a substitution for personnel, equipment, facilities, or other assistance, or for any portion thereof, that, in the absence of the expenditure, or of this appropriation, would be available to the Adjutant General of the State Military Forces, the California State Military, or the California State Military Reserve from the federal government.	
22		
23	2. The funds appropriated in Schedule (6) shall be for military retirements, in accordance with Sections 228 and 256 of the Military and Veterans Code.	
24		
25	3. Of the funds appropriated in this item, \$631,000 shall be used to provide mandatory employee compensation increases for state active duty employees, as follows:	
26	(a) \$316,000 shall provide the remaining half-year funding needed for the compensation increase effective January 1, 2009; and (b) \$315,000 shall provide half-year funding for a compensation increase effective January 1, 2010, and shall only be available for expenditure upon passage of a federal active duty compen-	
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1 sation increase in the federal budget. The funds provid-  
 2 ed in this ~~paragraph~~ *provision* shall be expended pur-  
 3 suant to Sections 320 and 321 of the Military and  
 4 Veterans Code, which requires state active duty em-  
 5 ployees to receive the same compensation increases  
 6 as their counterparts on federal active duty. Any un-  
 7 spent funds pursuant to this paragraph shall revert to  
 8 the General Fund.  
 9

10 *SEC. 519. Item 8940-001-3085 is added to Section 2.00 of the*  
 11 *Budget Act of 2009, to read:*  
 12

13 *8940-001-3085—For support of the California Military Depart-*  
 14 *ment, for payment to Item 8940-001-0001, payable from*  
 15 *the Mental Health Services Fund..... 451,000*  
 16

17 *SEC. 520. Item 8955-001-0001 of Section 2.00 of the Budget*  
 18 *Act of 2009 is amended to read:*  
 19

20 *8955-001-0001—For support of Department of Veterans Af-*  
 21 *airs..... 198,932,000*  
 22 *192,132,000*  
 23

23 Schedule:

- 24 (1) 10-Farm and Home Loans to Veter-  
 25 ans..... 2,241,000
- 26 (2) 20-Veterans Claims and Rights..... 4,463,000
- 27 (3) 30.01-Headquarters..... 23,112,000
- 28 (4) 30.10-Veterans Home of California at  
 29 Yountville..... 91,179,000
- 30 (5) 30.20-Veterans Home of California at  
 31 Barstow..... 21,286,000
- 32 (6) 30.30-Veterans Home of California at  
 33 Chula Vista..... 30,710,000
- 34 (7) 30.40-Veterans Home of California-  
 35 Greater Los Angeles Ventura County  
 36 (GLAVC)..... ~~30,703,000~~  
 37 *23,903,000*
- 38 (8) 30.50-Veterans Home of California at  
 39 Redding..... 290,000

1	(9) 30.60-Veterans Home of California at	
2	Fresno.....	290,000
3	(10) 50.01-General Administration.....	20,714,000
4	(11) 50.02-Distributed General Administra-	
5	tion.....	-20,714,000
6	(12) Reimbursements.....	-1,093,000
7	(13) Amount payable from the Veterans	
8	Service Office Fund (Item 8955-001-	
9	0083).....	-52,000
10	(14) Amount payable from the Northern	
11	California Veterans Cemetery Perpetual	
12	Maintenance Fund (Item 8955-001-	
13	0238).....	-50,000
14	(15) Amount payable from the Veterans'	
15	Farm and Home Building Fund of 1943	
16	(Item 8955-001-0592).....	-2,241,000
17	(16) Amount payable from the Federal Trust	
18	Fund (Item 8955-001-0890).....	-1,692,000
19	(17) Amount payable from the Mental	
20	Health Services Fund (Item 8955-001-	
21	3085).....	-214,000
22	Provisions:	
23	1. Of the funds appropriated in this item, \$2,000,000	
24	shall be expended only for the replacement of equip-	
25	ment and furnishings directly related to the care of the	
26	members at Veterans Homes of California.	
27	2. The Secretary of Veterans Affairs shall report annually	
28	on all expenditures pursuant to Provision 1 to the Di-	
29	rector of Finance, the Chairperson of the Joint Legisla-	
30	tive Budget Committee, and the chairpersons of the	
31	fiscal committees of each house of the Legislature.	
32	The report shall specify the following: (a) the equip-	
33	ment purchased, (b) the amount expended, (c) the	
34	vendor from whom it was purchased, (d) the method	
35	of purchase, (e) the purpose and use of the equipment,	
36	(f) the location of the equipment by Home and Pro-	
37	gram Unit, and (g) the life expectancy of the equip-	
38	ment. The report shall also include planned expendi-	
39	tures of equipment as specified for the forthcoming	
40	five fiscal years.	



- 1 be in lieu of the appropriation required pursuant to
- 2 Section 25 of Article XIII of the California Constitu-
- 3 tion and the appropriation for the same purposes con-
- 4 tained in Section 16100 or 16120 of the Government
- 5 Code.
- 6 2. Notwithstanding any other provision of law, the Direc-
- 7 tor of Finance may authorize expenditures for Schedule
- 8 (1) in excess of or less than the amount appropriated
- 9 not sooner than 30 days after notification in writing
- 10 of the necessity therefor is provided to the chairpersons
- 11 of the fiscal committees of each house of the Legisla-
- 12 ture and the Chairperson of the Joint Legislative
- 13 Budget Committee, or not sooner than whatever lesser
- 14 time the chairperson of the joint committee, or his or
- 15 her designee, may in each instance determine.
- 16 3. ~~Schedule (5) is for providing reimbursement to local~~
- 17 ~~taxing authorities for revenue lost by reason of the~~
- 18 ~~assessment of open space lands under Sections 423,~~
- 19 ~~423.3, 423.4, and 423.5 of the Revenue and Taxation~~
- 20 ~~Code, and in accordance with Chapter 3 (commencing~~
- 21 ~~with Section 16140) of Part 1 of Division 4 of Title 2~~
- 22 ~~of the Government Code. The appropriation made in~~
- 23 ~~that schedule shall be in lieu of the appropriation for~~
- 24 ~~the same purpose contained in Section 16100 or 16140~~
- 25 ~~of the Government Code. The Controller shall allocate~~
- 26 ~~these funds in accordance with Section 16144 of the~~
- 27 ~~Government Code.~~

28

29 *SEC. 522. Item 9350-104-6065 is added to Section 2.00 of the*

30 *Budget Act of 2009, to read:*

31

32 *9350-104-6065—Local assistance-shared revenues for support*

33 *of Local Streets and Road Improvement, Congestion Relief,*

34 *and Traffic Safety Account of 2006, Highway Safety, Traffic*

35 *Reduction, Air Quality, and Port Security Fund of 2006.... 700,000,000*

36 *Provisions:*

- 37 1. *Of the funds appropriated in this item, \$258,205,000*
- 38 *is for cities or a city and a county and \$441,795,000*
- 39 *is for counties or a city and a county.*

- 1       2. *The Controller shall allocate these funds on a first-*  
2       *come, first-served basis, following notification from*  
3       *the Department of Finance that the city, county, or*  
4       *city and county has submitted a complete plan for the*  
5       *expenditure of funds pursuant to Section 8879.65 of*  
6       *the Government Code.*
- 7       3. *The following conditions shall apply for cities, coun-*  
8       *ties, or a city and county receiving funds:*
  - 9           (a) *A city, county, or city and county shall have re-*  
10           *ceived its full allocation for the 2007–08 fiscal*  
11           *year.*
  - 12           (b) *A city, county, or city and county shall have sub-*  
13           *mitted information for the 2007–08 fiscal year*  
14           *allocation as required in subdivision (c) of Section*  
15           *9979.65 of the Government Code.*
  - 16           (c) *A city, county, or city and county shall agree that*  
17           *funds received from this item for the 2009–10*  
18           *fiscal year will be used for projects that are not*  
19           *currently fully funded with a dedicated funding*  
20           *source or sources.*
  - 21           (d) *A city, county, or city and county shall agree to*  
22           *encumber the funds in this item from the 2009–10*  
23           *fiscal year allocation before July 1, 2010.*
  - 24           (e) *A city, county, or city and county shall report to*  
25           *the Department of Finance the total balance of*  
26           *unencumbered funds in the cities, counties, or city*  
27           *and counties existing account as described in*  
28           *subparagraphs (A) and (C) of paragraph (2) of*  
29           *subdivision (i) of Section 8879.23 of the Govern-*  
30           *ment Code.*
  - 31           (f) *A city, county, or city and county shall certify that*  
32           *the total balance of unobligated or unencumbered*  
33           *funds in the account as described in subpara-*  
34           *graphs (A) and (C) of paragraph (2) of subdivi-*  
35           *sion (i) of Section 8879.23 of the Government*  
36           *Code is no more than the sum balance of three*  
37           *months of anticipated apportionments from the*  
38           *Highway Users Tax Account in the Transportation*  
39           *Tax Fund, as described in Sections 2104, 2105,*  
40           *2106, 2107, and 2107.5 of the Streets and High-*

way Code, and from the Transportation Investment Fund, as described in Section 7104 of the Revenue and Taxation Code.

If a city, county, or city and county has an unobligated or unencumbered balance that exceeds the sum balance of the three months of anticipated apportionments, it shall not increase its existing unobligated or unencumbered street (Gas Tax) or road fund balance, by the time the time the next report is submitted to the Controller pursuant to Section 2151 of the Streets and Highways Code.

If a city, county, or city and county has an unobligated or unencumbered balance that is less than the sum balance of the three months of anticipated apportionments, it may permit its fund balance to grow until the unencumbered balance is no more than the sum balance of three months of anticipated apportionments from the Highway Users Tax Account in the Transportation Tax Fund and the Transportation Investment Fund.

(g) For the purposes of this item, “unobligated” and “unencumbered” mean any portion of funding that is not designated, through prior approval by the city council or county board of supervisors, for the use on the planning, review, design, or construction phase of a project currently underway at the time of the annual street or road report.

4. Any of the funds that are not allocated by July 1, 2010, shall revert to the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006 to be appropriated in future years.

SEC. 523. Item 9620-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9620-001-0001—For payment of interest on General Fund loans, upon order of the Director of Finance, for any General Fund loan.....	100,000,000
	150,000,000

1 Provisions:

- 2 1. The Director of Finance, the Controller, and the  
3 Treasurer shall satisfy any need of the General Fund  
4 for borrowed funds in a manner consistent with the  
5 Legislature’s objective of conducting General Fund  
6 borrowing in a manner that best meets the state’s inter-  
7 est. The state fiscal officers may, among other factors,  
8 take into consideration the costs of external versus  
9 internal borrowings and potential impact on other  
10 borrowings of the state. In conducting internal borrow-  
11 ing, the Controller must ensure such borrowing is made  
12 in the most economical manner to the General Fund.  
13 Internal borrowable funds that require a higher rate of  
14 interest payments will be borrowed only after other  
15 internal borrowable funds are fully utilized.
- 16 2. In the event that interest expenses related to internal  
17 borrowing exceed the amount appropriated by this  
18 item, there is hereby appropriated any amount neces-  
19 sary to pay the interest. ~~Funds appropriated by this~~  
20 ~~item~~ *Augmentation pursuant to this provision* shall  
21 not be expended prior to 30 days after the Department  
22 of Finance notifies the Joint Legislative Budget Com-  
23 mittee of the amounts necessary or ~~not sooner than~~  
24 ~~such lesser~~ *prior to a shorter period of time as deter-*  
25 *mined by the Chairperson of the Joint Legislative*  
26 *Budget Committee may determine.*
- 27 3. In the event that Revenue Anticipation Warrants  
28 (*RAWs*) or *Registered Warrants (IOUs)* are issued, or  
29 considered to be issued, there is hereby appropriated  
30 any amount necessary, in excess of the amount appro-  
31 priated by this item, to pay the expenses incurred by  
32 the Controller, Treasurer, Attorney General, and the  
33 Department of Finance in providing for the prepara-  
34 tion, sale, issuance, advertising, legal services, credit  
35 enhancement, liquidity facility, or any other act which,  
36 as approved by the Department of Finance, is neces-  
37 sary for such issuance. ~~Funds appropriated by this item~~  
38 *Augmentation pursuant to this provision* shall not be  
39 expended prior to 30 days after the Department of Fi-  
40 nance notifies the Joint Legislative Budget Committee

1 of the amounts necessary or ~~not sooner than such~~  
2 ~~lesser~~ prior to a shorter period of time as determined  
3 by the Chairperson of the Joint Legislative Budget  
4 Committee ~~may determine~~.

5 4. In the event that the Controller must implement a  
6 payment delay plan to manage emergency cash needs,  
7 there is hereby appropriated any amount necessary,  
8 in excess of the amount appropriated by this item, to  
9 pay the interest expenses, late payment penalties, and  
10 other costs incurred by the Controller that, as ap-  
11 proved by the Department of Finance, are necessary  
12 to implement the payment delay plan. Amounts appro-  
13 priated pursuant to this provision shall be transferred,  
14 upon approval of the Department of Finance, to aug-  
15 ment Item 0840-001-0001. Augmentation pursuant to  
16 this provision shall not be transferred or expended  
17 prior to 30 days after the Department of Finance noti-  
18 fies the Joint Legislative Budget Committee of the  
19 amounts necessary or prior to a shorter period of time  
20 as determined by the Chairperson of the Joint Legisla-  
21 tive Budget Committee.

22 ~~4.~~  
23 5. To ensure prompt and accurate General Fund ~~cash~~  
24 ~~flow~~ cashflow projections for the state, all departments  
25 must provide information as requested by the Depart-  
26 ment of Finance in the timeframe and medium as  
27 specified by the Department of Finance. Information  
28 requested may include past actuals and future projec-  
29 tion of disbursements, receipts, and cash balances.  
30

31 *SEC. 524. Item 9655-001-0001 of Section 2.00 of the Budget*  
32 *Act of 2009 is amended to read:*

34	9655-001-0001—For Augmentation for Statewide Accounts	
35	Receivable Management Enhancements.....	3,309,000
36		1,175,000

37 Provisions:  
38 1. Amounts appropriated by this item shall be transferred,  
39 upon approval by the Director of Finance, to augment  
40 any other General Fund item of appropriation, depart-



1 Provisions:

2 1. Provisions 1, 2, and 3 of Item 9655-001-0001 also  
3 apply to this item, except references to General Fund  
4 appropriations shall instead refer to special fund appro-  
5 priations.  
6

7 *SEC. 526. Item 9800-001-0001 of Section 2.00 of the Budget*  
8 *Act of 2009 is amended to read:*  
9

10	9800-001-0001—For Augmentation for Employee Compensa-	
11	tion.....	44,533,000
12		40,742,000

13 Provisions:

14 1. The amount appropriated in this item shall not be  
15 construed to control or influence collective bargaining  
16 between the state employer and employee representa-  
17 tives.

18 2. The funds appropriated in this item are for compensa-  
19 tion increases and increases in benefits related thereto  
20 of employees whose compensation, or portion thereof,  
21 is chargeable to the General Fund, to be allocated by  
22 executive order by the ~~Department~~ *Director* of Finance  
23 to the several state offices, departments, boards, bu-  
24 reaus, commissions, and other state agencies, in aug-  
25 mentation of their respective appropriations or alloca-  
26 tions, in accordance with approved memoranda of  
27 understanding or, for employees excluded from collec-  
28 tive bargaining, in accordance with salary and benefit  
29 schedules established by the Department of Personnel  
30 Administration.

31 3. It is the intent of the Legislature that all proposed  
32 augmentations for increased employee compensation  
33 costs, including, but not limited to, base salary increas-  
34 es, pay increases to bring one group of employees into  
35 a pay equity position with another group of public  
36 employees, and recruitment and retention differentials,  
37 be budgeted and considered on a comprehensive,  
38 statewide basis. Therefore, the Legislature declares its  
39 intent to reject any proposed augmentations that are  
40 not included in Item 9800 in the 2010–11 Budget Act,

- 1 given that this is the item where the funds to imple-  
2 ment comprehensive statewide compensation policies,  
3 including those adopted pursuant to collective bargain-  
4 ing, are considered. This provision shall not apply to  
5 augmentations for increased employee compensation  
6 costs resulting from mandatory judicial orders to raise  
7 pay for any group of employees or augmentations for  
8 increased compensation costs, or approvals for depart-  
9 ments to provide increased employee compensation  
10 levels, that are included in bills separate from the  
11 Budget Act.
- 12 4. The funds appropriated by this item and any other item  
13 may not be used or expended to fund any compensa-  
14 tion proposal in the last, best, and final offer made by  
15 the state employer to State Bargaining Unit 6 imple-  
16 mented on September 18, 2007. Nothing in this act  
17 shall be construed as legislative approval for the ex-  
18 penditure of funds in accordance with that state em-  
19 ployer's last, best, and final offer, as required by sub-  
20 division (b) of Section 3517.8 of the Government  
21 Code.
- 22 5. This item contains funds estimated to be necessary to  
23 implement side letters, appendices, or other addenda  
24 to a memorandum of understanding (collectively re-  
25 ferred to as "pending agreements") that have been  
26 determined by the Joint Legislative Budget Committee  
27 to require legislative approval prior to their implemen-  
28 tation, but which may not have been approved in sep-  
29 arate legislation as of the date of the passage of this  
30 act. In the event that the Legislature does not approve  
31 separate legislation to authorize implementation of  
32 any of the pending agreements, the ~~Department~~ *Director*  
33 of Finance shall not allocate any funds related to  
34 those pending agreements pursuant to Provision 2, and  
35 the expenditure of funds for those pending agreements  
36 shall not be deemed to have been approved by the  
37 Legislature.
- 38 6. As of July 31, 2010, the unencumbered balances of  
39 the above appropriation shall revert to the General  
40 Fund.

1  
 2 *SEC. 527. Item 9800-001-0494 of Section 2.00 of the Budget*  
 3 *Act of 2009 is amended to read:*

4  
 5 9800-001-0494—For Augmentation for Employee Compensation,  
 6 payable from other unallocated special funds..... 51,832,000  
 7 51,589,000

8 Provisions:

- 9 1. The amount appropriated in this item shall not be  
 10 construed to control or influence collective bargaining  
 11 between the state employer and employee representa-  
 12 tives.
- 13 2. The funds appropriated in this item are for compensa-  
 14 tion increases and increases in benefits related thereto  
 15 of employees whose compensation, or portion thereof,  
 16 is chargeable to special funds, to be allocated by exec-  
 17 utive order by the ~~Department~~ *Director* of Finance to  
 18 the several state offices, departments, boards, bureaus,  
 19 commissions, and other state agencies, in augmentation  
 20 of their respective appropriations or allocations, in  
 21 accordance with approved memoranda of understand-  
 22 ing or, for employees excluded from collective bargain-  
 23 ing, in accordance with salary and benefit schedules  
 24 established by the Department of Personnel Adminis-  
 25 tration.
- 26 3. Notwithstanding any other provision of law, upon ap-  
 27 proval of the ~~Department~~ *Director* of Finance, expen-  
 28 diture authority may be transferred between this item  
 29 and Item 9800-001-0988 as necessary to fund costs  
 30 for approved memoranda of understanding or, for  
 31 employees excluded from collective bargaining, in  
 32 accordance with salary and benefit schedules estab-  
 33 lished by the Department of Personnel Administration.
- 34 4. It is the intent of the Legislature that all proposed  
 35 augmentations for increased employee compensation  
 36 costs, including, but not limited to, base salary increas-  
 37 es, pay increases to bring one group of employees into  
 38 a pay equity position with another group of public  
 39 employees, and recruitment and retention differentials,  
 40 be budgeted and considered on a comprehensive,

1 statewide basis. Therefore, the Legislature declares its  
2 intent to reject any proposed augmentations that are  
3 not included in Item 9800 in the 2010–11 Budget Act,  
4 given that this is the item where the funds to imple-  
5 ment comprehensive statewide compensation policies,  
6 including those adopted pursuant to collective bargain-  
7 ing, are considered. This provision shall not apply to  
8 augmentations for increased employee compensation  
9 costs resulting from mandatory judicial orders to raise  
10 pay for any group of employees or augmentations for  
11 increased compensation costs, or approvals for depart-  
12 ments to provide increased employee compensation  
13 levels, that are included in bills separate from the  
14 Budget Act.

15 5. The funds appropriated by this item and any other item  
16 may not be used or expended to fund any compensa-  
17 tion proposal in the last, best, and final offer made by  
18 the state employer to State Bargaining Unit 6 imple-  
19 mented on September 18, 2007. Nothing in this act  
20 shall be construed as legislative approval for the ex-  
21 penditure of funds in accordance with that state em-  
22 ployer’s last, best, and final offer, as required by sub-  
23 division (b) of Section 3517.8 of the Government  
24 Code.

25 6. This item contains funds estimated to be necessary to  
26 implement side letters, appendices, or other addenda  
27 to a memorandum of understanding (collectively re-  
28 ferred to as “pending agreements”) that have been  
29 determined by the Joint Legislative Budget Committee  
30 to require legislative approval prior to their implemen-  
31 tation, but which may not have been approved in sep-  
32 arate legislation as of the date of the passage of this  
33 act. In the event that the Legislature does not approve  
34 separate legislation to authorize implementation of  
35 any of the pending agreements, the ~~Department~~  *Direc-*  
36 *tor* of Finance shall not allocate any funds related to  
37 those pending agreements pursuant to Provision 2, and  
38 the expenditure of funds for those pending agreements  
39 shall not be deemed to have been approved by the  
40 Legislature.



1 a pay equity position with another group of public  
2 employees, and recruitment and retention differentials,  
3 be budgeted and considered on a comprehensive,  
4 statewide basis. Therefore, the Legislature declares its  
5 intent to reject any proposed augmentations that are  
6 not included in Item 9800 in the 2010–11 Budget Act,  
7 given that this is the item where the funds to imple-  
8 ment comprehensive statewide compensation policies,  
9 including those adopted pursuant to collective bargain-  
10 ing, are considered. This provision shall not apply to  
11 augmentations for increased employee compensation  
12 costs resulting from mandatory judicial orders to raise  
13 pay for any group of employees or augmentations for  
14 increased compensation costs, or approvals for depart-  
15 ments to provide increased employee compensation  
16 levels, that are included in bills separate from the  
17 Budget Act.

18 5. The funds appropriated by this item and any other item  
19 may not be used or expended to fund any compensa-  
20 tion proposal in the last, best, and final offer made by  
21 the state employer to State Bargaining Unit 6 imple-  
22 mented on September 18, 2007. Nothing in this act  
23 shall be construed as legislative approval for the ex-  
24 penditure of funds in accordance with that state em-  
25 ployer’s last, best, and final offer, as required by sub-  
26 division (b) of Section 3517.8 of the Government  
27 Code.

28 6. This item contains funds estimated to be necessary to  
29 implement side letters, appendices, or other addenda  
30 to a memorandum of understanding (collectively re-  
31 ferred to as “pending agreements”) that have been  
32 determined by the Joint Legislative Budget Committee  
33 to require legislative approval prior to their implemen-  
34 tation, but which may not have been approved in sep-  
35 arate legislation as of the date of the passage of this  
36 act. In the event that the Legislature does not approve  
37 separate legislation to authorize implementation of  
38 any of the pending agreements, the ~~Department~~ *Director*  
39 of Finance shall not allocate any funds related to  
40 those pending agreements pursuant to Provision 2, and

1 the expenditure of funds for those pending agreements  
2 shall not be deemed to have been approved by the  
3 Legislature.

4 7. As of July 31, 2010, the unencumbered balances of  
5 the above appropriation shall no longer be available  
6 for expenditure.

7

8 *SEC. 529. Item 9840-001-0001 of Section 2.00 of the Budget*  
9 *Act of 2009 is amended to read:*

10

11 9840-001-0001—For Augmentation for Contingencies or  
12 Emergencies..... 44,100,000

13

Provisions:

14

1. Subject to the conditions set forth in this item, amounts  
15 appropriated by this item shall be transferred, upon  
16 approval by the Director of Finance, to augment any  
17 other General Fund item of appropriation that is made  
18 under this act to an agency, department, board, com-  
19 mission, or other state entity. Such a transfer may be  
20 made to fund unanticipated expenses to be incurred  
21 for the ~~2008-09~~ 2009-10 fiscal year under an existing  
22 program that is funded by that item of appropriation,  
23 but only in a case of actual necessity as determined  
24 by the Director of Finance. For purposes of this item,  
25 an “existing program” is one that is authorized by law.

26

2. The Director of Finance may not approve a transfer  
27 under this item, nor may any funds appropriated in  
28 augmentation of this item be allocated, to fund any of  
29 the following: (a) capital outlay, (b) any expense at-  
30 tributable to a prior fiscal year, (c) any expense related  
31 to legislation enacted without an appropriation, (d)  
32 startup costs of programs not yet authorized by the  
33 Legislature, (e) costs that the administration had  
34 knowledge of in time to include in the May Revision,  
35 or (f) costs that the administration has the discretion  
36 to incur or not incur.

37

3. A transfer of funds approved by the Director of Fi-  
38 nance under this item shall become effective no  
39 sooner than 30 days after the director files written no-  
40 tification thereof with the Chairperson of the Joint

- 1 Legislative Budget Committee, and the chairpersons  
2 of the fiscal committees in each house of the Legisla-  
3 ture, or no sooner than any lesser time the chairperson  
4 of the joint committee, or his or her designee, may in  
5 each instance determine, except for an approval for  
6 an emergency expense as defined in Provision 5.
- 7 4. Each notification shall include all of the following:  
8 (a) the date the recipient state entity reported to the  
9 ~~Department~~ *Director* of Finance the need to increase  
10 its appropriation, (b) the reason for the expense, (c)  
11 the transfer amount approved by the Director of Fi-  
12 nance, and (d) the basis of the director’s determination  
13 that the expense is actually needed. Each notification  
14 shall also include a determination by the director as  
15 to whether the expense was considered in a legislative  
16 budget committee and formal action was taken not to  
17 approve the expense for the ~~2008-09~~ *2009-10* fiscal  
18 year. Any increase in a department’s appropriation to  
19 fund unanticipated expenses shall be approved by the  
20 Director of Finance.
- 21 5. The Director of Finance may approve a transfer under  
22 this item for an emergency expense only if the ap-  
23 proval is set forth in a written notification that is filed  
24 with the Chairperson of the Joint Legislative Budget  
25 Committee, and the chairpersons of the fiscal commit-  
26 tees in each house of the Legislature, no later than 10  
27 days after the effective date of the approval. Each no-  
28 tification for an emergency expense shall state the  
29 reason for the expense, the transfer amount approved  
30 by the director, and the basis of the director’s determi-  
31 nation that the expense is an emergency expense. For  
32 the purposes of this item, “emergency expense” means  
33 an expense incurred in response to conditions of disas-  
34 ter or extreme peril that threaten the immediate health  
35 or safety of persons or property in this state.
- 36 6. Within 15 days of receipt, the ~~Department~~ *Director*  
37 of Finance shall provide, to the Chairperson of the  
38 Joint Legislative Budget Committee and the chairper-  
39 sons of the fiscal committees in each house of the  
40 Legislature, copies of all requests, including any sup-

1           porting documentation, from any agency, department,  
 2           board, commission, or other state entity for a transfer  
 3           under this item. The submission to the Legislature of  
 4           a copy of such a request does not constitute approval  
 5           of the request by the Director of Finance. Within 15  
 6           days of receipt, the director shall also provide copies  
 7           to these chairpersons of all other requests received by  
 8           the ~~Department~~ *Director* of Finance from any state  
 9           agency, department, board, commission, or other state  
 10          entity to fund a contingency or emergency through a  
 11          supplemental appropriations bill augmenting this item.  
 12          7. For any transfer of funds pursuant to this item, the  
 13          augmentation of a General Fund item of appropriation  
 14          ~~made by this act~~ shall not exceed the following during  
 15          any fiscal year:  
 16          (a) 30 percent of the amount ~~scheduled~~ *appropriated*,  
 17             for those ~~scheduled amounts~~ *appropriations made*  
 18             *by this act* that are \$4,000,000 or less.  
 19          (b) 20 percent of the amount ~~scheduled~~ *appropriated*,  
 20             for those ~~scheduled amounts~~ *appropriations made*  
 21             *by this act* that are more than \$4,000,000.  
 22          8. The Director of Finance may withhold authorization  
 23          for the expenditure of funds transferred pursuant to  
 24          this item until such time as, and to the extent that,  
 25          preliminary estimates of potential unanticipated ex-  
 26          penses are verified.  
 27          9. The Director of Finance shall submit any requests for  
 28          supplemental appropriations in augmentation of this  
 29          item to the Chairperson of the Joint Legislative Budget  
 30          Committee and the chairpersons of the fiscal commit-  
 31          tees in each house of the Legislature. Requests shall  
 32          include the information and determinations required  
 33          by Provision 4, excluding subdivision (c), and a deter-  
 34          mination that requests meet the requirements of Provi-  
 35          sion 2.

37          *SEC. 530. Section 3.55 is added to the Budget Act of 2009, to*  
 38          *read:*

39          *SEC. 3.55. Notwithstanding any other provision of law, upon*  
 40          *the order of the Director of Finance, the Controller's Office shall,*

1 as jointly determined with the Public Employees’ Retirement  
2 System, reduce statewide budget items appropriation authority for  
3 two months in the 2009–10 fiscal year to recover Preferred  
4 Provider Organization premiums paid in excess by members and  
5 employers in previous fiscal years.

6 SEC. 531. Section 3.60 of the Budget Act of 2009 is amended  
7 to read:

8 SEC. 3.60. (a) Notwithstanding any other provision of law,  
9 the employers’ retirement contributions for the 2009–10 fiscal  
10 year that are chargeable to an appropriation made in this act, with  
11 respect to each state officer and employee who is a member of the  
12 ~~California~~ Public Employees’ Retirement System—(~~CalPERS~~)  
13 (~~PERS~~) or the Judges’ Retirement System II and who is in that  
14 employment or office, including university members as provided  
15 by Section 20751 of the Government Code, shall be the percentage  
16 of salaries and wages by state member category, as follows:

17	
18	Miscellaneous, First Tier..... 16.574%—16.917%
19	Miscellaneous, Second Tier..... 16.470%—16.737%
20	State Industrial..... 17.236%—17.251%
21	State Safety..... 18.411%—18.099%
22	Peace Officer/Firefighter..... 26.064%—25.848%
23	Highway Patrol..... 32.149%—28.438%
24	Judges’ Retirement System II..... 20.227%—20.358%
25	

26 The Director of Finance may adjust amounts in any appropriation  
27 item, or in any category thereof, in this act as a result of changes  
28 from amounts budgeted for employer contributions for 2009–10  
29 fiscal year retirement benefits to achieve the percentages specified  
30 in this subdivision.

31 (b) Notwithstanding any other provision of law, the Director of  
32 Finance shall require retirement contributions computed pursuant  
33 to subdivision (a) to be offset by the Controller with surplus funds  
34 in the Public Employees’ Retirement Fund, employer surplus asset  
35 accounts.

36 (c) Notwithstanding any other provision of law, for purposes  
37 of calculating the “appropriations subject to limitation” as defined  
38 in Section 8 of Article XIII B of the California Constitution, the  
39 appropriations in this act shall be deemed to be the amounts

1 remaining after the adjustments required by subdivisions (a) and  
2 (b) are made.

3 *SEC. 532. Section 3.90 of the Budget Act of 2009 is amended*  
4 *to read:*

5 SEC. 3.90. (a) Notwithstanding any other provision of this  
6 act, each item of appropriation in this act, with the exception of  
7 those items for the California State University, the University of  
8 California, Hastings College of the Law, *the Bureau of State Audits*,  
9 the Legislature (including the Legislative Counsel Bureau), and  
10 the judicial branch, shall be reduced, as appropriate, to reflect a  
11 reduction in employee compensation achieved through the  
12 collective bargaining process for represented employees or through  
13 existing administration authority and a proportionate reduction for  
14 nonrepresented employees (utilizing existing authority of the  
15 administration to adjust compensation for nonrepresented  
16 employees) in the total amounts of ~~\$1,024,326,000~~ *\$1,074,326,000*  
17 from General Fund items and \$688,375,000 from items relating  
18 to other funds. The Director of Finance shall allocate the necessary  
19 reductions to each item of appropriation to accomplish the  
20 employee compensation reductions required by this section.

21 (b) The Department of Personnel Administration shall transmit  
22 proposed memoranda of understanding to the Legislature promptly  
23 and shall include with each such transmission estimated savings  
24 pursuant to this section of each agreement.

25 (c) Nothing in this section shall change or supersede the  
26 provisions of the Ralph C. Dills Act (Chapter 10.3 (commencing  
27 with Section 3512) of Division 4 of Title 1 of the Government  
28 Code).

29 *SEC. 533. Section 4.01 of the Budget Act of 2009 is amended*  
30 *to read:*

31 SEC. 4.01. (a) Notwithstanding any other provision of law,  
32 the Director of Finance shall reduce items of appropriation in this  
33 act to reflect savings achieved pursuant to the Alternate Retirement  
34 Program (Chapter 214 of the Statutes of 2004). These reductions  
35 shall not apply to the University of California, Hastings College  
36 of the Law, California State University, the Legislature, or the  
37 ~~judicial branch~~ *Judicial Branch*.

38 (b) Notwithstanding any other provision of law, the Director of  
39 Finance shall reduce items of appropriation in this act to reflect  
40 savings achieved through reforms in employee compensation,

1 subject to memoranda of understanding negotiated with collective  
2 bargaining units and ratified by the Legislature. These reductions  
3 shall apply to all agencies and departments whose employees are  
4 subject to collective bargaining agreements negotiated by the  
5 Department of Personnel Administration or are excluded employees  
6 as defined in Section 3527 of the Government Code.

7 (c) The Director of Finance shall report to the Chairperson of  
8 the Joint Legislative Budget Committee and the chairpersons of  
9 the committees of each house of the Legislature that consider  
10 appropriations not more than 30 days after the reductions are made  
11 pursuant to this section. The report shall list reductions by  
12 department and agency.

13 (d) Nothing within this section shall be interpreted to confer  
14 any authority upon the Director of Finance to modify or eliminate  
15 any other provision of existing law.

16 *SEC. 534. Section 4.12 of the Budget Act of 2009 is amended*  
17 *to read:*

18 *SEC. 4.12. Notwithstanding any other provision of law, any*  
19 *positions that have been proposed to be added for the State Water*  
20 *Project for the 2009–10 fiscal year are neither approved nor*  
21 *disapproved until future action is taken by the Legislature. Of the*  
22 *funds provided in this act to the Department of Water Resources*  
23 *for the implementation of the Delta Habitat Conservation and*  
24 *Conveyance Program, funding shall be used only for planning*  
25 *workload related to the program and shall not be used for the*  
26 *physical construction of an alternative conveyance facility.*

27 *SEC. 535. Section 4.85 is added to the Budget Act of 2009, to*  
28 *read:*

29 *SEC. 4.85. The Controller shall transfer to the General Fund*  
30 *the amount remaining in the State Public Works Board, 1995 Series*  
31 *A, 1996 Series A, and 1998 Series A Energy Efficiency Bonds,*  
32 *Public Buildings Construction Fund.*

33 *SEC. 536. Section 8.55 is added to the Budget Act of 2009, to*  
34 *read:*

35 *SEC. 8.55. (a) It is the intent of the Legislature that the State*  
36 *of California comply with requirements associated with its receipt*  
37 *of funds pursuant to the American Recovery and Reinvestment Act*  
38 *(ARRA), Public Law 111-5. To supplement required activities*  
39 *related to ARRA that are being funded in various items of this act,*  
40 *the Legislature has provided funds to the Bureau of State Audits*

1 to act as the central, independent auditing and oversight agency  
2 required under various provisions of ARRA. In addition, the  
3 Legislature has provided funds to the Director of Finance intended  
4 to coordinate oversight and administration activities related to  
5 use of ARRA funds by state agencies, including data collection,  
6 tracking, and reporting.

7 (b) (1) The \$1,600,000 General Fund loan provided in this act  
8 to the Bureau of State Audits and the \$4,100,000 General Fund  
9 loan provided in this act to the Director of Finance shall be  
10 reimbursed from federal ARRA funds, including principally or  
11 exclusively the 0.5 percent of total ARRA funds authorized to be  
12 spent on certain centralized state oversight activities in Office of  
13 Management and Budget Memorandum M-09-18 of May 11, 2009,  
14 or similar guidance or legislation, or other available federal funds.  
15 The Director of Finance shall cooperate with the Bureau of State  
16 Audits, as required, to facilitate reimbursement of these and any  
17 other federal moneys the bureau is authorized to expend related  
18 to its ARRA auditing and oversight activities.

19 (2) Should any expenditures of the loan amounts authorized in  
20 this section ultimately be determined by the federal government  
21 not to be reimbursable, the Director of Finance is required and  
22 authorized to reduce and transfer to the General Fund any  
23 appropriations in this act for state operations in departments under  
24 the control of the Governor that benefited generally from the use  
25 of the General Fund loan to the extent necessary to pay off any  
26 outstanding balance of the loan.

27 (c) The Bureau of State Audits may request additional General  
28 Fund loans or the authority to expend federal ARRA funds related  
29 to statewide auditing and oversight in amounts of up to \$1,067,000.  
30 In the event that General Fund loans are requested, they shall be  
31 reimbursed from federal funds in a manner similar to that  
32 described in subdivision (b). The Bureau of State Audits shall  
33 provide such requests to the Chairperson of the Joint Legislative  
34 Budget Committee and provide copies of such requests to the  
35 Legislative Analyst and the Director of Finance. Any such request  
36 shall include a detailed description and justification for previous  
37 and anticipated uses of funds related to this section. The additional  
38 General Fund loans or authority to expend the federal ARRA funds  
39 described above shall not be made available to the Bureau of State  
40 Audits until 30 days after the request is provided to the

1 Chairperson of the Joint Legislative Budget Committee or at such  
2 earlier date as the chairperson of the joint committee may  
3 determine. The Legislature requests that the Bureau of State Audits  
4 provide to the Director of Finance, the Chairperson of the Joint  
5 Legislative Committee, and the Legislative Analyst an estimate of  
6 the funds it will require for ARRA statewide oversight and auditing  
7 activities in each fiscal year during which it will be undertaking  
8 such activities as soon as possible. The Bureau of State Audits  
9 may amend this estimate of the funds it will require for ARRA  
10 activities after the initial submission of this document.

11 (d) The Director of Finance shall provide to the Chairperson  
12 of the Joint Legislative Budget Committee, when appropriate, a  
13 comprehensive plan describing statewide ARRA oversight and  
14 auditing activities anticipated for the entire period during which  
15 such ARRA oversight and auditing will be necessary. The report  
16 shall, at a minimum, describe all of the following: (1) the amount  
17 of ARRA funds expected to be available to be spent on statewide  
18 accountability and oversight activities (including data collection,  
19 tracking, and reporting) based on definitive federal guidance or  
20 legislation concerning this matter, (2) a description of the roles  
21 of each entity in state government to be involved in statewide  
22 oversight and auditing activities related to ARRA, (3) specific  
23 citations, as appropriate, of federal guidance, regulations, or  
24 legislation that require each function of each entity in state  
25 government involved in ARRA statewide oversight and auditing  
26 activities, (4) detailed descriptions of why any proposed activities  
27 not specifically required in federal guidance, regulations, or  
28 legislation will be undertaken, and (5) the amount of ARRA federal  
29 funds for statewide accountability and oversight (including data  
30 collection, tracking, and reporting) expected to be needed in each  
31 fiscal year during which ARRA statewide oversight and auditing  
32 activities will be required. The Director of Finance shall include  
33 costs for ARRA statewide auditing and oversight activities of the  
34 Bureau of State Audits in the comprehensive plan and may amend  
35 the comprehensive report after its initial submission to account  
36 for costs identified by the bureau.

37 (e) The Director of Finance may request additional General  
38 Fund loans or the authority to expend federal ARRA funds related  
39 to statewide auditing and oversight in amounts exceeding those  
40 in subdivision (b) but in no case may the Director of Finance

1 request funding for the 2009–10 fiscal year in excess of that  
2 available for its activities during that fiscal year, as described in  
3 item 5 of the comprehensive report described in subdivision (d).  
4 The additional loans or authority to expend funds described in  
5 this subdivision shall not be made available to the Director of  
6 Finance until 30 days after both the comprehensive report  
7 described in subdivision (d) and the request for these loans or  
8 funds is provided to the Chairperson of the Joint Legislative Budget  
9 Committee or at such earlier date as the chairperson of the joint  
10 committee may determine. In the event that General Fund loans  
11 are requested, they shall be reimbursed from federal funds in a  
12 manner similar to that described in subdivision (b).

13 (f) The Bureau of State Audits may request additional General  
14 Fund loans or the authority to expend federal ARRA funds related  
15 to statewide auditing and oversight in amounts exceeding those  
16 in subdivisions (b) and (c), but it is the intent of the Legislature  
17 that the bureau not request funding for the 2009–10 fiscal year in  
18 excess of that specified in the estimate of required funds that the  
19 bureau will submit or amend pursuant to subdivision (c). The  
20 additional loans or authority to expend funds described in this  
21 subdivision shall not be made available to the Bureau of State  
22 Audits until 30 days after the request for these loans or funds is  
23 provided to the Chairperson of the Joint Legislative Budget  
24 Committee or at such earlier date as the chairperson of the joint  
25 committee may determine. In the event that General Fund loans  
26 are requested, they shall be reimbursed from federal funds in a  
27 manner similar to that described in subdivision (b).

28 (g) Except for the \$2,500,000 authorized in Provision 6 of Item  
29 8860-001-0001 of Section 2.00, no funds provided in this section  
30 or in any other item of this act may be expended by the Director  
31 of Finance, the ARRA inspector general, a state department under  
32 the control of the Governor, or the ARRA task force for a  
33 centralized statewide database of ARRA spending until 30 days  
34 after a detailed justification of the federal requirements therefor  
35 has been submitted to the Chairperson of the Joint Legislative  
36 Budget Committee or at such earlier date as the chairperson of  
37 the joint committee may determine. This request may be combined  
38 with the comprehensive report described in subdivision (d).

39 (h) It is the intent of the Legislature that funds provided to the  
40 Director of Finance pursuant to this section address costs of the

1 *state’s ARRA coordinating task force, the Inspector General*  
2 *appointed by the Governor, and the Office of State Audits and*  
3 *Evaluation’s efforts described herein and provide full transparency*  
4 *to the public in the use of ARRA funds.*

5 *SEC. 537. Section 12.00 of the Budget Act of 2009 is amended*  
6 *to read:*

7 SEC. 12.00. For the purposes of Article XIII B of the California  
8 Constitution, there is hereby established a state “appropriations  
9 limit” of ~~\$81,000,000,000~~ \$80,984,000,000 for the 2009–10 fiscal  
10 year.

11 Any judicial action or proceeding to attack, review, set aside,  
12 void, or annul the “appropriations limit” for the 2009–10 fiscal  
13 year shall be commenced within 45 days of the effective date of  
14 this act.

15 *SEC. 538. Section 12.32 of the Budget Act of 2009 is amended*  
16 *to read:*

17 SEC. 12.32. (a) It is the intent of the Legislature that  
18 appropriations that are subject to Section 8 of Article XVI of the  
19 California Constitution be designated with the wording  
20 “Proposition 98.” In the event these appropriations are not so  
21 designated, they may be designated as such by the Department of  
22 Finance, where that designation is consistent with legislative intent,  
23 within 30 days after notification in writing of the proposed  
24 designation to the chairpersons of the committees in each house  
25 of the Legislature that consider appropriations and the Chairperson  
26 of the Joint Legislative Budget Committee, or within a lesser time  
27 that the chairperson of the joint committee, or his or her designee,  
28 determines.

29 (b) Pursuant to the Proposition 98 funding requirements  
30 established in Chapter 2 (commencing with Section 41200) of Part  
31 24 of Division 3 of Title 2 of the Education Code, the total  
32 appropriations for Proposition 98 for the 2009–10 fiscal year are  
33 ~~\$40,523,751,000~~ \$36,301,084,000 or ~~42.2~~ 40.1 percent of total  
34 General Fund revenues and transfers subject to the state  
35 appropriations limit. General Fund revenues appropriated for school  
36 districts are ~~\$35,827,600,000~~ \$32,351,995,000 or ~~37.3~~ 35.7 percent  
37 of total General Fund revenues and transfers subject to the state  
38 appropriations limit. General Fund revenues appropriated for  
39 community college districts are ~~\$4,587,827,000~~ \$3,836,897,000  
40 or ~~4.8~~ 4.2 percent of total General Fund revenues and transfers

1 subject to the state appropriations limit. General Fund revenues  
 2 appropriated for other state agencies that provide direct elementary  
 3 and secondary level education, as defined in Section 41302.5 of  
 4 the Education Code, are ~~\$108,324,000~~ \$112,192,000 or 0.1 percent  
 5 of total General Fund revenues and transfers subject to the state  
 6 appropriations limit.

7 *SEC. 539. Section 12.42 of the Budget Act of 2009 is amended*  
 8 *to read:*

9 *SEC. 12.42. (a) The amounts appropriated in the items set*  
 10 *forth in subdivision (b) are each hereby reduced by the percentage*  
 11 *determined by dividing ~~1,211,296,000~~ 1,317,610,000 by the sum*  
 12 *of the amounts appropriated in the items set forth in subdivision*  
 13 *(b).*

14 *(b) Subdivision (a) shall apply to Items 6110-103-0001,*  
 15 *6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001,*  
 16 *6110-111-0001, 6110-113-0001, 6110-119-0001, 6110-122-0001,*  
 17 *6110-124-0001, 6110-125-0001, 6110-137-0001, 6110-144-0001,*  
 18 *6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-158-0001,*  
 19 *6110-166-0001, 6110-167-0001, 6110-181-0001, 6110-182-0001,*  
 20 *6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001,*  
 21 *6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001,*  
 22 *6110-209-0001, ~~6110-211-0001~~, 6110-220-0001, 6110-224-0001,*  
 23 *6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001,*  
 24 *6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001,*  
 25 *6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001,*  
 26 *6110-265-0001, 6110-266-0001, 6110-267-0001, 6110-268-0001*  
 27 *and, 6360-101-0001, and Schedule (1) of Item 6110-211-0001 of*  
 28 *Section 2.00 of this act.*

29 *SEC. 540. Section 12.45 is added to the Budget Act of 2009,*  
 30 *to read:*

31 *SEC. 12.45. The Director of Finance shall, for all agencies*  
 32 *and departments paid through the Uniform State Payroll System,*  
 33 *reduce as necessary the appropriations in the items set forth in*  
 34 *Section 2.00 to recognize the change in the accounting method for*  
 35 *the payment of state employee salaries pursuant to Section 13302*  
 36 *of the Government Code.*

37 *SEC. 541. Section 12.50 is added to the Budget Act of 2009,*  
 38 *to read:*

39 *SEC. 12.50. The amount appropriated in Item 7980-101-0001*  
 40 *of Section 2.00 is hereby reduced by \$37,600,000.*

1 SEC. 542. Section 12.55 is added to the Budget Act of 2009,  
2 to read:

3 SEC. 12.55. The Director of Finance shall permit the California  
4 African-American Museum to utilize \$293,000 from the Exposition  
5 Park Improvement Fund for the replacement, repair, and other  
6 upgrades of critical infrastructure costs for the museum.

7 SEC. 543. Section 13.10 is added to the Budget Act of 2009,  
8 to read:

9 SEC. 13.10. (a) The amount appropriated in Item  
10 0110-001-0001 of Section 2.00 is hereby reduced by \$2,783,000.

11 (b) The amount appropriated in Item 0120-011-0001 of Section  
12 2.00 is hereby reduced by \$5,477,000.

13 (c) (1) The amount appropriated in Schedule (1) of Item  
14 0130-021-0001 of Section 2.00 is hereby reduced by \$188,000.

15 (2) The amount transferred in Schedule (2) of Item  
16 0130-021-0001 of Section 2.00 is hereby reduced by \$94,000.

17 (3) The amount transferred in Schedule (3) of Item  
18 0130-021-0001 of Section 2.00 is hereby reduced by \$94,000.

19 (d) The amount appropriated in Item 0160-001-0001 of Section  
20 2.00 is hereby reduced by \$7,546,000.

21 (e) The amount appropriated in Item 8855-001-0001 of Section  
22 2.00 is hereby reduced by \$514,000.

23 SEC. 544. Section 13.25 is added to the Budget Act of 2009,  
24 to read:

25 SEC. 13.25. (a) Notwithstanding any other provision of law,  
26 the Director of Finance may adjust amounts in any item of  
27 appropriation in Section 2.00 to reflect reorganizations and  
28 consolidations of departments or functions of departments that  
29 are approved by the Legislature.

30 (b) Within 30 days of making any adjustment pursuant to this  
31 section, the Department of Finance shall report the adjustment in  
32 writing to the Joint Legislative Budget Committee.

33 SEC. 545. Section 13.50 is added to the Budget Act of 2009,  
34 to read:

35 SEC. 13.50. (a) (1) It is the intent of the Legislature to  
36 eliminate the following eight entities as of January 1, 2010:

- 37  
38 0510 Secretary of State and Consumer Services  
39 0520 Secretary of Business, Transportation and Housing  
40 0530 Secretary of California Health and Human Services

1 0540 Secretary of the Natural Resources Agency  
 2 0555 Secretary for Environmental Protection  
 3 0558 Secretary for Education  
 4 0559 Labor and Workforce Development Agency  
 5 0650 Office of Planning and Research  
 6

7 (2) Notwithstanding any other provision of law, the Director of  
 8 Finance shall, pursuant to subdivision (c), make all necessary  
 9 adjustments to the items of appropriation for the entities described  
 10 in paragraph (1) to reflect the elimination of those agencies. It is  
 11 the intent of the Legislature to enact legislation in the 2009–10  
 12 Regular Session, or in an extraordinary session, of the Legislature  
 13 to provide the necessary statutory changes to implement this  
 14 section.

15 (b) Notwithstanding any other provision of law, as of January  
 16 1, 2010, it is the intent that the following functions shall be  
 17 transferred as follows:

18 (1) Advisors to the Governor from various entities to the Office  
 19 of the Governor, including advisors for guidance on environmental  
 20 policy, not to exceed \$3,260,000 and 21.0 positions on a full-year  
 21 basis.

22 (2) State Clearinghouse and Planning Unit for the California  
 23 Environmental Quality Act, from the Office of Planning and  
 24 Research to the State Air Resources Board.

25 (3) California Volunteers, from Office of Planning and Research  
 26 to the Department of Housing and Community Development.

27 (4) Census-related activities from Office of Planning and  
 28 Research to the Department of Finance.

29 (5) Pass-through of federal stimulus funds, from Office of  
 30 Planning and Research to the Department of Finance and the  
 31 Office of Governor.

32 (6) Office of Privacy Protection, from Secretary of State and  
 33 Consumer Services to the Department of Consumer Affairs.

34 (7) Uniform film permits, from the Secretary of Business,  
 35 Transportation and Housing to the Department of Parks and  
 36 Recreation.

37 (8) Film tax credit administration, from the Secretary of  
 38 Business, Transportation and Housing to the Department of  
 39 Housing and Community Development.

- 1     (9) *Office of Tourism, from the Secretary of Business,*  
2 *Transportation and Housing to the Department of Housing and*  
3 *Community Development.*
- 4     (10) *Small Enterprise Expansion Program, from the Secretary*  
5 *of Business, Transportation and Housing to the Department of*  
6 *Housing and Community Development.*
- 7     (11) *California Infrastructure and Economic Development Bank,*  
8 *from the Secretary of Business, Transportation and Housing to*  
9 *the Department of Housing and Community Development.*
- 10    (12) *Centralized departmental functions, from the Secretary for*  
11 *Environmental Protection to the Department of Toxic Substances*  
12 *Control for coordination.*
- 13    (13) *Certified Unified Program Agency, from the Secretary for*  
14 *Environmental Protection to the Department of Toxic Substances*  
15 *Control.*
- 16    (14) *California River Parkways Program, from the Secretary*  
17 *of the Natural Resources Agency to the Department of Water*  
18 *Resources.*
- 19    (15) *San Joaquin River Restoration program, from the Secretary*  
20 *of the Natural Resources Agency to the Department of Water*  
21 *Resources and Department of Fish and Game based on their*  
22 *existing roles.*
- 23    (16) *CALFED Science program, from the Secretary of the*  
24 *Natural Resources Agency to the Department of Water Resources.*
- 25    (17) *Oceans program, from the Secretary of the Natural*  
26 *Resources Agency to the State Coastal Conservancy.*
- 27    (18) *Strategic growth program, from the Secretary of the Natural*  
28 *Resources Agency to the State Air Resources Board.*
- 29    (19) *Office of Health Information Integrity, from the Secretary*  
30 *of California Health and Human Services to the State Department*  
31 *of Health Care Services.*
- 32    (20) *Office of Systems Integration, from the Secretary for*  
33 *California Health and Human Services to the Office of the State*  
34 *Chief Information Officer.*
- 35    (21) *Health Information Exchange, from the Secretary of*  
36 *California Health and Human Services to the State Department*  
37 *of Health Care Services.*
- 38    (22) *Employer and Employee Education, from the Labor and*  
39 *Workforce Development Agency to the Department of Industrial*  
40 *Relations.*

1 (23) Labor law enforcement oversight, including functions of  
2 the Economic and Employment Enforcement Coalition, from the  
3 Labor and Workforce Development Agency to the Department of  
4 Industrial Relations.

5 (24) California Business Investment Services, from the Labor  
6 and Workforce Development Agency to the California Workforce  
7 Investment Board.

8 (25) Economic Strategy Panel from the Labor and Workforce  
9 Development Agency to the California Workforce Investment  
10 Board.

11 (c) Notwithstanding any other provision of law, any functions  
12 not described in subdivision (b) that are performed by the entities  
13 described in subdivision (a) shall be eliminated as of January 1,  
14 2010, and any budgeted funds for eliminated functions shall, on  
15 February 1, 2010, revert to the fund from which the appropriations  
16 were made. It is the intent of the Legislature that at least  
17 \$6,000,000 shall revert to the General Fund, and \$16,000,000  
18 shall revert to other funds. In implementing this section, the  
19 Legislature encourages the Governor to identify additional savings  
20 that can be achieved through administrative efficiencies or  
21 elimination of duplicative efforts.

22 (d) Pursuant to the authority in subdivision (a) of Section 13.25,  
23 the Director of Finance is authorized to transfer any funds from  
24 an eliminated entity to an entity listed in subdivision (b) in order  
25 to facilitate the transition of spending authority.

26 (e) The Director of Finance shall, on or before February 1,  
27 2010, report to the fiscal committees of each house of the  
28 Legislature and the Legislative Analyst's Office on the elimination  
29 of the entities described in subdivision (a). The report shall include  
30 a summary of the functions moved and functions eliminated. This  
31 summary shall include associated dollars by fund source and  
32 positions for the 2009–10 fiscal year and as to be proposed for  
33 the 2010–11 fiscal year. The report may also include any proposed  
34 legislation related to the elimination of each entity, lessons learned  
35 from the transition process, or any other relevant information.  
36 The director may satisfy this reporting requirement, at his or her  
37 option, by presenting the report with materials presented with the  
38 Governor's budget issued on or before January 10, 2010.

39 SEC. 546. Section 15.30 is added to the Budget Act of 2009,  
40 to read:

1     *SEC. 15.30. (a) Notwithstanding any other provision of law,*  
 2 *the Director of Finance may reduce items of appropriation in this*  
 3 *act to reflect information technology and related savings achieved*  
 4 *by state agencies, as identified by the State Chief Information*  
 5 *Officer pursuant to the Governor’s Reorganization Plan No. One*  
 6 *of 2009 or Section 11545 of the Government Code. It is the intent*  
 7 *of the Legislature that the reductions authorized by this section*  
 8 *total at least \$100,000,000 for General Fund items of*  
 9 *appropriation; however, in achieving these and other savings, the*  
 10 *State Chief Information Officer shall take no action with respect*  
 11 *to IT budgets or projects that might reasonably be anticipated to*  
 12 *cause a significant reduction in General Fund revenue collections.*

13     *(b) The Director of Finance shall report the reductions in*  
 14 *writing to the Chairperson of the Joint Legislative Budget*  
 15 *Committee and the chairpersons of the committees of each house*  
 16 *of the Legislature that consider appropriations not more than 30*  
 17 *days after the reductions are made. The report shall list the*  
 18 *reductions by department and agency.*

19     *SEC. 547. Section 17.00 of the Budget Act of 2009 is amended*  
 20 *to read:*

21     *SEC. 17.00. The Budget Act of 2009 includes—\$47,828,000*  
 22 *(~~\$14,166,000~~ \$49,697,000 (~~\$14,686,000~~ from the General Fund,*  
 23 *~~\$28,218,000~~ \$29,567,000 from federal funds, \$930,000 from*  
 24 *special funds, and \$4,514,000 from reimbursements) for applicant*  
 25 *state agencies, departments, boards, commissions, or other entities*  
 26 *of state government in support of federal Health Insurance*  
 27 *Portability and Accountability Act (HIPAA) of 1996 activities.*  
 28 *These funds are allocated to the following entities:*

29

30	California Health and Human Services Agency	
31	General Fund.....	2,611,000
32	Reimbursements.....	1,584,000
33	Public Employees’ Retirement System	
34	Special Funds.....	247,000
35	Office of Statewide Health Planning and Development	
36	Special Funds.....	111,000
37	Department of Aging	
38	General Fund.....	12,000
39	Reimbursements.....	12,000
40	Department of Alcohol and Drug Programs	

1	General Fund.....	787,000
2	Reimbursements.....	920,000
3	Department of Health Care Services	
4	<del>General Fund.....</del>	<del>8,571,000</del>
5	<del>Federal Funds.....</del>	<del>28,158,000</del>
6	General Fund.....	9,091,000
7	Federal Funds.....	29,507,000
8	Reimbursements.....	26,000
9	Department of Public Health	
10	Special Funds.....	551,000
11	Managed Risk Medical Insurance Board	
12	General Fund.....	27,000
13	Special Funds.....	21,000
14	Federal Funds.....	60,000
15	Department of Developmental Services	
16	General Fund.....	887,000
17	Reimbursements.....	800,000
18	Department of Mental Health	
19	General Fund.....	1,146,000
20	Reimbursements.....	1,172,000
21	Department of Veterans Affairs	
22	General Fund.....	125,000

23  
24 *SEC. 548. Section 17.50 is added to the Budget Act of 2009,*  
25 *to read:*

26 *SEC. 17.50. The amount appropriated in Item 4170-101-0001*  
27 *of Section 2.00 is hereby reduced by \$9,483,000.*

28 *SEC. 549. Section 17.80 is added to the Budget Act of 2009,*  
29 *to read:*

30 *SEC. 17.80. (a) The amount appropriated in Item*  
31 *4200-001-0001 of Section 2.00 is hereby reduced by \$418,000.*

32 *(b) The amount appropriated in Item 4200-102-0001 of Section*  
33 *2.00 is hereby reduced by \$1,671,000.*

34 *(c) The amount appropriated in Item 4200-103-0001 of Section*  
35 *2.00 is hereby reduced by \$29,837,000.*

36 *SEC. 550. Section 18.00 is added to the Budget Act of 2009,*  
37 *to read:*

38 *SEC. 18.00. (a) The amount appropriated in Item*  
39 *4260-101-0001 of Section 2.00 is hereby reduced by*  
40 *\$2,766,088,000.*

1 (b) Schedule (7) of Item 4260-101-0001 of Section 2.00 is hereby  
2 deleted.

3 (c) Provision 13 is added to Item 4260-101-0001 of Section  
4 2.00, to read:

5 13. It is the intent of the Legislature to actively pursue the  
6 receipt of federal funds within the Medicaid (Medi-Cal) Program  
7 which are past due from the federal government, including, but  
8 not limited to: (a) disability insurance benefits that resulted in  
9 state expenditures instead of federal Medicare expenditures, (b)  
10 the retroactive payment of Part B premiums due to systemic errors  
11 by the federal Social Security Administration, (c) needed  
12 adjustments to formulas that penalize California, such as the  
13 Medicare Part D “clawback,” and (d) receipt of federal funds due  
14 to California under various existing Medi-Cal waiver programs.

15 (d) The amount appropriated in Item 4260-111-0001 of Section  
16 2.00 is hereby reduced by \$4,303,000.

17 (e) Provision 3 is added to Item 4260-111-0001 of Section 2.00,  
18 to read:

19 3. The State Department of Health Care Services shall convene  
20 a diverse workgroup as applicable that, at a minimum, represents  
21 families enrolled in the California Children’s Services (CCS)  
22 Program, counties, specialty care providers, children’s hospitals,  
23 and medical suppliers to discuss the administrative structure of  
24 the CCS Program, including eligibility determination processes,  
25 the use and content of needs assessment tools in case management,  
26 and the processes used for treatment authorizations. The purpose  
27 of this workgroup will be to identify methods for streamlining,  
28 administrative cost-efficiencies, and better utilization of both state  
29 and county staff, as applicable, in meeting the needs of children  
30 and families accessing the CCS Program. The department may  
31 provide the policy and fiscal committees of each house of the  
32 Legislature with periodic updates of outcomes as appropriate.

33 (f) The amount appropriated in Item 4260-113-0001 of Section  
34 2.00 is hereby reduced by \$47,265,000.

35 SEC. 551. Section 18.10 is added to the Budget Act of 2009,  
36 to read:

37 SEC. 18.10. (a) The amount appropriated in Item  
38 4265-001-0001 of Section 2.00 is hereby reduced by \$6,981,000.

39 (b) The amount appropriated in Item 4265-111-0001 of Section  
40 2.00 is hereby reduced by \$62,967,000.

1 (c) Provision 2 is added to Item 4265-111-0001 of Section 2.00,  
2 to read:

3 2. It is the intent of the Legislature that the funds appropriated  
4 in this item be used to maintain core active surveillance activities  
5 to meet federal reporting requirements and to continue HIV/AIDS  
6 prevention and education efforts for which federal funds are not  
7 available.

8 SEC. 552. Section 18.20 is added to the Budget Act of 2009,  
9 to read:

10 SEC. 18.20. (a) The amount appropriated in Item  
11 4280-101-0001 of Section 2.00 is hereby reduced by \$71,581,000.

12 (b) Provision 2 is added to Item 4280-101-0001 of Section 2.00,  
13 to read:

14 2. It is the intent of the Legislature, during these unprecedented  
15 fiscal times, to maintain the integrity of the Healthy Families  
16 Program to continue to provide health, dental, and vision coverage  
17 to low-income children. However, assistance from philanthropic  
18 organizations and other sources will be necessary in order for  
19 California to obtain its full allotment of federal funds to support  
20 this program. In the event funds are not available, it is the intent  
21 of the Legislature for the Managed Risk Medical Insurance Board  
22 to utilize its existing authority to establish a waiting list of children  
23 for enrollment in the program.

24 (c) The amount appropriated in Item 4280-102-0001 of Section  
25 2.00 is hereby reduced by \$3,046,000.

26 SEC. 553. Section 18.30 is added to the Budget Act of 2009,  
27 to read:

28 SEC. 18.30. The amount appropriated in Item 4300-101-0001  
29 of Section 2.00 is hereby reduced by \$214,828,000.

30 SEC. 554. Section 18.40 is added to the Budget Act of 2009,  
31 to read:

32 SEC. 18.40. (a) The amount appropriated in Item  
33 4440-001-0001 of Section 2.00 is hereby reduced by \$8,447,000.

34 (b) The amount appropriated in Item 4440-103-0001 of Section  
35 2.00 is hereby reduced by \$113,380,000.

36 (c) The amount appropriated in Item 4440-104-0001 of Section  
37 2.00 is hereby reduced by \$52,000,000.

38 (d) (1) Provision 1 of Item 4440-104-0001 of Section 2.00 is  
39 hereby deleted.

1 (2) Provision 3 is added to Item 4440-104-0001 of Section 2.00,  
2 to read:

3 3. These funds are for costs incurred in the 2006–07, 2007–08,  
4 2008–09, and 2009–10 fiscal years. The first priority of funds  
5 appropriated in this item shall be used to offset the mandate  
6 reimbursement claims for the 2006–07 fiscal year. Remaining  
7 funds may be used to offset the mandate reimbursement claims for  
8 the 2007–08, 2008–09, and 2009–10 fiscal years.

9 (e) The amount appropriated in Item 4440-111-0001 of Section  
10 2.00 is hereby reduced by \$3,547,000.

11 SEC. 555. Section 18.50 is added to the Budget Act of 2009,  
12 to read:

13 SEC. 18.50. (a) The amount appropriated in Item  
14 5180-001-0001 of Section 2.00 is hereby reduced by \$7,748,000.

15 (b) Provision 9 of Item 5180-001-0001 of Section 2.00 is hereby  
16 deleted.

17 (c) The amount appropriated in Item 5180-101-0001 of Section  
18 2.00 is hereby reduced by \$615,501,000.

19 (d) The amount appropriated in Item 5180-111-0001 of Section  
20 2.00 is hereby reduced by \$532,134,000.

21 (e) Schedule (5) of Item 5180-111-0001 of Section 2.00 is hereby  
22 deleted.

23 (f) The amount appropriated in Item 5180-153-0001 of Section  
24 2.00 is hereby reduced by \$16,421,000.

25 SEC. 556. Section 24.60 is added to the Budget Act of 2009,  
26 to read:

27 SEC. 24.60. Each state entity receiving lottery funds shall  
28 annually report to the Governor and the Legislature on or before  
29 May 15 the amount of lottery funds that the entity received and  
30 the purposes for which those funds were expended in the prior  
31 fiscal year, including administrative costs. The Department of  
32 Education shall report on behalf of K–12 entities. If applicable,  
33 the entity shall also report the amount of lottery funds received on  
34 the basis of adult education average daily attendance (ADA) and  
35 the amount of lottery funds expended for adult education.

36 SEC. 557. Section 24.65 of the Budget Act of 2009 is repealed.

37 ~~SEC. 24.65. (a) Notwithstanding any other provision of law,~~  
38 ~~the Director of Finance is authorized to repay General Fund~~  
39 ~~budgetary obligations, infrastructure bond debts, and the Economic~~  
40 ~~Recovery Bonds, including reimbursement to the General Fund~~

1 for these costs, in the 2009–10 fiscal year from the Debt Retirement  
2 Fund, pursuant to Government Code Section 8880.4.5.

3 (b) Expenditures and reimbursements authorized by this section  
4 will result in overall General Fund savings. It is not the intent of  
5 the Legislature in enacting this section to provide additional  
6 expenditure authority to state programs.

7 SEC. 558. Section 25.25 is added to the Budget Act of 2009,  
8 to read:

9 SEC. 25.25. Notwithstanding any other provision of law, a sum  
10 not to exceed \$15,200,000 is appropriated from various special  
11 and nongovernmental cost funds and reimbursements to the  
12 Controller for payment of costs to support the replacement of the  
13 existing automated human resource/payroll systems known as the  
14 21st Century Project. The Controller shall assess these funds in  
15 sufficient amounts to pay for the authorized 21st Century Project  
16 costs that are attributable to such funds pursuant to Section 12432  
17 of the Government Code. Assessments in support of the  
18 expenditures for the 21st Century Project shall be made quarterly  
19 and the total amounts assessed from these funds in the 2009–10  
20 fiscal year shall not exceed the total expenditure incurred by the  
21 Controller for the 21st Century Project that are attributable to  
22 those funds in the 2009–10 fiscal year.

23 SEC. 559. Section 25.50 of the Budget Act of 2009 is amended  
24 to read:

25 SEC. 25.50. Notwithstanding any other provision of law, an  
26 amount not to exceed ~~\$822,000~~ \$770,000 is hereby appropriated  
27 from various funds to the Controller, as specified below, for  
28 reimbursement of costs for the ongoing maintenance and support  
29 of the Apportionment Payment System:

30		
31	0046 Public Transportation Account	\$ <del>18,000</del>
32		\$ 16,000
33	0062 Highway Users Tax Account	<del>282,000</del>
34		265,000
35	0064 Motor Vehicle License Fee Account	<del>16,000</del>
36		15,000
37	0330 Local Revenue Fund	<del>93,000</del>
38		87,000
39	0877 DMV Local Agency Collection Fund	<del>2,000</del>
		2,000

1	0932 Trial Court Trust Fund	161,000
2		151,000
3	0965 Timber Tax Fund	1,000
4	0969 Public Safety Account	249,000
5		233,000
6	Total, All Funds	\$822,000
7		\$770,000

8  
9 The Controller shall assess these funds for the costs of the  
10 Apportionment Payment System because apportionment payments  
11 in excess of \$10,000,000 are made annually from these funds.  
12 Assessments in support of the expenditures for the Apportionment  
13 Payment System shall be made monthly, and the total amount  
14 assessed from these funds may not exceed the total expenditures  
15 incurred by the Controller for the Apportionment Payment System  
16 for the 2009–10 fiscal year.

17 *SEC. 560. Section 35.50 of the Budget Act of 2009 is amended*  
18 *to read:*

19 SEC. 35.50. (a) For purposes of paragraph (1) of subdivision  
20 (f) of Section 10, and subdivision (f) of Section 12, of Article IV  
21 of the California Constitution, “General Fund revenues” means  
22 the total resources available to the General Fund for a fiscal year  
23 before any transfer to the Budget Stabilization Account.

24 (b) For purposes of subdivision (f) of Section 12 of Article IV  
25 of the California Constitution, “all appropriations from the General  
26 Fund for that fiscal year” shall not include any transfer to the  
27 Budget Stabilization Account to retire Economic Recovery Bonds  
28 because that amount is reflected in the “amount of any General  
29 Fund moneys transferred to the Budget Stabilization Account.”

30 (c) For purposes of subdivision (f) of Section 12 of Article IV  
31 of the California Constitution, the estimate of General Fund  
32 revenues for the 2009–10 fiscal year pursuant to this act, as passed  
33 by the Legislature, is ~~\$98,567,200,000~~ \$93,244,800,000.

34 (d) For purposes of subdivision (b) of Section 20 of Article XVI  
35 of the California Constitution, General Fund revenues shall be  
36 defined as revenues and transfers before any transfer to the Budget  
37 Stabilization Account, excluding any proceeds from Economic  
38 Recovery Bonds, as estimated in the enacted State Budget.

39 *SEC. 561. This act is an urgency statute necessary for the*  
40 *immediate preservation of the public peace, health, or safety within*

1 *the meaning of Article IV of the Constitution and shall go into*  
2 *immediate effect. The facts constituting the necessity are:*  
3 *This act makes revisions in appropriations for the support of*  
4 *the government of the State of California and for several public*  
5 *purposes for the 2009–10 fiscal year. It is imperative that these*  
6 *revisions be made effective as soon as possible. It is therefore*  
7 *necessary that this act go into immediate effect.*

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