



**DEPARTMENT OF  
FINANCE**  
OFFICE OF THE DIRECTOR

EDMUND G. BROWN JR. - GOVERNOR

STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DDF.CA.GOV

APR 01 2011

Honorable Mark Leno, Chair  
Senate Budget and Fiscal Review Committee

Attention: Ms. Keely Bosler, Staff Director (2)

Honorable Bob Blumenfeld, Chair  
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Budget Bill Item 8380-001-0001, Support, Department of Personnel  
Administration**

It is requested that Item 8380-001-0001 be decreased by \$350,000 and that Provision 2 of the same item be deleted to reflect the fiscal year 2008-09 expiration of funding and provisional language pertaining to recruitment contracts for medical professionals in the Department of Personnel Administration's budget. The funding and language should have been removed after the limited-term funding period expired at the conclusion of 2008-09.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Koreen Martone, Principal Program Budget Analyst, at (916) 445-3274.

ANA J. MATOSANTOS

Director

By:

/s/ Michael Cohen

MICHAEL COHEN  
Chief Deputy Director

Attachment

cc: On following page

APR 01 2011

-2-

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzoia, Staff Director  
Honorable Bob Huff, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
Attention: Mr. Eric Swanson, Staff Director  
Honorable Michael Rubio, Chair, Senate Budget and Fiscal Review Subcommittee No. 4  
Honorable Joan Buchanan, Chair, Assembly Budget Subcommittee No. 4  
Mr. Mac Taylor, Legislative Analyst (4)  
Mr. Craig Cornett, Senate President pro Tempore's Office (2)  
Mr. Christopher W. Woods, Assembly Speaker's Office (2)  
Ms. Deborah Gonzalez, Policy and Fiscal Director, Assembly Republican Leader's Office  
Mr. Mark Rodriguez, Chief of Administrative Services, Department of Personnel Administration  
Ms. Robyn Malin, Budget Analyst, Department of Personnel Administration



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**APR 12 2011**

Honorable Mark Leno, Chair  
Senate Budget and Fiscal Review Committee

Attention: Ms. Keely Bosler, Staff Director (2)

Honorable Bob Blumenfield, Chair  
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Various Budget Bill Items, Support and Local Assistance, California  
Department of Food and Agriculture**

It is requested that changes to the following California Department of Food and Agriculture (CDFA) items be made:

- Decrease Item 8570-001-0001 by \$12,503,000
- Increase Item 8570-001-0111 by \$931,000
- Increase Item 8570-001-0516 by \$295,000
- Increase Reimbursements by \$968,000
- Decrease Item 8570-004-0001 by \$1,117,000
- Decrease Item 8570-101-0001 by \$240,000
- Eliminate Item 8570-111-0001 and amend Item 8570-101-0001 to reflect this change
- Eliminate Item 8570-102-0001

These technical adjustments would implement the Administration's proposal (which the Legislature already has approved in concept) to reduce the CDFA's General Fund budget by \$15.0 million in fiscal year 2011-12. It also is requested that Provisions 2 and 3 of Item 8570-001-0001, Provision 2 of Item 8570-004-0001, and Provision 1 of Item 8570-101-0001 be deleted to conform to these adjustments.

Additionally, it is requested that these technical changes be made to conform to the provisions of Chapter 2, Statutes of 2011 (AB 95), which eliminated \$32.0 million General Fund for support of the fairs:

- Eliminate Item 8570-101-0191 and amend Item 8570-101-0001 to reflect this change
- Eliminate Item 8570-011-0191
- Eliminate Item 8570-403

These items are no longer necessary and the reporting requirement in Item 8570-403 is obsolete.

The effect of my requested action, including required trailer bill language, is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call John Fitzpatrick, Principal Program Budget Analyst, at (916) 445-8913.

ANA J. MATOSANTOS

Director

By:

/s/ Michael Cohen

MICHAEL COHEN

Chief Deputy Director

Attachment

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzosa, Staff Director  
Honorable Bob Huff, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
Attention: Mr. Eric Swanson, Staff Director  
Honorable Joe Simitian, Chair, Senate Budget and Fiscal Review Subcommittee No. 2  
Honorable Richard Gordon, Chair, Assembly Budget Subcommittee No. 3  
Mr. Mac Taylor, Legislative Analyst (4)  
Mr. Craig Cornett, Senate President pro Tempore's Office (2)  
Mr. Christopher W. Woods, Assembly Speaker's Office (2)  
Ms. Deborah Gonzalez, Policy and Fiscal Director, Assembly Republican Leader's Office  
Honorable Karen Ross, Secretary, California Department of Food and Agriculture  
Mr. Nate Dechoretz, Deputy Secretary, Administrative Services, California Department of Food and Agriculture  
Ms. Janet Glaholt, Director, Administrative Services, California Department of Food and Agriculture  
Ms. Kari Morrow, Assistant Director, Administrative Services, California Department of Food and Agriculture  
Ms. Jan Lapanja, Budget Officer, Administrative Services, California Department of Food and Agriculture

**SUMMARY – Trailer Bill Language – Division of Measurement Standards:**

- 1) Provide for authority to establish a fee to cover costs for device and quantity compliance programs.

Amend Section 12240 of the Business and Professions Code. Adopt BPC Sections 12240.5. These sections provide for CDFA to establish an administrative fee to be collected by the counties. These sections include a 5-year sunset clause.

- 2) Provide for authority to establish an application and database maintenance fee to cover costs for the type evaluation program.

Amend Section 12500.9 of the Business and Professions Code. This section provides for CDFA to establish an application and database maintenance fee and provides for the deposit of the revenue from these fees. This section also includes amendments replacing department and/or director with Secretary.

**Amend Section 12240 and adopt Section 12240.5 of Chapter 2, Division 5 of the Business and Professions Code to read as follows:**

12240. (a) Except as otherwise provided in this section, the board of supervisors, by ordinance, may charge an annual registration fee, not to exceed the county's total cost of actually inspecting or testing the devices as required by law, to recover the costs of inspecting or testing weighing and measuring devices required of the county sealer pursuant to Section 12210, and to recover the cost of carrying out Section 12211.

(b) Except as otherwise provided in this section, the annual registration fee shall not exceed the amount set forth in subdivisions (f) to (n), inclusive.

(c) The county may collect the fees biennially, in which case they shall not exceed twice the amount of an annual registration fee. The ordinance shall be adopted pursuant to Article 7 (commencing with Section 25120) of Chapter 1 of Part 2 of Division 2 of Title 2 of the Government Code.

(d) Retail gasoline pump meters, for which the above fees are assessed, shall be inspected as frequently as required by regulation, but not less than once every two years.

(e) Livestock scales, animal scales and scales used primarily for weighing feed and seed, for which the above fees are assessed, shall be inspected as frequently as required by regulation.

(f) For purposes of this section, the annual registration fee for a business that uses a commercial weighing or measuring device or devices shall consist of a business location fee, a Department of Food and Agriculture administrative fee, as specified in Section 12240.5, and a device fee, as specified in subdivisions (g) to (n), inclusive. The business location fee and device fee shall not exceed the following:

(1) Beginning January 1, 2006, sixty dollars (\$60) per business location, plus 60 percent of the maximum applicable device fee listed in subdivisions (h) to (n), inclusive.

(2) Beginning January 1, 2007, eighty dollars (\$80) per business location, plus 80 percent of the maximum applicable device fee listed in subdivisions (h) to (n), inclusive.

(3) Beginning January 1, 2008, and thereafter, one hundred dollars (\$100) per business location, plus 100 percent of the maximum applicable device fee listed in subdivisions (h) to (n), inclusive.

(g) For marinas, mobilehome parks, recreational vehicle parks, and apartment complexes, where the owner of the marina, park, or complex owns and is responsible for the utility meters, the device fee shall not exceed two dollars (\$2) per device per space or apartment. Marinas, mobilehome parks, recreational vehicle parks, and apartment complexes for which the above fees are assessed shall be inspected and tested as frequently as required by regulation.

(h) For weighing devices, other than livestock, with capacities of 10,000 pounds or greater, the device fee shall not exceed two hundred fifty dollars (\$250) per device; for weighing devices, other than livestock scales, with capacities of at

least 2,000 pounds but less than 10,000 pounds, the device fee shall not exceed one hundred fifty dollars (\$150) per device.

(i) This section does not apply to farm milk tanks.

(j) A scale or device used in a certified farmers' market, as defined by Section 113745 of the Health and Safety Code, is not required to be registered in the county where the market is conducted, if the scale or device has an unexpired seal for the current year, issued by a licensed California county sealer.

(k) For livestock scales with capacities of 10,000 pounds or greater, the device fee shall not exceed one hundred fifty dollars (\$150) per device; for livestock scales with capacities of at least 2,000 pounds but less than 10,000 pounds, the device fee shall not exceed one hundred dollars (\$100) per device.

(l) For liquified petroleum gas (LPG) meters, truck mounted or stationary, the device fee shall not exceed one hundred seventy-five dollars (\$175) per device.

(m) For wholesale and vehicle meters, the device fee shall not exceed twenty-five dollars (\$25) per device.

(n) For all other commercial weighing or measuring devices not listed in subdivisions (g) to (m), inclusive, the device fee shall not exceed twenty dollars (\$20) per device. For the purposes of this subdivision, the total annual registration fee shall not exceed the sum of one thousand dollars (\$1,000), for each business location.

(o) For the purposes of this section, a single business location is defined as:

(1) Each vehicle containing one or more commercial devices.

(2) Each business location that uses different categories or types of commercial devices that require the use of specialized testing equipment and that necessitates not more than one inspection trip by a weights and measures official.

12240.5. (a) On or prior to January 1, 2012, the Secretary shall establish by regulation, an annual administrative fee to recover reasonable administrative and enforcement costs incurred by the department for the activities required by Sections 12210 and 12211. This administrative fee shall be collected for every device registered with each county office of weights and measures, and paid to the department beginning January 1, 2012 and annually thereafter.

(b) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

**Amend Section 12500.9 of Chapter 5, Division 5 of the Business and Professions Code to read as follows:**

12500.9. The ~~director~~ Secretary shall charge and collect an application fee and reasonable deposit fees from persons submitting weighing and measuring devices for approval as required by Section 12500.5. Costs incurred by the department that exceed the deposit shall be charged and ~~Such fees are due and~~

shall be collected upon completion of all prototype-approval testing. The fees shall be based upon the following criteria:

(a) The moneys collected are intended to compensate the ~~director~~ Secretary for the costs of time, mileage, and equipment, and the administrative services expended in providing prototype-approval service.

(b) The ~~director~~ Secretary may compensate county sealers of weights and measures, other weights and measures jurisdictions, or private laboratories for furnishing equipment and assisting the department in conducting prototype-approval activities.

(c) The amount of compensation provided for in subdivision (b) shall be based upon actual time, mileage, and equipment costs, as determined by the ~~director~~ Secretary.

(d) The Secretary may charge an annual administrative fee for the maintenance of type approval certificates in hard copy and electronic formats.

(e) The ~~director~~ Secretary may adopt rules and regulations necessary to implement the provisions of this section.

(f) All fees collected under the provisions of this section shall be credited to deposited in the General Fund-Department of Food and Agriculture Fund.



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**SUMMARY – Trailer Bill Language – Division of Plant Health and Pest Prevention:**

- 1) Discontinue funding for the Weed Management Area Program.

Repeal Section 7274 of the Food and Agriculture Code. This section currently requires the department submit an annual report on efforts to abolish noxious weeds which creates a financial burden to the department. This is a technical adjustment to statute.

- 2) Discontinue funding related to Chpt 631, Stats 2004.

Repeal Section 486 of the Food and Agriculture Code. This section pertains to specific fiscal years (2003-04 thru 2006-07). This is a technical adjustment to statute.

- 3) Ensure adequate funding from industry fee to cover regulatory samples performed at the Seed Laboratory.

Amend Section 52356 of the Food and Agriculture Code. This section currently provides that only 1/3 of the net operating cost of the state seed laboratory is supported by registration fees. The amendment will provide that the support (assessment) from the Seed Industry can not exceed the cost of the Seed Laboratory to perform the workload and activities required in statute.

**Repeal Section 7274 of Chapter 4, Part 4, Division 4 of the Food and Agricultural Code as follows:**

~~7274. Notwithstanding Section 7550.5 of the Government Code, the department shall submit to the Legislature an annual report on or before April 1 of each year, to and including the year 2005, highlighting the status of its efforts to abate noxious weeds in this state.~~

**Repeal Section 486 of Chapter 3, Part 1, Division 1 of the Food and Agricultural Code as follows:**

~~486. The secretary may not enter into a cooperative agreement with a county of the first class for agricultural inspector services if the cooperative agreement requires that year-round services be provided, unless the following percentages of agricultural inspector aides not afforded protections as permanent employees employed under the cooperative agreement are afforded protections as permanent employees under the county's civil service or other personnel system:~~

~~—(a) For the 2004-05 fiscal year, 33 percent of the agricultural inspector aides not afforded protections as permanent employees employed by the county during the 2003-04 fiscal year providing year-round services.~~

~~—(b) For the 2005-06 fiscal year, not less than 66 percent of the agricultural inspectors not afforded protections as permanent employees employed by the county during the 2003-04 fiscal year providing year-round services.~~

~~—(c) For the 2006-07 fiscal year, not less than 66 percent of the agricultural inspectors not afforded protections as permanent employees employed by the county during the 2003-04 fiscal year providing year-round services.~~

**Amend Sections 52356 of Chapter 2, Division 18 of the Food and Agricultural Code as follows:**

~~52356. Total expenditures from funds derived from registration fees and dollar volume assessments under this chapter shall not exceed the department's Secretary's cost of carrying out this chapter, including only that portion of state seed laboratory activity involved in official samples, which shall not exceed one-third of the net operating cost of the state seed laboratory. No official samples shall be analyzed by the department whenever the cost of that analysis exceeds one-third of the net operating cost of the laboratory.~~

**SUMMARY – Trailer Bill Language – Division of Animal Health and Food Safety Services:**

- 1) Provide for authority to establish a fee to cover costs for certificates of veterinary inspection booklets and quality assurance inspections.

Add Section 9184 to the Food and Agriculture Code to provide for CDFA to establish a fee as specified. This section includes a 5-year sunset clause. Make technical changes replacing Secretary for department and/or director in FAC Sections 9185, 9186, 9187, 9188, and 9671.

- 2) Provide for deposit of revenues into the Agriculture Fund.

Amend FAC Sections 18932.1, 18932.2, 19032, 19033.1, 19040, 19445, 19447, and 24563 and add FAC Section 24752 and 25063 to provide for deposit of revenues into Department of Food and Agriculture Fund instead of the General Fund. Make technical changes replacing Secretary for department and/or director.

- 3) Increase meat and poultry inspection fees to provide for recovery of program costs.

Amend FAC Section 18947 and adopt FAC Section 18947.2 to clarify activities and establishments that are subject to fee. Amend FAC Sections 18980, 18981, 19010, 19011, 24744, 24745, 24746, 24748, 25053, 25055, and 25056 to increase fees for recovery of program costs. These sections include 5-year sunset clauses. Make technical changes replacing Secretary for department and/or director.

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**Add section 9184 and amend sections 9185, 9186, 9187, and 9188 of Chapter 1, Part 1 of Division 5 of the Food and Agricultural Code to Article 6 as follows:**

9184. (a) The Department may establish by regulation a fee schedule not to exceed the reasonable costs associated with carrying out the provisions of this division with a maximum fee not to exceed \$500 for a particular license, permit, registration, product, or service. Fees shall only be established when a specific benefit or service is conferred directly to the payor and such benefit or service is not provided to those not charged.

(b) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

9185. Any fees which are provided for by any provision of this division and regulations promulgated pursuant to it shall be due and payable upon receipt of a statement from the department itemizing the kind and amount of such fees. Such fees shall be paid to the ~~director~~ Secretary within 30 days of the receipt of the statement.

9186. Any fees which are due and payable pursuant to Section 9185 which are not paid may be recovered by the ~~director~~ Secretary in accordance with the provisions of Section 281.

9187. A penalty assessment of 5 percent per month of the amount of any unpaid fees, not to exceed 25 percent, shall be collected by the ~~director~~ Secretary when fees are not paid in accordance with Section 9185.

9188. The ~~director~~ Secretary shall have a lien upon any livestock and real property owned by the person owing any fees due under any provision of this division that are not paid pursuant to Section 9185.

**Amend section 18932.1 and 18932.2 of Chapter 4, Part 3, Division 9, of the Food and Agricultural Code, to read as follows:**

18932.1. Any person that violates any provision of this chapter, or any regulation that is issued pursuant to it, is liable civilly for a penalty not to exceed five hundred dollars (\$500) for each such violation. If the court finds that a violation of this chapter was a serious violation, or that the violation is a second or subsequent violation, the person is civilly liable for a penalty not to exceed fifteen thousand dollars (\$15,000) for each violation. Any money that is received pursuant to this section, ~~less associated investigative and legal costs incurred by the department,~~ shall be deposited in the General Fund Department of Food and Agriculture Fund.

18932.2. (a) In lieu of any civil action brought pursuant to Section 18932.1 and in lieu of seeking prosecution pursuant to Section 18932, the department Secretary may levy an

administrative penalty not to exceed five thousand dollars (\$5,000) upon any person for each violation of this chapter.

(b) Before an administrative penalty is levied, the person charged with the violation shall be given a written notice of the proposed action, including the nature of the violation and the amount of the proposed penalty, and that person shall have the right to request a hearing. The request shall be made within 20 days after the person receives notice of the proposed action. A notice of the proposed action, which shall be sent by certified mail to the last-known address of the person charged, shall be considered received even if delivery is refused or if the notice is not accepted at that address. At the hearing, the person shall be given an opportunity to review the department's Secretary's evidence and to present evidence on his or her own behalf.

(c) Any person upon whom an administrative penalty is levied may appeal to the department Secretary, within 20 days of the date of receiving notification of the penalty, as follows:

(1) The appeal shall be in writing and signed by the appellant or his or her authorized agent and shall state the grounds for the appeal.

(2) Any party, at the time of filing the appeal or within 10 days thereafter, may present written evidence and a written argument to the department Secretary.

(3) The department Secretary may grant oral arguments upon application made at the time written arguments are made.

(4) If an application to present an oral argument is granted, written notice of the time and place for the oral argument shall be given at least 10 days prior to the date set therefor. This time requirement may be changed upon agreement between the department and the person appealing the penalty.

(5) The department Secretary shall decide the appeal based on any oral or written arguments, briefs, and evidence received.

(6) The department Secretary shall render a written decision within 45 days of the date of the appeal, or within 15 days of the date of oral arguments. A copy of the department's Secretary's decision shall be delivered or mailed to the appellant.

(7) The department Secretary may sustain the decision, modify the decision by reducing the amount of the penalty levied, or reverse the decision.

(8) A review of the department's Secretary's decision may be sought by the person against whom the penalty was levied pursuant to Section 1094.5 of the Code of Civil Procedure.

(d) After completion of the review procedure provided in this section, the department Secretary may file a certified copy of the department's Secretary's final decision that directs payment of an administrative penalty and, if applicable, any order that denies a petition for a writ of administrative mandamus, with the clerk of the superior court of any county. Judgment shall be entered by the clerk in conformity with the decision or order. No fees shall be charged by the clerk of the superior court for the performance of any official service required in connection with the entry of a judgment pursuant to this section.

(e) Any money that is received pursuant to this section, ~~less associated investigative and legal costs incurred by the department,~~ shall be deposited in the General Fund Department of Food and Agriculture Fund.

**Add Section 18947.2 and amend sections 18947, 18980, 18981, 19010, 19011, 19032, 19033.1, and 19040 of Chapter 4.1, Part 3, Division 9, of the Food and Agricultural Code, to read as follows:**

18947. "Meat processing establishment" means a licensed establishment required to be inspected pursuant to Chapter 4 (commencing with Section 18650) where livestock or poultry products are prepared by curing, drying, smoking, or rendering ~~or where livestock products of swine are cooked,~~ and the products are sold on the premises to household consumers, and a licensed establishment where fallow deer products may be prepared for transportation or sale, or transportation and sale.

18947.2. "Smoking" means exposing meat or poultry products, for the purpose of food preservation rather than as a method of flavor enhancement, to an environment of smoke generated from hardwood, hardwood sawdust, corn cobs, or natural or artificial liquid smoke that has been transformed into a true gaseous state by application of direct heat.

18980. (a) The application fee for a livestock meat inspector's license or a processing inspector's license is ~~twenty-five one hundred~~ dollars (\$25 100). If an applicant for a license does not take the examination within one year after the date of the receipt of the application by the ~~department~~ Secretary, the application expires. Reexamination requires the payment of an additional application fee.

(b) Each license shall expire on the last day of the calendar year for which it is issued. The fee shall not be prorated.

(c) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

18981. (a) Application for renewal of a license accompanied by a fee of ~~twenty-five one hundred~~ dollars (\$25 100) shall be made on or before its expiration. ~~To any fee which is not paid when due there shall be added a penalty of ten dollars (\$10).~~ Applicants for renewal who have not paid the renewal fee by the expiration date of the license shall be assessed a twenty-five dollar (\$25) penalty. Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.

(b) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

19010. (a) Each person shall, before operating a meat processing establishment or a custom livestock slaughterhouse, file an application accompanied with an application fee, with the ~~director~~ Secretary for a license to operate the establishment. The application shall be in such form as the ~~director~~ Secretary may prescribe.

(b) The application fee for a meat processing establishment or a new, previously unlicensed custom livestock slaughterhouse is fifty five hundred dollars (\$50 500) for a license for one year for each establishment which the applicant desires to operate. Each license shall expire on the last day of the calendar year for which it was issued. The fee shall not be prorated.

(c) The fee for a license application submitted upon a change of ownership of an existing, previously licensed custom livestock slaughterhouse shall be based on the number of head of livestock slaughtered by the custom livestock slaughterhouse during the preceding October thru September time period as described in section 19011(a).

(d) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

19011. (a) No person shall operate an establishment performing any of the functions stated in this chapter unless the establishment is licensed and continues to meet building and sanitation standards required by this chapter and the regulations thereunder.

~~(a)(b)~~ Application for renewal of a license accompanied by a renewal fee of fifty dollars (\$50) shall be made on or before its expiration.

(1) The annual renewal fee for a custom livestock slaughterhouse is:

(A) Five hundred dollars (\$500) if the plant slaughtered one thousand (1,000) or fewer head of livestock during the preceding October thru September time period.

(B) Seven hundred fifty dollars (\$750) if the plant slaughtered between one thousand one (1,001) and five thousand (5,000) head of livestock during the preceding October thru September time period.

(C) One thousand two hundred dollars (\$1,200) if the plant slaughtered over five thousand (5,000) head of livestock during the preceding October thru September time period.

(2) The annual renewal fee for a meat processing establishment is five hundred dollars (\$500)

(c) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

~~To any fee which is not paid when due, there shall be added a penalty of twenty dollars (\$20). Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.~~

~~(b) No person shall operate an establishment performing any of the functions stated in this chapter unless the establishment is licensed and continues to meet building and sanitation standards required by this chapter and the regulations thereunder.~~

(d) Applicants for renewal who have not paid the renewal fee by the expiration date of the license shall be assessed a penalty of ten percent (10%) of the unpaid balance. Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.

(e) If a licensee has one or more additional licenses, other than inspector licenses required pursuant to sections 18980, 18981, 25051, 25052, 25053, and 25055, under this chapter and/or under division 9, part 3, chapter 5 or division 12 of the Food and Agricultural Code, a fifty percent (50%) discount shall be applied to the lower license renewal fee(s).

19032. Any person that violates any provision of this chapter, or any regulation that is issued pursuant to it, is liable civilly for a penalty in an amount not to exceed five hundred dollars (\$500) for each such violation. If the court finds that the violation of this chapter was a serious violation, or that the violation is a second or subsequent violation, the person is liable civilly for a penalty not to exceed fifteen thousand dollars (\$15,000) for each such violation. ~~Any money that is recovered pursuant to this section, less associated investigative and legal costs incurred by the department, shall be deposited in the General Fund.~~

19033.1. (a) In lieu of any civil action brought pursuant to Section 19032 and in lieu of seeking prosecution pursuant to Section 19031, the department Secretary may levy an administrative penalty not to exceed five thousand dollars (\$5,000) upon any person for each violation of this chapter.

(b) Before an administrative penalty is levied, the person charged with the violation shall be given a written notice of the proposed action, including the nature of the violation and the amount of the proposed penalty, and that person shall have the right to request a hearing. The request shall be made within 20 days after the person receives notice of the proposed action. A notice of the proposed action, which shall be sent by certified mail to the last-known address of the person charged, shall be considered received even if delivery is refused or if the notice is not accepted at that address. At the hearing, the person shall be given an opportunity to review the department's evidence and to present evidence on his or her own behalf.

(c) Any person upon whom an administrative penalty is levied may appeal to the department Secretary, within 20 days of the date of receiving notification of the penalty, as follows:

(1) The appeal shall be in writing and signed by the appellant or his or her authorized agent and shall state the grounds for the appeal.

(2) Any party, at the time of filing the appeal or within 10 days thereafter, may present written evidence and a written argument to the department Secretary.

(3) The department Secretary may grant oral arguments upon application made at the time written arguments are made.

(4) If an application to present an oral argument is granted, written notice of the time and place for the oral argument shall be given at least 10 days prior to the date set



therefor. This time requirement may be changed upon agreement between the department Secretary and the person appealing the penalty.

(5) The department Secretary shall decide the appeal based on any oral or written arguments, briefs, and evidence received.

(6) The department Secretary shall render a written decision within 45 days of the date of the appeal, or within 15 days of the date of oral arguments. A copy of the department's Secretary's decision shall be delivered or mailed to the appellant.

(7) The department Secretary may sustain the decision, modify the decision by reducing the amount of the penalty levied, or reverse the decision.

(8) A review of the department's Secretary's decision may be sought by the person against whom the penalty was levied pursuant to Section 1094.5 of the Code of Civil Procedure.

(d) After completion of the review procedure provided in this section, the department Secretary may file a certified copy of the department's final decision that directs payment of an administrative penalty and, if applicable, any order that denies a petition for a writ of administrative mandamus, with the clerk of the superior court of any county. Judgment shall be entered by the clerk in conformity with the decision or order. No fees shall be charged by the clerk of the superior court for the performance of any official service required in connection with the entry of a judgment pursuant to this section.

(e) Any money that is received pursuant to this section, ~~less associated investigative and legal costs incurred by the department,~~ shall be deposited in the General Fund Department of Food and Agriculture Fund.

~~19040. The director shall, at least once each month, report to the Controller the total amount of any money which is collected under this chapter. The director shall, at the same time, pay into the State Treasury the entire amount of the receipts which shall be credited to the General Fund and expended in carrying out the provisions of this chapter.~~ (a) All fees, charges, and collections collected pursuant to this chapter shall be deposited in the Department of Food and Agriculture Fund.

(b) All fees, charges, and collections collected pursuant to this chapter shall be used for the enforcement of this chapter and shall be for a specific benefit or privilege conferred directly to the payor and such benefit or privilege shall not be provided to those not charged.

(c) Fees shall not exceed the reasonable costs associated with issuing said license or permit, performing investigations, inspections and audits, enforcing provisions pursuant to said license or permit and administrative enforcement and adjudication thereof.

**Amend section 19445 and 19447 of Chapter 5, Part 3, Division 9, of the Food and Agricultural Code, to read as follows:**

19445. (a) In lieu of levying a civil penalty pursuant to Section 19447, and in lieu of seeking prosecution, upon complaint of the director Secretary, the Attorney General

may bring an action for civil penalties in any court of competent jurisdiction in this state against any person who violates Article 6 (commencing with Section 19300), Article 6.5 (commencing with Section 19310), or any regulation adopted pursuant to those articles. The civil penalty imposed shall not exceed ten thousand dollars (\$10,000) for each violation.

(b) Any funds recovered by the ~~director~~ Secretary pursuant to this section shall be deposited in the ~~General Fund~~ Department of Food and Agriculture Fund.

19447. (a) In lieu of any civil action pursuant to Section 19445, and in lieu of seeking prosecution, the Secretary may levy a civil penalty against a person who violates Article 6 (commencing with Section 19300), Article 6.5 (commencing with Section 19310), or any regulation adopted pursuant to those articles, in an amount not to exceed one thousand dollars (\$1,000) for each violation.

(b) Before a civil penalty is levied, the person charged with the violation shall receive notice of the nature of the violation and shall be granted the opportunity to review the department's Secretary's evidence and, for up to 30 days following the issuance of the notice, the opportunity to present written argument and evidence to the ~~department~~ Secretary as to why the civil penalty should not be imposed or should be reduced from the amount specified in the penalty notice. Notwithstanding Chapter 4.5 (commencing with Section 11400) of, and Chapter 5 (commencing with Section 11500) of, Part 1 of Division 3 of Title 2 of the Government Code or any other provision of law, this section does not require the department to conduct either a formal or informal hearing. The ~~department~~ Secretary instead may dispose of the matter upon review of the documentation presented.

(c) Any person upon whom a civil penalty is levied may appeal to the Secretary within 10 days of the date of receiving notification of the penalty, as follows:

(1) The appeal shall be in writing and signed by the appellant or his or her authorized agent and shall state the grounds for the appeal.

(2) Any party, at the time of filing the appeal, or within 10 days thereafter, may present written evidence and a written argument to the Secretary.

(3) The Secretary may grant oral arguments upon application made at the time written arguments are made.

(4) If an application to present an oral argument is granted, written notice of the time and place for the oral argument shall be given at least 10 days prior to the date set therefor. This time requirement may be altered by an agreement between the Secretary and the person appealing the penalty.

(5) The Secretary shall decide the appeal on any oral or written arguments, briefs, and evidence that he or she has received.

(6) The Secretary shall render a written decision within 45 days of the date of appeal, or within 15 days of the date of oral arguments. A copy of the Secretary's decision shall be delivered or mailed to the appellant.

(7) The Secretary may sustain the decision, modify the decision by reducing the amount of the penalty levied, or reverse the decision.

(8) A review of the decision of the Secretary may be sought by the appellant pursuant to Section 1094.5 of the Code of Civil Procedure.

(d) Any penalties levied by the Secretary pursuant to this section shall be deposited in the General Fund Department of Food and Agriculture Fund.

**Amend section 24563 of Chapter 1, Part 1, Division 12, of the Food and Agricultural Code, to read as follows:**

24563. If slaughtering or carcass preparation or processing of poultry meats and poultry meat products is conducted in an establishment where state inspection is maintained at hours considered overtime for state employees or on legal holidays, the owner or operator of the establishment shall, by contract or agreement with the department, make arrangement to defray the additional cost for salaries and expenses for persons employed by the department to conduct the necessary poultry meat inspection work during the overtime periods. Moneys collected pursuant to this section shall be deposited in the General Fund Department of Food and Agriculture Fund.

**Add section 24752 and amend section 24744, 24745, 24746, and 24748 of Chapter 2, Part 1, Division 12, of the Food and Agricultural Code, to read as follows:**

24744. (a) The application fee for a new, previously unlicensed poultry plant is forty five hundred dollars (\$40 500) for a license for one year for each poultry plant which the applicant desires to operate.

(b) The fee for a license application submitted upon change of ownership of an existing, previously licensed poultry plant shall be based on the number of poultry slaughtered by the poultry plant during the preceding October thru September time period as described in section 24745(b).

(c) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

~~24745. The license application fee shall be paid to the director with each application for a license or for the renewal of a license.~~

(a) Application for renewal of a license accompanied by a renewal fee shall be made on or before its expiration.

(b) The annual license renewal fee for a poultry plant is:

(1) Five hundred dollars (\$500) if the plant slaughtered ten thousand (10,000) or fewer poultry during the preceding October thru September time period.

(2) Seven hundred fifty dollars (\$750) if the plant slaughtered between ten thousand one (10,001) and one hundred thousand (100,000) poultry during the preceding October thru September time period.

(3) One thousand two hundred dollars (\$1,200) if the plant slaughtered over one hundred thousand (100,000) poultry during the preceding October thru September time period.

(c) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

(d) If a licensee has one or more additional licenses, other than inspector licenses pursuant to sections 18980, 18981, 25051, 25052, 25053, and 25055, under this division and/or division 9, part 3, chapters 4.1 and 5 of the Food and Agricultural Code, a fifty percent (50%) discount shall be applied to the lower license renewal fee(s).

24746. A license or a license renewal shall be issued by the director for a period of one year from the last day of the month in which it is issued. Each license shall expire on the last day of the calendar year for which it is issued. The fee shall not be prorated.

24748. A penalty fee of ten dollars (\$10) shall be assessed upon all renewal applications that are not received by the department on or before the expiration date of the license for which the renewal is required. Applicants for renewal who have not paid the renewal fee by the expiration date of the license shall be assessed a penalty of ten percent (10%) of the unpaid balance. Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.

24752. (a) All fees, charges, and collections collected pursuant to Sections 24744, 24745, and 24748 shall be deposited in the Department of Food and Agriculture Fund.

(b) All fees, charges, and collections collected pursuant to Sections 24744, 24745, and 24748 shall be used for the enforcement of this division and shall be for a specific benefit or privilege conferred directly to the payor and such benefit or privilege shall not be provided to those not charged.

(c) Fees shall not to exceed the reasonable costs associated with issuing said license or permit, performing investigations, inspections and audits, enforcing provisions pursuant to said license or permit and administrative enforcement and adjudication thereof.

**Add section 25063 and amend sections 25053, 25055, and 25056 of Chapter 3, Part 1, Division 12, of the Food and Agricultural Code, to read as follows:**

25053. (a) The application fee for a license is ten one-hundred dollars (\$10 100).

(b) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

25055. (a) Application for renewal of a license accompanied by a fee of five one hundred dollars (\$5 100) shall be made on or before the last day of the calendar year for which the license was issued.

(b) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

~~25056. To any fee which is not paid when due, there shall be added a penalty of five dollars (\$5).~~ (a) Applicants for renewal who have not paid the renewal fee by the expiration date of the license shall be assessed a twenty-five dollar (\$25) penalty. Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.

(b) This section shall remain in effect until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

25063. (a) All fees, charges, and collections collected pursuant to Sections 25053, 25055, and 25056 shall be deposited in the Department of Food and Agriculture Fund.

(b) All fees, charges, and collections collected pursuant to Sections 25053, 25055, and 25056 shall be used for the enforcement of this division and shall be for a specific benefit or privilege conferred directly to the payor and such benefit or privilege shall not be provided to those not charged.

(c) Fees shall not to exceed the reasonable costs associated with issuing said license or permit, performing investigations, inspections and audits, enforcing provisions pursuant to said license or permit and administrative enforcement and adjudication thereof.

APR 12 2011

Fairs and Expositions Division - Statute change necessary to conform with Chapter 2, Statutes of 2011 (AB95)

**Adopt Section 19620.2 to the Business and Professions Code to read as follows:**

19620.2 (a) Any unallocated balance from Section 19620.1 is hereby appropriated without regard to fiscal years for allocation by the Secretary of the Department of Food and Agriculture for capital outlay to California fairs for fair projects involving public health and safety, for fair projects involving major and deferred maintenance, for fair projects necessary due to any emergency, for projects that are required by physical changes to the fair site, for projects that are required to protect the fair property or installation, such as fencing and flood protection, and for the acquisition or improvement of any property or facility that will serve to enhance the operation of the fair.

(b) A portion of the funds subject to allocation pursuant to subdivision (a) may be allocated to California fairs for general operational support. It is the intent of the Legislature that these moneys be used primarily for those fairs whose sources of revenue may be limited for purposes specified in this section.



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APR 01 2011

Honorable Mark Leno, Chair  
Senate Budget and Fiscal Review Committee

Attention: Ms. Keely Bosler, Staff Director (2)

Honorable Bob Blumenfield, Chair  
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Budget Bill Items 8660-001-0462, 8660-001-3089, and Reimbursements,  
Support, California Public Utilities Commission**

**Advance Energy Storage (Issue 100)**

It is requested that Item 8660-001-0462 be increased by \$452,000 to evaluate the cost effective use of Advanced Energy Storage, and to develop relevant policies to support the integration of renewable energy resources.

Chapter 469, Statutes of 2010 (AB 2514), requires the Public Utilities Commission (PUC) to open a rulemaking process to establish renewable energy storage procurement targets for each investor-owned utility. These resources would facilitate that proceeding and evaluate advanced energy storage procurement.

**Diablo Canyon Power Plant (Issue 101)**

It is requested that Item 8660-001-0462 be amended by increasing Reimbursements by \$393,000 to fund an Independent Review Panel that will review seismic studies of the Diablo Canyon Power Plant (Diablo Canyon).

PG&E is performing enhanced seismic studies assessing the potential vulnerability of the Diablo Canyon facility to operational disruptions resulting from a major seismic event and other issues. Pursuant to Decision 10-08-003, the PUC will establish an independent review panel composed of several state agencies, including the California Geological Survey. The panel will review PG&E's seismic study and findings.

**Division of Ratepayer Advocates: Natural Gas and Auditing Activities (Issue 102)**

It is requested that Item 8660-001-3089 be increased by \$173,000 and that Item 8660-001-0462 be amended to reflect this change for the Division of Ratepayer Advocates (DRA) to expand natural gas auditing activities. The DRA currently examines the accounting records of the utilities once every three years during the General Rate Case (GRC) proceeding. In light of the San Bruno gas pipeline explosion, the PUC has added a second phase to the GRC to expand oversight of gas pipeline maintenance activities and associated analyses of utility costs and expenditures related to natural gas system improvements in the future. As a result, there will be additional categories of utility costs to review that inform the ratemaking process. This proposal will fund DRA's increased audit and monitoring workload resulting from the second phase of the GRC.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Jesse McGuinn, Principal Program Budget Analyst, at (916) 324-0043.

**ANA J. MATOSANTOS**

Director

By:

/s/ Michael Cohen

**MICHAEL COHEN**

Chief Deputy Director

**Attachment**

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzosa, Staff Director  
Honorable Bob Huff, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
Attention: Mr. Eric Swanson, Staff Director  
Honorable Joe Simitian, Chair, Senate Budget and Fiscal Review Subcommittee No. 2  
Honorable Richard Gordon, Chair, Assembly Budget Subcommittee No. 3  
Mr. Mac Taylor, Legislative Analyst (4)  
Mr. Craig Cornett, Senate President pro Tempore's Office (2)  
Mr. Christopher W. Woods, Assembly Speaker's Office (2)  
Ms. Deborah Gonzalez, Policy and Fiscal Director, Assembly Republican Leader's Office  
Mr. Paul Clanon, Executive Director, California Public Utilities Commission  
Mr. Mike Cooper, Budget Officer, California Public Utilities Commission





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APR 25 2011

Honorable Mark Leno, Chair  
Senate Budget and Fiscal Review Committee

Attention: Ms. Keely Bosler, Staff Director (2)

Honorable Bob Blumenfield, Chair  
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Budget Bill Items 8880-001-9737, 8880-001-9740, 8880-011-0001, and Control Section 8.88, Support, Financial Information System for California, and Item 0950-001-0001, Support, State Treasurer's Office**

It is requested that Item 8880-001-9737 be decreased by \$18,409,000 and 38.0 positions (20.4 PYs), and Item 8880-001-9740 be decreased by \$4,173,000 to reflect an updated Financial Information System for California (FI\$Cal) Project schedule, and redirection of 5.0 partner positions to the State Treasurer's Office (STO). The position redirection will have a net zero impact as the FI\$Cal Project will reimburse the STO for these positions.

It is requested that Item 8880-011-0001 be decreased by \$18,409,000 to conform to the initial action above.

It is requested that Control Section 8.88 be revised by decreasing the special and non-governmental cost funds appropriation cap from \$34,964,000 to \$25,178,000 to reflect the decrease of \$9,786,000. This change is consistent with the initial action above.

It is requested that Item 0950-001-0001 be amended by increasing Reimbursements by \$512,000 and 5.0 positions (4.7 PYs) to conform to the initial action above.

Based on the FI\$Cal Project's re-evaluation of their schedule, they have determined resources totaling \$32,368,000 are no longer needed in fiscal year 2011-12. Specific details regarding the schedule impact will be further determined and defined in a subsequent Special Project Report.

The detailed effects of my requested action on the budget bill is available by e-mail upon request.

APR 23 2011

-2-

If you have any questions or need additional information regarding this matter, please call Debbie Chambliss, Chief of Administrative Services, at (916) 445-3274.

ANA J. MATOSANTOS

Director

By:

/s/ Michael Cohen

MICHAEL COHEN

Chief Deputy Director

Attachment

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzosa, Staff Director  
Honorable Bob Huff, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
Attention: Mr. Eric Swanson, Staff Director  
Honorable Michael Rubio, Chair, Senate Budget and Fiscal Review Subcommittee No. 4  
Honorable Joan Buchanan, Chair, Assembly Budget Subcommittee No. 4  
Mr. Mac Taylor, Legislative Analyst (4)  
Mr. Craig Cornett, Senate President pro Tempore's Office (2)  
Mr. Christopher W. Woods, Assembly Speaker's Office (2)  
Ms. Deborah Gonzalez, Policy and Fiscal Director, Assembly Republican Leader's Office  
Mr. Michael Reyna, Project Director, Financial Information System for California Project  
Ms. Janet Rosman, Administrative Director, Financial Information System for California Project  
Mr. Hugo Lopez, Chief of Administration, State Treasurer's Office  
Ms. Becky Grajski, Budget Manager, State Treasurer's Office



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February 15, 2011

Honorable Mark Leno, Chair  
Senate Budget and Fiscal Review Committee

Attention: Ms. Keely Bosler, Staff Director (2)

Honorable Bob Blumenfield, Chair  
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Budget Bill Items 8955-001-0001 and 8955-101-0001, Support and Local Assistance, California Department of Veterans Affairs**

It is requested that Item 8955-001-0001 be decreased by \$5,555,000 to reflect savings achieved through efficiencies of the Enterprise-Wide Veterans Homes Information System (EWWHIS) and savings resulting from the cancellation of federal sharing agreements. The final software system specifics for EWWHIS, as reflected in a contract signed and executed on December 31, 2010, have allowed the Department to modify business requirements for the network of veterans homes, providing a savings of \$1.6 million. Additional savings of \$3.9 million will be achieved as a result of the recent cancellation of federal sharing agreements at the Greater Los Angeles Ventura County Veterans Home. The United States Department of Veterans Affairs provided formal notification in December 2010 that voided these formerly federally-mandated contracts, which will allow the Department to enter into lower-cost contracts with vendors.

It is requested that Item 8955-101-0001 be increased by \$2.6 million to restore the historical level of support for the County Veterans Service Office (CVSO) efforts to assist veterans in receiving federal, state, and local veterans' benefits and services.

In addition, consistent with the Administration's position of maintaining support for the CVSOs at the historically budgeted level, the Director of Finance will not be authorizing additional expenditures for CVSOs in 2010-11 pursuant to Provision 2 of Item 8955-101-0001 of the Budget Act of 2010.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call John Fitzpatrick, Principal Program Budget Analyst, at (916) 445-8913.

ANA J. MATOSANTOS  
Director  
Rv

/s/ Michael Cohen

MICHAEL COHEN  
Chief Deputy Director

Attachment

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzosa, Staff Director  
Honorable Bob Huff, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
Attention: Mr. Eric Swanson, Staff Director  
Honorable Michael Rubio, Chair, Senate Budget and Fiscal Review Subcommittee No. 4  
Honorable Joan Buchanan, Chair, Assembly Budget Subcommittee No. 4  
Mr. Mac Taylor, Legislative Analyst (4)  
Mr. Craig Cornett, Senate President pro Tempore's Office (2)  
Mr. Christopher W. Woods, Assembly Speaker's Office (2)  
Ms. Deborah Gonzalez, Policy and Fiscal Director, assembly Republican Leader's Office  
Mr. Rocky Chavez, Acting Secretary, California Department of Veterans Affairs  
Mr. Jack Kirwan, Undersecretary, California Department of Veterans Affairs  
Mr. Ted Puntillo, Deputy Secretary, Veterans Services, California Department of Veterans Affairs  
Ms. Joy Hemstead, Director, Financial Management Services, California Department of Veterans Affairs  
Ms. Patty Ingram, Budget Officer, California Department of Veterans Affairs



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**APR 01 2011**

Honorable Mark Leno, Chair  
Senate Budget and Fiscal Review Committee

Attention: Ms. Keely Bosler, Staff Director (2)

Honorable Bob Blumenfield, Chair  
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Addition of Budget Bill Items 8955-011-8048 and 8955-301-3013, Support and Capital Outlay, California Department of Veterans Affairs**

Military and Veterans Code Section 1450 et seq. (Code) required the Department of Veterans Affairs to develop a master plan for a Central Coast Veterans Cemetery (Cemetery Project), a state-owned and operated veterans' cemetery on the grounds of the former Ford Ord in Monterey County. To fund the Cemetery Project, the Code provided General Fund seed money for the master plan and created two funds; the California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund (Endowment Fund) and the California Central Coast State Veterans Cemetery at Fort Ord Operations Fund (Operations Fund). The Endowment Fund is a mechanism for local entities to provide funding for the development and operation of the Cemetery Project. The Operations Fund receives its funding via transfer from the Endowment Fund to support the costs of designing, constructing, and running the Cemetery Project. To protect the state, before a transfer can be made, the Code requires a Director of Finance determination that adequate funds exist in the Endowment Fund to fully complete preliminary plans.

Per the master plan, the Cemetery Project would utilize a portion of a 79-acre site and accommodate the remains of nearly 14,000 veterans and spouses. It is expected that this Cemetery Project would accommodate anticipated burials for the next 20 years and that the full 79-acre site, once eventually completely developed, is adequate to meet burial demand for the next 100 years. The total Cemetery Project costs of approximately \$27.0 million would be funded through a mixture of local moneys transferred into the Endowment Fund and federal funds, with the federal funds providing all of the construction costs and most of the design costs.

Therefore, it is requested that Item 8955-011-8048 be added (see Attachment 1) to transfer \$1,074,000 from the Endowment Fund to the Operations Fund. Further, it is requested that Item 8955-301-3013 be added (see Attachment 1) to provide \$1,074,000 from the Operations Fund for the preliminary plans phase of the Cemetery Project.

APR 01 2011

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Theresa Gunn, Principal Program Budget Analyst, at (916) 445-9694.

ANA J. MATOSANTOS

Director

By:

/s/ Michael Cohen

MICHAEL COHEN

Chief Deputy Director

Attachment

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzoia, Staff Director  
Honorable Bob Huff, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
Attention: Mr. Eric Swanson, Staff Director  
Honorable Michael Rubio, Chair, Senate Budget and Fiscal Review Subcommittee No. 4  
Honorable Joan Buchanan, Chair, Assembly Budget Subcommittee No. 4  
Mr. Mac Taylor, Legislative Analyst (4)  
Mr. Craig Cornett, Senate President pro Tempore's Office (2)  
Mr. Christopher W. Woods, Assembly Speaker's Office (2)  
Ms. Deborah Gonzalez, Policy and Fiscal Director, Assembly Republican Leader's Office  
Mr. Jack Kirwan, Deputy Secretary, Administration, California Department of Veterans Affairs  
Ms. Patty Ingram, Budget Office, California Department of Veterans Affairs  
Mr. David Gerard, Assistant Deputy Secretary, Capital Assets and Facilities Management,  
California Department of Veterans Affairs

Proposed Budget Bill Language for New Items

APR 01 2011

8955-011-8048—For transfer by the Controller, upon order of Director of Finance, from the California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund to the California Central Coast State Veterans Cemetery at Fort Ord Operations Fund.....(\$1,074,000)

8955-301-3013—For Capital Outlay, Department of Veterans Affairs, payable from the California Central Coast State Veterans Cemetery at Fort Ord Operations Fund  
Schedule:

(1) 80.10.100-Central Coast Veterans Cemetery – Preliminary plans.....\$1,074,000



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February 15, 2011

Honorable Mark Leno, Chair  
Senate Budget and Fiscal Review Committee

Attention: Ms. Keely Bosler, Staff Director (2)

Honorable Bob Blumenfield, Chair  
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Solutions to Replace Sale Leaseback of State Buildings**

The package includes the following documents:

1. Summary listings of all solutions proposed to replace sale leaseback of state buildings.
  - a. A recap of all solutions.
  - b. A detailed listing of new loans from the special funds.
  - c. A detailed listing of new transfers from the special funds.
  - d. A detailed listing of extensions of special fund loan repayments.
2. Trailer bill language to amend relevant statutes, and amendments to the 2010 Budget Act.
3. Amendments to 2011 Budget Bill as described below.

It is requested that the following items be added for the purpose of making loans to the General Fund, extending certain loan repayment dates, or to achieve other General Fund savings.

**NEW GENERAL FUND LOANS in 2011-12:**

**Judicial Branch (Issue 101)**—Immediate and Critical Needs Account, State Court Facilities Construction Fund—Add Item 0250-011-3138 in the amount of \$90.0 million.

**Secretary for Environmental Protection (Issue 150)**—Unified Program Account—Add Item 0555-011-0028 in the amount of \$8.7 million.

**Secretary for Environmental Protection (Issue 151)**—Rural CUPA Reimbursement Account—Add Item 0555-011-1006 in the amount of \$1.3 million.

**California Emergency Management Agency (Issue 202)**—Victim-Witness Assistance Fund—Add Item 0690-011-0425 in the amount of \$11.0 million.

**California Emergency Management Agency (Issue 201)**—Antiterrorism Fund—Add Item 0690-011-3034 in the amount of \$1.0 million.

**Department of Justice (Issue 101)**—Fingerprint Fees Account—Add Item 0820-011-0017 in the amount of \$24.0 million.



**Department of Justice (Issue 101)**—Dealers' Record of Sale Special Account—  
Add Item 0820-011-0460 in the amount of \$11.5 million.

**Department of Justice (Issue 101)**—Firearms Safety and Enforcement Special Fund—  
Add Item 0820-011-1008 in the amount of \$4.9 million.

**Department of Justice (Issue 101)**—Missing Person DNA Data Base Fund—  
Add Item 0820-011-3016 in the amount of \$4.0 million.

**Department of Justice (Issue 101)**—Registry of Charitable Trusts Fund—  
Add Item 0820-011-3088 in the amount of \$2.7 million.

**Gambling Control Commission (Issue 101)**—Gambling Control Fund—  
Add Item 0855-011-0567 in the amount of \$19.0 million.

**California Tax Credit Allocation Committee (Issue 100)**—Occupancy Compliance Monitoring Account, Tax Credit Fee Allocation Account—Add Item 0968-011-0448 in the amount of \$22.0 million.

**California Tax Credit Allocation Committee (Issue 100)**—Tax Credit Fee Allocation Account—Add Item 0968-011-0457 in the amount of \$13.0 million.

**Department of Consumer of Affairs (Issue 300)**—Add the following items for a total amount of \$66.2 million:

1. Item 1110-011-0069 State Board of Barbering and Cosmetology Fund	11,000,000
2. Item 1110-011-0108 Acupuncture Fund	5,000,000
3. Item 1110-011-0264 Osteopathic Medical Board of California Contingent Fund	1,500,000
4. Item 1110-011-0280 Physician Assistant Fund	1,500,000
5. Item 1110-011-0376 Speech-Language Pathology and Audiology Fund	1,400,000
6. Item 1110-011-0704 Accountancy Fund, Professions and Vocations Fund	1,000,000
7. Item 1110-011-0758 Contingent Fund of the Medical Board of California	9,000,000
8. Item 1110-011-0759 Physical Therapy Fund	1,500,000
9. Item 1110-011-0761 Board of Registered Nursing Fund, Professions and Vocations Fund	15,000,000
10. Item 1110-011-0763 State Optometry Fund, Professions and Vocations Fund	1,000,000
11. Item 1110-011-0770 Professional Engineers' and Land Surveyors' Fund	5,000,000
12. Item 1110-011-0773 Behavioral Science Examiners Fund, Professions and Vocations Fund	3,300,000
13. Item 1111-011-0239 Private Security Services Fund	4,000,000
14. Item 1111-011-0305 Private Postsecondary Education Administration Fund	3,000,000
15. Item 1111-011-0752 Bureau of Home Furnishings and Thermal Insulation Fund	1,500,000
16. Item 1111-011-0769 Private Investigator Fund	1,500,000

**Department of General Services (Issue 101)**—State Motor Vehicle Insurance Account—  
Add Item 1760-011-0026 in the amount of \$25.0 million.

**California Conservation Corps (Issue 150)**—Collins-Dugan California Conservation Corps Reimbursement Account—Add Item 3340-011-0318 in the amount of \$10.0 million.

**Department of Resources Recycling and Recovery (Issue 150)**—California Used Oil Recycling Fund—Add Item 3500-011-0100 in the amount of \$2.5 million.

**State Water Resources Control Board (Issue 150)**—State Water Pollution Control Revolving Fund Small Communities Grant Fund—Add Item 3940-011-3147 in the amount of \$1.0 million.

**Office of Statewide Health Planning and Development (Issue 100)**—Hospital Building Fund— Add Item 4140-011-0121 in the amount of \$75.0 million.

**Department of Alcohol and Drug Programs (Issue 200)**—Driving Under-The-Influence Program Licensing Trust Fund—Add Item 4200-011-0139 in the amount of \$1.5 million.

**EXTENSION OF REPAYMENT DATES OF EXISTING LOANS:**

**Department of Consumer Affairs (Issue 301)**—Accountancy Fund, Professions and Vocations Fund, Add Item 1110-404 to change the repayment date of the 2010 Budget Act from June 30, 2012 to a future unspecified date.

**Department of Housing and Community Development (Issue 100)**—Housing Rehabilitation Loan Fund—Add Item 2240-402 to delay date of loan repayment.

**Department of Resources Recycling and Recovery (Issue 150)**—California Tire Recycling Management Fund—Revise Item 3500-401 to change the date of loan repayment from January 1, 2012 to June 30, 2014.

**Department of Resources Recycling and Recovery (Issue 150)**—California Tire Recycling Management Fund—Add Item 3500-402 to change the date of loan repayment from January 1, 2012 to June 30, 2014.

**Department of Resources Recycling and Recovery (Issue 150)**—Recycling Market Development Revolving Loan Subaccount—Add Item 3500-403 to change the date of loan repayment from January 1, 2012 to June 30, 2014.

**OTHER SOLUTIONS:**

**Office of Statewide Health Planning and Development—Provisional Language**

**Shift Funding for Song-Brown Primary Care Practitioner Training (Issue 102)**—It is requested that Item 4140-001-0143 be increased by \$332,000 from the Health Data and Planning Fund, that Item 4141-001-0001 be decreased by \$332,000 and that Item 4140-001-0121 be amended to reflect this change. It also is requested that Item 4140-101-0143 be increased by \$4,690,000 and that Item 4140-101-0001 be decreased by \$4,690,000. This shift of funding will provide \$5,022,000 in General Funds that can be used to replace anticipated revenues from the sale and leaseback of state buildings that will not occur.

**Department of Child Support Services, California Child Support Automation System (Support)—(Issue 201)**

It is requested that Item 5175-495 be added to revert savings from the reappropriations provided for the CCSAS project. The reversion amount is \$6,300,000 General Fund, and reflects the anticipated unencumbered balance as of June 30, 2011, in Item 5175-490.

**Department of Child Support Services, Technology Refresh (Support)—(Issue 202)**

It is requested that Item 5175-001-0001 be decreased by \$581,000 and Item 5175-001-0890 be decreased by \$1,127,000 on a one-time basis to delay a CCSAS technology refresh for state and local child support agencies.

**Department of Child Support Services, Technology Refresh (Local Assistance)—(Issue 202)**

It is requested that Item 5175-101-0001 be decreased by \$716,000 and Item 5175-101-0890 be decreased by \$1,390,000 on a one-time basis to delay a CCSAS technology refresh for state and local child support agencies.

**Cash Management and Budgetary Loans (Issue 001)**—It is requested that Item 9620-002-0001 be decreased by \$4.3 million General Fund (from \$62.0 million to \$57.7 million) due to fewer budgetary loan amounts being repaid in 2011-12.

**AB 900 (Issue 601)**—The requested action includes a deferral of \$25,579,000 in current year and \$74,421,000 in budget year from the General Fund appropriated in Chapter 7, Statutes of 2007 (AB 900) for prison infrastructure improvements. These funds are anticipated to be expended in future years.

**Section 4.65 (Issue 301)**—The requested action includes a decrease of \$20.0 million in 2010-11 and \$40.0 million in 2011-12 that had been set-aside to cover increased rental costs associated with the sale/leaseback proposal. Per Control Section 4.65, these set-aside funds would have been dispersed to the various departments that occupy the sale/leaseback facilities to cover increased rental costs. With the termination of the sale/leaseback proposal, these funds are no longer necessary.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please contact the appropriate Principal Program Budget Analyst.

ANA J. MATOSANTOS  
Director  
Bv:

/s/ Michael Cohen

MICHAEL COHEN  
Chief Deputy Director

Attachment

cc: On following page

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzoia, Staff Director  
Honorable Bob Huff, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
Attention: Mr. Eric Swanson, Staff Director  
Honorable Holly Mitchell, Chair, Assembly Budget Subcommittee No. 1  
Honorable Joe Simitian, Chair, Senate Budget and Fiscal Review Subcommittee No. 2  
Honorable Mark DeSaulnier, Chair, Senate Budget and Fiscal Review Subcommittee  
No. 3  
Honorable Richard Gordon, Chair, Assembly Budget Subcommittee No. 3  
Honorable Michael Rubio, Chair, Senate Budget and Fiscal Review Subcommittee No.  
4  
Honorable Joan Buchanan, Chair, Assembly Budget Subcommittee No. 4  
Honorable Loni Hancock, Chair, Senate Budget and Fiscal Review Subcommittee No. 5  
Honorable Gilbert Cedillo, Chair, Assembly Budget Subcommittee No. 5  
Mr. Mac Taylor, Legislative Analyst (4)  
Mr. Craig Cornett, Senate President pro Tempore's Office (2)  
Mr. Christopher W. Woods, Assembly Speaker's Office (2)  
Ms. Deborah Gonzalez, Policy and Fiscal Director, Assembly Republican Leader's  
Office  
Mr. William Vickrey, Administrative Director, Administrative Office of the Courts  
Mr. Stephen Nash, Finance Director, Administrative Office of the Courts  
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural  
Resources Agency  
Mr. Eric Jarvis, Assistant Secretary for Fiscal and Administrative Programs, Secretary  
for Environmental Protection  
Mr. Don Johnson, Assistant Secretary for CUPAs and Emergency Response, Secretary  
for Environmental Protection  
Mr. James Bohon, Chief CalEPA Unified Program, Secretary for Environmental  
Protection  
Mr. Michael Dayton, Acting Secretary, California Emergency Management Agency  
Ms. Peggy Okabayashi, Chief, Administration Division, California Emergency  
Management Agency  
Mr. Rick Stolz, Chief Fiscal Officer, Budget Office, California Emergency Management  
Agency  
Don Hawashida, Acting Director, Division of Administrative Support, Department of  
Justice  
Mr. David Harper, Assistant Director, Division of Administrative Support, Department of  
Justice  
Mr. Joe Dhillon, Acting Executive Director, Chief Legal Counsel, Legal Division,  
California Gambling Control Commission  
Mrs. Anna Carr, Deputy Director of Legislation and Public Affairs, California Gambling  
Control Commission  
Mr. Steve Coony, Chief of Staff, State Treasurer's Office  
Mr. Hugo Lopez, Chief of Administration, State Treasurer's Office  
Ms. Becky Grajski, Budget Manager, State Treasurer's Office  
Mr. William Pavao, Executive Director, California Tax Credit Allocation Committee  
Mr. Brian Stiger, Acting Director, Department of Consumer Affairs  
Ms. Pam Wortman, Deputy Director, Office of Administrative and Information Services,  
Department of Consumer Affairs

Ms. Janice Shintaku-Enkoji, Fiscal Officer, Office of Administrative and Information Services, Department of Consumer Affairs  
Mr. Scott Harvey, Acting Director, Department of General Services  
Ms. Teresa Bierer, Deputy Director, Administration, Department of General Services  
Ms. Cathy E. Creswell, Acting Director, Department of Housing and Community Development  
Mr. Elliott Mandell, Chief Deputy Director, Department of Housing and Community Development  
Ms. Erin Healy, Chief of Administrative Services, California Conservation Corps  
Ms. Maria Beruman, Budget Officer, California Conservation Corps  
Mr. David Muraki, Director, California Conservation Corps  
Ms. Suzanne Blihovde, Budget Officer, Department of Resources Recycling and Recovery  
Ms. Susan Villa, Branch Chief, Fiscal Services Branch, Department of Resources Recycling and Recovery  
Mr. Bill Damien, Budget Officer, State Water Resources Control Board  
Ms. Stephanie Clendenin, Acting Chief Deputy Director, Office of Statewide Health Planning and Development  
Ms. Karen Miskanis, Acting Deputy Director of Administration, Office of Statewide Health Planning and Development  
Ms. Jody Lusby, Budget Officer, Office of Statewide Health Planning and Development  
Mr. Michael Cunningham, Acting Director, Department of Alcohol and Drug Programs  
Ms. Susan Lussier, Deputy Director, Division of Administration, Department of Alcohol and Drug Programs  
Ms. Juney Lee, Chief Deputy Director, Department of Child Support Services  
Mr. Mark Beckley, Deputy Director, Administrative Services Division, Department of Child Support Services  
Ms. Linda Adams, Chief Financial Officer, Department of Child Support Services  
Mr. Chris Meyer, Senior Chief, Facility Planning, Construction, and Management, Department of Corrections and Rehabilitation

# Solutions to Replace Sale Leaseback of State Buildings

(Dollars in Millions)

Assumes March, 2011 Authority

Org	Description	Category	Assumes March, 2011 Authority			Permanent	Multi-Year	One year	2012-13	2013-14	2014-15
			2010-11	2011-12	2-YR						
1 4140	Shift Funding for Song-Brown Primary Care Practitioner Training -- California Health Data and Planning Fund reserves are available on a one-time basis to support program costs rather than General Fund. Such an approach has been used in prior years, and final special fund reserves came in higher than previously anticipated and thus are available for this purpose.	ER	\$0.0	\$5.0	\$5.0			X	\$0.0	\$0.0	\$0.0
2 4260	Medi-Cal Managed Care Tax -- Use surplus revenues to offset General Fund in Medi-Cal.	ER	89.9	0.0	89.9			X	0.0	0.0	0.0
3 5175	California Child Support Automation System -- Sweep reappropriation balances.	ER	0.0	6.3	6.3			X	0.0	0.0	0.0
4 5175	Delay Technology Refresh for State and Counties	ER	0.0	1.3	1.3			X	0.0	0.0	0.0
5 CS 4.65	Sale Leaseback: remove increased leasing costs -- These are the costs included in the multi-year projection assuming the transaction would proceed.	ER	20.0	40.0	60.0		X		40.0	40.0	40.0
6 AB 900	Reduce amount budgeted in 2010-11 and 2011-12 by \$25m and \$75m -- Statutory appropriation intended to fund "non-bondable" CDCR construction costs associated with AB 900 LR bond program. The 2011-12 budget includes \$50m in 2010-11, \$75m in 2011-12, and \$75m in out-years.	ER	25.0	75.0	100.0			X	0.0	0.0	0.0
7 Various	Additional Loans, Transfers, and Loan Repayment Extensions -- Includes \$5.1 m transfers.	R	441.2	464.3	905.5			X	-29.3	-871.2	0.0
8 9620	Interest Cost Related to New Loans and Loan Extensions	ER	0.0	4.3	4.3			X	-0.7	-21.4	0.0
Totals			\$576.1	\$596.2	\$1,172.3				\$10.0	-\$852.6	\$40.0

**New Loans to the General Fund in 2010-11 and 2011-12 to Replace Sale Leaseback of State Buildings**  
**(In Addition to Proposals in the 2011-12 Governor's Budget)**  
(Amounts in Thousands)

	Org Code	Fund No.	B or NB?	Fund Title	Loans		Loan Repayments	
					2010-11 Amount Available for Loans	2011-12 Amount Available for Loans	2012-13 Amount to Be Repaid	2013-14 Amount to Be Repaid
1	0250	3138	B	Immediate and Critical Needs Account		\$90,000		-\$90,000
2	0502	0022	B	State Emergency Telephone Number Acct	\$28,000		-\$28,000	
3	0555	0028	B	Unified Program Account		8,700		-8,700
4	0555	1006	B	Rural CUPA Reimbursement Account		1,300		-1,300
5	0690	0425	B	Victim-Witness Assistance Fund		11,000		-11,000
6	0690	3034	B	Antiterrorism Fund		1,000		-1,000
7	0820	0017	B	Fingerprint Fees Account		24,000		-24,000
8	0820	0460	B	Dealers' Record of Sale Special Account		11,500		-11,500
9	0820	1008	B	Firearms Safety and Enforcement Special Fund		4,900		-4,900
10	0820	3016	B	Missing Person DNA Data Base Fund		4,000		-4,000
11	0820	3088	B	Registry of Charitable Trust		2,700		-2,700
12	0855	0567	B	Gambling Control Fund		19,000		-19,000
13	0968	0448	B	Occupancy Compliance Monitoring Account, Tax Credit Allocation Fee Account		22,000		-22,000
14	0968	0457	B	Tax Credit Allocation Fee Account		13,000		-13,000
15	1110	0069	B	State Board of Barbering & Cosmetology Fund		11,000		-11,000
16	1110	0108	B	Acupuncture Fund		5,000		-5,000
17	1110	0264	NB	Osteopathic Medical Board of California Contingent Fund		1,500		-1,500
18	1110	0280	B	Physician Assistant Fund		1,500		-1,500
19	1110	0376	B	Speech-Language Pathology & Audiology Fund		1,400		-1,400
20	1110	0704	B	Accountancy Fund, Professions & Vocations Fund		1,000		-1,000
21	1110	0758	B	Contingent Fund of the Medical Board of California		9,000		-9,000

**New Loans to the General Fund in 2010-11 and 2011-12 to Replace Sale Leaseback of State Buildings**  
**(In Addition to Proposals in the 2011-12 Governor's Budget)**  
(Amounts in Thousands)

	Org Code	Fund No.	B or NB?	Fund Title	Loans		Loan Repayments	
					2010-11 Amount Available for Loans	2011-12 Amount Available for Loans	2012-13 Amount to Be Repaid	2013-14 Amount to Be Repaid
22	1110	0759	B	Physical Therapy Fund		1,500		-1,500
23	1110	0761	B	Board of Registered Nursing Fund, Professions & Vocations Fund		15,000		-15,000
24	1110	0763	B	State Optometry Fund, Professions & Vocations Fund		1,000		-1,000
25	1110	0770	B	Professional Engineers' & Land Surveyors' Fund		5,000		-5,000
26	1110	0773	B	Behavioral Science Examiners Fund, Professions & Vocations Fund		3,300		-3,300
27	1111	0239	B	Private Security Services Fund		4,000		-4,000
28	1111	0305	B	Private Postsecondary Education Administration Fund		3,000		-3,000
29	1111	0752	B	Bureau of Home Furnishings & Thermal Insulation Fund		1,500		-1,500
30	1111	0769	B	Private Investigator Fund		1,500		-1,500
31	1760	0026	B	State Motor Vehicle Insurance Account		25,000		-25,000
32	2120	0117	B	Alcoholic Beverage Control Appeals Fund	500			-500
33	2240	0929	B	Housing Rehabilitation Loan Fund	18,000			-18,000
34	2660	0042	NB	State Highway Account	43,700			-43,700
35	3340	0318	B	Collins-Dugan Reimbursement Account		10,000		-10,000
36	3360	0382	B	Renewable Resources Trust Fund	20,000			-20,000
37	3500	0100	B	California Used Oil Recycling Fund	2,500	2,500		-5,000
38	3500	3065	B	Electronic Waste Recovery and Recycling Account, Integrated Waste Management Fund	27,000			-27,000
39	3600	0321	B	Oil Spill Response Trust Fund	40,000			-40,000



**New Loans to the General Fund in 2010-11 and 2011-12 to Replace Sale Leaseback of State Buildings**  
**(In Addition to Proposals in the 2011-12 Governor's Budget)**  
(Amounts in Thousands)

	Org Code	Fund No.	B or NB?	Fund Title	Loans		Loan Repayments	
					2010-11 Amount Available for Loans	2011-12 Amount Available for Loans	2012-13 Amount to Be Repaid	2013-14 Amount to Be Repaid
40	3680	0516	B	Harbors and Watercraft Revolving Fund	17,000			-17,000
41	3790	0263	B	Off-Highway Vehicle Trust Fund	21,000			-21,000
42	3940	3147	B	State Water Pollution Control Revolving Fund Small Community Grant Fund	3,000	1,000		-4,000
43	3960	0014	B	Hazardous Waste Control Account	13,000			-13,000
44	3960	0018	B	Site Remediation Account	1,000			-1,000
45	3960	0065	B	Illegal Drug Lab Cleanup Account	1,000			-1,000
46	3960	1003	B	Cleanup Loans and Environmental Assistance to Neighborhoods Account	500			-500
47	4140	0121	B	Hospital Building Fund		75,000		-75,000
48	4200	0139	B	Driving-Under-the-Influence Program Licensing Trust Fund		1,500		-1,500
49	8660	0462	B	PUC Utilities Reimbursement Account	25,000			-25,000
50	8660	0470	B	CA High Cost Fund-B Admin Comm Fund	100,000			-100,000
51	8660	3141	B	California Advanced Services Fund	75,000			-75,000
<b>Totals</b>					<b>\$436,200</b>	<b>\$394,300</b>	<b>-\$28,000</b>	<b>-\$802,500</b>
<b>Two-Year Total</b>						<b>\$830,500</b>		
<b>Total Loan Repayments</b>								<b>-\$830,500</b>

**New Transfers to the General Fund in 2010-11 and 2011-12 to Replace Sale Leaseback of State Buildings**  
**(In Addition to Proposals in the 2011-12 Governor's Budget)**  
(Amounts in Thousands)

	Org Code	Fund No.	B or NB?	Fund Title	Transfers		Comments
					2010-11 Amount Available for Transfer	2011-12 Amount Available for Transfer	
1	2240	0101	B	School Facilities Fee Assistance Fund	\$880		Existing law authorizes transfer to GF (H&S Sec. 51452(d))
2	3940	0225	B	Environmental Protection Trust Fund	1,175		H&SC section 25270.11 makes this fund inoperative as of 7/1/11 and sunsets this fund as of 1/1/12. Transfer remaining funds to GF rather than Unified Program Agencies.
3	5180	0131	B	Foster Family Home and Small Family Home Insurance Fund	3,000		
<b>Totals</b>					<b>\$5,055</b>	<b>\$0</b>	
<b>Two-Year Total</b>						<b>\$5,055</b>	

**Loan Repayment Extensions to Replace Sale Leaseback of State Buildings**  
**(In Addition to Proposals in the 2011-12 Governor's Budget)**  
**(Amounts in Thousands)**

										Proposed Repayment Year	
Org Code	Dept	Fund Name	Fund	B or NB?	Budget Authority	Original Loan Amount	Original Repayment Year	Proposed Loan Repayment Deferral	2012-13	2013-14	
1	1110	DCA	Accountancy Fund	0704	B	Budget Act of 2010	\$10,000	2011-12	\$10,000		-\$10,000
2	1110	DCA	State Dentistry Fund	0741	B	Budget Act of 2003	2,500	2011-12	1,300	-\$1,300	
3	2240	HCD	Housing Rehabilitation Loan Fund	0929	B	Budget Act of 2008	8,200	2011-12	8,200		-8,200
4	2240	HCD	Housing Rehabilitation Loan Fund	0929	B	Chapter 3, Statutes of 2003 First Ext. Session	1,000	2011-12	1,000		-1,000
5	2740	DMV	Motor Vehicle Account	0044	B	Budget Act of 2010	40,000	2011-12	20,500		-20,500
6	3500	DRRR	Tire Recycling Management Fund	0226	B	Budget Act of 2003	17,097	2011-12	17,097		-17,097
7	3500	DRRR	Tire Recycling Management Fund	0226	B	Budget Act of 2008 as amended by Chapter 2, Statutes of 2009 Third Ext. Session	10,000	2011-12	10,000		-10,000
8	3500	DRRR	Recycling Market Development Revolving Loan Subaccount	0281	B	Budget Act of 2003	1,853	2011-12	1,853		-1,853
						<u>\$90,650</u>		<u>\$69,950</u>	<u>-\$1,300</u>	<u>-\$68,650</u>	

## **TBL for the Solutions To Replace Sale Leaseback of State Buildings:**

1. Section 1—Amend Section 5134 of the Business and Professions Code related to Fund 0704, Accountancy Fund, Professions and Vocations Fund
2. Section 2—Add Section 8670.48.3 of the Government Code related to Fund 0321, Oil Spill Response Trust Fund
3. Section 3—Amend Section 16320 of the Government Code related to budgetary loans and protection of programs
4. Section 4—Amend 2010 Budget Act items
5. Section 5—Urgency Clause

=====

SECTION 1. Section 5134 of the Business and Professions Code is amended to read:

The amount of fees prescribed by this chapter is as follows:

(a) The fee to be charged to each applicant for the certified public accountant examination shall be fixed by the board at an amount not to exceed six hundred dollars (\$600). The board may charge a reexamination fee not to exceed seventy-five dollars (\$75) for each part that is subject to reexamination.

(b) The fee to be charged to out-of-state candidates for the certified public accountant examination shall be fixed by the board at an amount not to exceed six hundred dollars (\$600) per candidate.

(c) The application fee to be charged to each applicant for issuance of a certified public accountant certificate shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(d) The application fee to be charged to each applicant for issuance of a certified public accountant certificate by waiver of examination shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(e) The fee to be charged to each applicant for registration as a partnership or professional corporation shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(f) ~~The board shall fix the biennial renewal fee so that, together with the estimated amount from revenue other than that generated by subdivisions (a) to (e), inclusive, the reserve balance in the board's contingent fund shall be equal to approximately nine months of annual authorized expenditures. Any increase in the renewal fee shall be made by regulation upon a determination by the board that additional moneys are required to fund authorized expenditures and maintain the board's contingent fund reserve balance equal to nine months of estimated annual authorized expenditures in the fiscal year in which the expenditures will occur.~~ The biennial fee for the renewal of

each of the permits to engage in the practice of public accountancy specified in Section 5070 shall not exceed two hundred fifty dollars (\$250).

(g) The delinquency fee shall be 50 percent of the accrued renewal fee.

(h) The initial permit fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the permit is issued, except that, if the permit is issued one year or less before it will expire, then the initial permit fee is an amount equal to 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the permit is issued. The board may, by regulation, provide for the waiver or refund of the initial permit fee where the permit is issued less than 45 days before the date on which it will expire.

(i) (1) On and after the enactment of Assembly Bill 1868 of the 2005-06 Regular Session, the annual fee to be charged an individual for a practice privilege pursuant to Section 5096 with an authorization to sign attest reports shall be fixed by the board at an amount not to exceed one hundred twenty-five dollars (\$125).

(2) On and after enactment of Assembly Bill 1868 of the 2005-06 Regular Session, the annual fee to be charged an individual for a practice privilege pursuant to Section 5096 without an authorization to sign attest reports shall be fixed by the board at an amount not to exceed 80 percent of the fee authorized under paragraph (1).

(j) The fee to be charged for the certification of documents evidencing passage of the certified public accountant examination, the certification of documents evidencing the grades received on the certified public accountant examination, or the certification of documents evidencing licensure shall be twenty-five dollars (\$25).

(k) The board shall fix the fees in accordance with the limits of this section and, on and after July 1, 1990, any increase in a fee fixed by the board shall be pursuant to regulation duly adopted by the board in accordance with the limits of this section.

(l) It is the intent of the Legislature that, to ease entry into the public accounting profession in California, any administrative cost to the board related to the certified public accountant examination or issuance of the certified public accountant certificate that exceeds the maximum fees authorized by this section shall be covered by the fees charged for the biennial renewal of the permit to practice.

SECTION 2: Section 8670.48.3 of the Government Code is added to read:

8670.48.3 (a) Notwithstanding paragraph (1)(A) of subdivision (f) of section 8670.48, a loan or other transfer of money from the fund to the General Fund pursuant to the annual Budget Act which reduces the balance of the fund to less than or equal to 95 percent of the designated amount specified in subdivision (a) of Section 46012 of the Revenue and Taxation Code, shall not obligate the administrator to resume collection of the oil spill response fee otherwise required by this article as long as all of the following conditions are met:

(1) Provisions in the annual Budget Act require any transfer or loan to be repaid to the fund with interest calculated at a rate earned by the Pooled Money Investment Account had the money remained in the fund.

(2) Provisions in the annual Budget Act require all transfers or loans to be repaid to the fund by June 30, 2014.

- (b) Any transfer or loan pursuant to (a) is required to be repaid if a spill has occurred and necessary response funds are needed by the administrator;
- (c) Notwithstanding any other law or enactment, the provisions of this section shall be controlling if there is conflict.
- (d) This section shall be deemed repealed effective July 1, 2014, unless amended before January 1, 2014.

SECTION 3: Section 16320 of the Government Code is amended to read:

16320. (a) Unless otherwise prohibited by law, moneys in the State Treasury may be loaned from one state fund or account to any other state fund or account to address the 2001-02, 2002-03, and 2003-04 fiscal year budgetary shortfalls, subject to all of the following conditions:

- (1) The loan is authorized in the 2002 Budget Act, legislation enacted in a 2003-04 Extraordinary Session, or the 2003 Budget Act.
- (2) The terms and conditions of the loan, including an interest rate, are set forth in the loan authorization.
- (3) The loan is considered part of the balance of the fund or account that received the funds for the purpose of accounting and budgeting, including any determination made pursuant to Section 13307.
- (4) The loan is not deducted from the balance of the fund or account from which the loan is made for purposes of calculating a fee or assessment.
- (5) A fee or assessment is not increased as a result of a loan.
- (6) Moneys loaned under this section are not considered a transfer of resources for purposes of determining the legality of the use of those moneys by the fund or account from which the loan is made or the fund or account that received the loan.
- (b) (1) ~~Unless the language in statute that authorizes law authorizing the any budgetary loan states otherwise,~~ The Director of Finance shall order the repayment of all or a portion of any budgetary loan ~~made pursuant to subdivision (a)~~ if he or she determines that either of the following circumstances exists:

- (A) The fund or account from which the loan was made has a need for the moneys.
- (B) There is no longer a need for the moneys in the fund or account that received the loan.

(2) The Director of Finance shall notify, in writing, the Chairperson of the Joint Legislative Budget Committee within 30 days of ordering the repayment of any of these loans.

(c) On August 1 of each year, the Director of Finance shall report in writing to the Chairperson of the Joint Legislative Budget Committee the balances of these loans as of the preceding June 30.

(d) On February 1 of each year, the Director of Finance ~~shall report in writing provide a report on General Fund obligations~~ to the Chairperson of the Joint Legislative Budget Committee the balances of these loans as of the preceding December 31, and to the chairpersons of the fiscal committees of the Assembly and the Senate. The report shall include both of the following:

~~(1) An update of the annual August 1 report to the Chairperson of the Joint Legislative Budget Committee on the balances of outstanding loans, as reflected in the preceding Governor's Budget.~~

(e) A summary and list of loans to the of General Fund or budgetary obligations for future payment of deferred or suspended expenditures or transfers to any special fund or account and the dates that the loans or obligations are due.

#### SECTION 4: To add to the 2010 Budget Act:

0502-012-0022--For transfer by the Controller, upon order of the Director of Finance, from the State Emergency Telephone Number Account, to the General Fund as a loan..... (28,000,000)

Provisions:

1. The Director of Finance may transfer up to \$28,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2013. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

2120-011-0117--For transfer by the Controller, upon order of the Director of Finance, from the Alcoholic Beverage Control Appeals Fund, to the General Fund as a loan..... (500,000)

Provisions:

1. The Director of Finance may transfer up to \$500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

2240-011-0101--For transfer by the Controller, upon order of the Director of Finance, from the School Facilities Fee Assistance Fund to the General Fund ..... (880,000)

Provisions:

1. The Director of Finance may transfer additional amounts that are determined to be available.

2240-011-0929--For transfer by the Controller, upon order of the Director of Finance, from the Housing Rehabilitation Loan Fund to the General Fund as a loan..... (18,000,000)

Provisions:

1. The Director of Finance may transfer up to \$18,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

2660-013-0042--For transfer by the Controller, upon order of the Director of Finance, from the State Highway Account, Transportation Tax Fund, to the General Fund as a loan..... (43,700,000)

Provisions:

1. The Director of Finance may transfer up to \$43,700,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.
2. The Director of Finance may authorize short-term cash flow loans from the General Fund to the State Highway Account to provide adequate cash for costs funded from that account. The total outstanding loan shall not exceed two hundred ten million dollars (\$210,000,000) at any point in time. Repayment of these loans shall be made no later than 30 days after the date of enactment of the subsequent annual Budget Act after any loan is made pursuant to this



section. No budgetary impact shall result from these loans.

3360-011-0382--For transfer by the Controller, upon order of the Director of Finance, from the Renewable Resource Trust Fund, to the General Fund as a loan..... (20,000,000)

Provisions:

1. The Director of Finance may transfer up to \$20,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3500-011-0100—For transfer by the Controller, upon order of the Director of Finance, from the California Used Oil Recycling Fund to the General Fund as a loan..... (\$2,500,000)

Provisions:

1. The Director of Finance may transfer up to \$2,500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3500-013-3065—For transfer by the Controller, upon order of the Director of Finance, from the Electronic Waste Recovery and Recycling Account, Integrated Waste Management Fund, to the General Fund as a loan..... (\$27,000,000)

Provisions:

1. The Director of Finance may transfer up to \$27,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3600-011-0321--For transfer by the Controller, upon order of the Director of Finance, from the Oil Spill Response Trust Fund, to the General Fund as a loan..... (40,000,000)

Provisions:

1. The Director of Finance may transfer up to \$40,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that any of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; (2) an event, as defined by Government Code 8670.48, has occurred and necessary response funds are needed; or (3) there is no longer a need for the moneys in the fund or account that received 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.

3680-011-0516--For transfer by the Controller, upon order of the Director of Finance, from the Harbors and Watercraft Revolving Fund, to the General Fund as a loan..... (17,000,000)

Provisions:

1. The Director of Finance may transfer up to \$17,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that any of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3790-011-0263--For transfer by the Controller, upon order of the Director of Finance, from the Off-Highway Vehicle Trust Fund, to the General Fund as a loan..... (21,000,000)

Provisions:

1. The Director of Finance may transfer up to \$21,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in

the fund or account that received 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.

3940-011-0225—For transfer by the Controller, upon order of the Director of Finance, from the Environmental Protection Trust Fund to the General Fund ..... (\$1,175,000)

3940-011-3147—For transfer by the Controller, upon order of the Director of Finance, from the State Water Pollution Control Revolving Fund Small Communities Grant Fund to the General Fund as a loan..... (\$3,000,000)

Provisions:

1. The Director of Finance may transfer up to \$3,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3960-011-0014—For transfer by the Controller, upon order of the Director of Finance, from the Hazardous Waste Control Account to the General Fund as a loan..... (\$13,000,000)

Provisions:

1. The Director of Finance may transfer up to \$13,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3960-011-0018—For transfer by the Controller, upon order of the Director of Finance, from the Site Remediation Account to the General Fund as a loan..... (\$1,000,000)

Provisions:

1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the

moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3960-011-0065—For transfer by the Controller, upon order of the Director of Finance, from the Illegal Drug Lab Cleanup Account to the General Fund as a loan..... (\$1,000,000)

Provisions:

1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

3960-012-1003—For transfer by the Controller, upon order of the Director of Finance, from the Cleanup Loans and Environmental Assistance to Neighborhoods Account to the General Fund as a loan..... (\$500,000)

Provisions:

1. The Director of Finance may transfer up to \$500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

5180-011-0131--For transfer by the Controller, upon order of the Director of Finance, from the Foster Family Home and Small Family Home Insurance Fund to the General Fund..... (3,000,000)

8660-011-0470---For transfer by the Controller, upon order of the Director of Finance, from the California High-Cost Fund-B Administrative Committee Fund, to the General Fund as a loan..... (100,000,000)

Provisions:

1. The Director of Finance may transfer up to \$100,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment

of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

8660-011-3141--For transfer by the Controller, upon order of the Director of Finance, from the California Advanced Services Fund, to the General Fund as a loan..... (75,000,000)

Provisions:

1. The Director of Finance may transfer up to \$75,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

8660-012-0462--For transfer by the Controller, upon order of the Director of Finance, from the Public Utilities Commission Utilities Reimbursement Account, to the General Fund as a loan..... (25,000,000)

Provisions:

1. The Director of Finance may transfer up to \$25,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

SECTION 5. Urgency Clause.

**GENERAL FUND LOANS:**

**Judicial Branch—Provisional Language**

Item 0250-011-3138—For transfer by the Controller, upon order of the Director of Finance, from the Immediate Critical Needs Account, State Court Facilities Construction Fund, to the General Fund as a loan.....(\$90,000,000)

**Provisions:**

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Immediate Critical Needs Account are not adversely affected by the loan through reduction in services or through increased fees.

**Secretary for Environmental Protection—Provisional Language**

Item 0555-011-0028—For transfer by the Controller, upon order of the Director of Finance, from the Unified Program Account, to the General Fund as a loan...(8,700,000)

**Provisions:**

1. The Director of Finance may transfer up to \$8,700,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) the fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 0555-011-1006—For transfer by the Controller, upon order of the Director of Finance, from the Rural CUPA Reimbursement Account, to the General Fund as a loan.....(1,300,000)

**Provisions:**

1. The Director of Finance may transfer up to \$1,300,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) the fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

### **California Emergency Management Agency—Provisional Language**

Item 0690-011-0425—For transfer by the Controller, upon order of the Director of Finance, from the Victim-Witness Assistance Fund, to the General Fund as a loan..... (\$11,000,000)

#### **Provisions:**

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Victim-Witness Assistance Fund are not adversely affected by the loan through reduction in services or through increased fees.

### **California Emergency Management Agency—Provisional Language**

Item 0690-011-3034—For transfer by the Controller, upon order of the Director of Finance, from the Antiterrorism Fund, to the General Fund as a loan..... (\$1,000,000)

#### **Provisions:**

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Antiterrorism Fund are not adversely affected by the loan through reduction in services or through increased fees.

### **Department of Justice—Provisional Language**

Item 0820-011-0017—For transfer by the Controller, upon order of the Director of Finance, from the Fingerprint Fees Account, to the General Fund as a loan.....(\$24,000,000)

#### **Provisions:**

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Fingerprint Fees Account are not adversely affected by the loan through reduction in services or through increased fees.

Item 0820-011-0460—For transfer by the Controller, upon order of the Director of Finance, from the Dealers' Record of Sale Special Fund, to the General Fund as a loan.....(\$11,500,000)

#### **Provisions:**

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be

made so as to ensure that the programs supported by the Dealers' Record of Sale Special Fund are not adversely affected by the loan through reduction in services or through increased fees.

Item 0820-011-1008—For transfer by the Controller, upon order of the Director of Finance, from the Firearms Safety and Enforcement Special Fund, to the General Fund as a loan.....(\$4,900,000)

Provisions:

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Firearms Safety and Enforcement Special Fund are not adversely affected by the loan through reduction in services or through increased fees.

Item 0820-011-3016—For transfer by the Controller, upon order of the Director of Finance, from the Missing Person DNA Data Base Fund, to the General Fund as a loan.....(\$4,000,000)

Provisions:

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Missing Person DNA Data Base Fund are not adversely affected by the loan through reduction in services or through increased fees.

Item 0820-011-3088—For transfer by the Controller, upon order of the Director of Finance, from the Registry of Charitable Trusts Fund, to the General Fund as a loan.....(\$2,700,000)

Provisions:

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Registry of Charitable Trust Fund are not adversely affected by the loan through reduction in services or through increased fees.

**Gambling Control Commission—Provisional Language**

Item 0855-011-0567—For transfer by the Controller, upon order of the Director of Finance, from the Gambling Control Fund to the General Fund as a loan.....(\$19,000,000)

Provisions:

1. The amount transferred in this item is a loan to the General Fund. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. Repayment shall be made so as to ensure that the programs supported by the Gambling Control



Fund are not adversely affected by the loan through reduction in services or through increased fees.

#### **California Tax Credit Allocation Committee—Provisional Language**

Item 0968-011-0448 – For transfer by the Controller, upon order of the Director of Finance, from the Occupancy Compliance Monitoring Account, Tax Credit Allocation Fee Account, to the General Fund as a loan.....(\$22,000,000)

**Provisions:**

1. The transfer made by this item is a loan to the General Fund that shall be fully repaid by June 30, 2014. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. The State Controller shall, within 15 working days of receipt of written notification from the Department of Finance, transfer from the General Fund to the Occupancy Compliance Monitoring Account, Tax Credit Allocation Fee Account the full amount of the loan or increments thereof as requested by the Department of Finance. It is the intent of the Legislature that repayment be made so as to ensure that current and newly authorized programs supported by this fund are fully and timely implemented as approved by the voting members of the California Tax Credit Allocation Committee. It is also the intent of the Legislature that repayment be made so as to ensure compliance with federal and state statutes or requirements. Accordingly, the Department of Finance shall, within 30 days of receipt of written notification documenting the need of the loan repayment from the California Tax Credit Allocation Committee, provide written notification to the State Controller notifying the State Controller of the amount to be transferred from the General Fund to the Occupancy Compliance Monitoring Account, Tax Credit Allocation Fee Account.

Item 0968-011-0457 – For transfer by the Controller, upon order of the Director of Finance, from the Tax Credit Allocation Fee Account, to the General Fund as a loan.....(\$13,000,000)

**Provisions:**

1. The transfer made by this item is a loan to the General Fund that shall be fully repaid by June 30, 2014. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. The State Controller shall, within 15 working days of receipt of written notification from the Department of Finance, transfer from the General Fund to the Tax Credit Allocation Fee Account the full amount of the loan or increments thereof as requested by the Department of Finance. It is the intent of the Legislature that repayment be made so as to ensure that current and newly authorized programs supported by this fund are fully and timely implemented as approved by the voting members of the California Tax Credit Allocation Committee. It is also the intent of the Legislature that repayment be made so as to ensure compliance with federal and state statutes or requirements. Accordingly, the Department of Finance shall, within 30 days of receipt of written notification documenting the need of the loan repayment from the California Tax Credit Allocation Committee, provide written notification to the State Controller notifying the State Controller of the amount to be transferred from the General Fund to the Tax Credit Allocation Fee Account.

**Department of Consumer Affairs – Provisional Language**

Item 1110-011-0069-For transfer by the Controller, upon order of the Director of Finance, from the State Board of Barbering and Cosmetology Fund, to the General Fund as a loan .....(11,000,000)

**Provisions:**

1. The Director of Finance may transfer up to \$11,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0108-For transfer by the Controller, upon order of the Director of Finance, from the Acupuncture Fund, to the General Fund as a loan ....(5,000,000)

**Provisions:**

1. The Director of Finance may transfer up to \$5,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0264-For transfer by the Controller, upon order of the Director of Finance, from the Osteopathic Medical Board of California Contingent Fund, to the General Fund as a loan .....(1,500,000)

**Provisions:**

1. The Director of Finance may transfer up to \$1,500,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0280-For transfer by the Controller, upon order of the Director of Finance, from the Physician Assistant Fund, to the General Fund as a loan ..(1,500,000)

Provisions:

1. The Director of Finance may transfer up to \$1,500,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0376-For transfer by the Controller, upon order of the Director of Finance, from the Speech-Language Pathology and Audiology Fund, to the General Fund as a loan .....(1,400,000)

Provisions:

1. The Director of Finance may transfer up to \$1,400,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0704-For transfer by the Controller, upon order of the Director of Finance, from the Accountancy Fund, Professions & Vocations Fund, to the General Fund as a loan .....(1,000,000)

Provisions:

1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0758-For transfer by the Controller, upon order of the Director of Finance, from the Contingent Fund of the Medical Board of California, to the General Fund as a loan .....(9,000,000)

Provisions:

1. The Director of Finance may transfer up to \$9,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0759-For transfer by the Controller, upon order of the Director of Finance, from the Physical Therapy Fund, to the General Fund as a loan (1,500,000)

Provisions:

1. The Director of Finance may transfer up to \$1,500,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0761-For transfer by the Controller, upon order of the Director of Finance, from the Board of Registered Nursing Fund, Professions and Vocations Fund, to the General Fund as a loan .....(15,000,000)

Provisions:

1. The Director of Finance may transfer up to \$15,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0763-For transfer by the Controller, upon order of the Director of Finance, from the State Optometry Fund, Professions and Vocations Fund, to the General Fund as a loan .....(1,000,000)

Provisions:

1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0770-For transfer by the Controller, upon order of the Director of Finance, from the Professional Engineers' and Land Surveyors' Fund, to the General Fund as a loan .....(5,000,000)

Provisions:

1. The Director of Finance may transfer up to \$5,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1110-011-0773-For transfer by the Controller, upon order of the Director of Finance, from the Behavioral Science Examiners Fund, Professions and Vocations Fund, to the General Fund as a loan .....(3,300,000)

Provisions:

1. The Director of Finance may transfer up to \$3,300,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1111-011-0239-For transfer by the Controller, upon order of the Director of Finance, from the Private Security Services Fund, to the General Fund, as a loan .....(4,000,000)

Provisions:

1. The Director of Finance may transfer up to \$4,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1111-011-0305-For transfer by the Controller, upon order of the Director of Finance, from the Private Postsecondary Education Administration Fund, to the General Fund as a loan .....(3,000,000)

Provisions:

1. The Director of Finance may transfer up to \$3,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1111-011-0752-For transfer by the Controller, upon order of the Director of Finance, from the Bureau of Home Furnishings and Thermal Insulation Fund, to the General Fund as a loan .....(1,500,000)

Provisions:

1. The Director of Finance may transfer up to \$1,500,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

Item 1111-011-0769--For transfer by the Controller, upon order of the Director of Finance, from the Private Investigator Fund, to the General Fund as a loan (1,500,000)

Provisions:

1. The Director of Finance may transfer up to \$1,500,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

**Department of General Services—Provisional Language**

Item 1760-011-0026—For transfer by the Controller, upon order of the Director of Finance, from the State Motor Vehicle Insurance Account, to the General Fund as a loan..... (\$25,000,000)

Provisions:

1. The Director of Finance may transfer up to \$25,000,000 as a loan to the General fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) the fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall not interfere with the provision of insurance coverage on motor vehicles owned by state departments. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.
2. The annual insurance rate for the State Motor Vehicle Insurance Fund shall not increase as a result of any loan made to the General Fund. In calculating the annual vehicle insurance rate, the Department of General Services shall treat outstanding loans as available cash in the State Motor Vehicle Insurance Fund.

**California Conservation Corps—Provisional Language**

Item 3340-011-0318--For transfer by the Controller, upon order of the Director of Finance, from the Collins-Dugan California Conservation Corps Reimbursement Account, to the General Fund as a loan .....(10,000,000)

Provisions:

1. The Director of Finance may transfer up to \$10,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

### **Department of Resources Recycling and Recovery—Provisional Language**

3500-011-0100—For transfer by the Controller, upon order of the Director of Finance, from the California Used Oil Recycling Fund to the General Fund as a loan.....(\$2,500,000)

#### **Provisions:**

1. The Director of Finance may transfer up to \$2,500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

### **State Water Resources Control Board—Provisional Language**

3940-011-3147—For transfer by the Controller, upon order of the Director of Finance, from the State Water Pollution Control Revolving Fund Small Communities Grant Fund to the General Fund as a loan.....(\$1,000,000)

#### **Provisions:**

1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

### **Office of Statewide Health Planning and Development—Provisional Language**

Item 4140-011-0121—For transfer by the Controller, upon order of the Director of Finance, from the Hospital Building Fund, to the General Fund as a loan..... (\$75,000,000)

#### **Provisions:**

1. The Director of Finance may transfer up to \$75,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

### **Alcohol and Drug Programs—Provisional Language**

4200-011-0139—For transfer by the Controller, upon order of the Director of Finance, from the Driving-Under-The-Influence Program Licensing Trust Fund, to the General Fund as a loan.....(1,500,000)

#### **Provisions:**

1. The Director of Finance may transfer up to \$1,500,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

### **GENERAL FUND LOAN EXTENSIONS:**

#### **Department of Consumer Affairs—Provisional Language**

1110-404—Notwithstanding Provision 1 of Item 1110-011-0704, Budget Act of 2010, the \$10.0 million loan from the Accountancy Fund to the General Fund will be repaid upon order of the Director of Finance, subject to provisions of Item 1110-011-0704, Budget Act of 2010, excluding the specified repayment date. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan.

#### **Housing and Community Development—Provisional Language**

2240-402—Extension of Loan Repayment, Department of Housing and Community Development. Repayment of the loan authorized in Item 2240-011-0929, Budget Act of 2008 (Chs.268 and 269, Stats. 2008) is extended subject to the provisions of this item:

#### **Provisions:**

1. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received 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.

#### **Department of Resources Recycling and Recovery—Provisional Language**

3500-401—Notwithstanding Provision 1 of Item 3910-011-0226, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), as amended by Section 21 of Chapter 2 of the 2009-10 Third Extraordinary Session and Item 3500-401 of Chapter 12 of the Statutes of 2010, the \$10.0 million loan authorized shall be fully repaid to the California Tire Recycling Management Fund no later than June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the



following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan.

3500-402—Notwithstanding Provisions 1 and 2 of Item 3910-004-0226, Budget Act of 2003 (Ch. 157, Stats. 2003), as amended by Chapter 2 of the Statutes of 2009 of the Third Extraordinary Session, the \$17,097,000 loan authorized shall be fully repaid to the California Tire Recycling Management Fund no later than June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan.

3500-403—Notwithstanding Provision 1 of Item 3910-004-0281, Budget Act of 2003 (Ch. 157, Stats. 2003), as amended by Chapter 2 of the Statutes of 2009 of the Third Extraordinary Session, the \$1,853,000 loan authorized shall be fully repaid to the Recycling Management Development Revolving Loan Subaccount no later than June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (1) The fund or account from which the loan was made has a need for the moneys; or (2) there is no longer a need for the moneys in the fund or account that received the loan.

#### **OTHER SOLUTIONS:**

##### **Department of Child Support Services—Provisional Language**

5175-495--Reversion, Department of Child Support Services. As of June 30, 2011, the balances of the appropriations provided for in the following citations shall revert to the balances of the fund from which the appropriations were made:

##### **0001--General Fund**

- (4) Item 5175-001-0001, Budget Act of 2009 (Ch. 1, 2009-10 3rd Ex. Sess., as revised by Ch. 1, 2009-10 4th Ex. Sess.), as reappropriated by Item 5175-490, Budget Act of 2010 (Ch. 712, Stats. 2010)
- (8) Item 5175-002-0001, Budget Act of 2009 (Ch. 1, 2009-10 3rd Ex. Sess., as revised by Ch. 1, 2009-10 4th Ex. Sess.), as reappropriated by Item 5175-490, Budget Act of 2010 (Ch. 712, Stats. 2010)
- (12) Item 5175-101-0001, Budget Act of 2009 (Ch. 1, 2009-10 3rd Ex. Sess., as revised by Ch. 1, 2009-10 4th Ex. Sess.), as reappropriated by Item 5175-490, Budget Act of 2010 (Ch. 712, Stats. 2010)

0890-- Federal Trust Fund

- (4) Item 5175-001-0890, Budget Act of 2009  
(Ch. 1, 2009-10 3rd Ex. Sess., as  
revised by Ch. 1, 2009-10 4th Ex.  
Sess.), as reappropriated by Item 5175-490,  
Budget Act of 2010 (Ch. 712, Stats. 2010)
  
- (8) Item 5175-002-0890, Budget Act of 2009  
(Ch. 1, 2009-10 3rd Ex. Sess., as  
revised by Ch. 1, 2009-10 4th Ex.  
Sess.), as reappropriated by Item 5175-490,  
Budget Act of 2010 (Ch. 712, Stats. 2010)
  
- (12) Item 5175-101-0890, Budget Act of 2009  
(Ch. 1, 2009-10 3rd Ex. Sess., as  
revised by Ch. 1, 2009-10 4th Ex.  
Sess.), as reappropriated by Item 5175-490,  
Budget Act of 2010 (Ch. 712, Stats. 2010)