



MAR 30 2012

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 Item 0530-017-0001 and Reimbursements, Support, Health and Human Services Agency**

It is requested that Item 0530-017-0001 be decreased by \$461,000 with a corresponding decrease in reimbursements of \$290,000 to reflect a reduction in the California Office of HIPAA Implementation of 2.0 positions (\$234,000) and a reduction in contract services (\$517,000). The position reduction eliminates 2.0 vacant positions and consolidates the functions of those positions with the remaining staff. Contract services were reduced to reflect actual required workload and historical patterns.

The Administration also proposes to extend the sunset date of the California Office of HIPAA implementation from January 1, 2013 to June 30, 2016, so that continuing and changing federal Health Insurance Portability and Accountability Act (HIPAA) requirements are effectively implemented within the state.

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 Audrey Bazos, Principal Program Budget Analyst, at (916) 445-6423.

ANA J. MATOSANTOS  
Director  
By:

/s/ Michael Cohen

MICHAEL COHEN  
Chief Deputy Director

Attachment

cc: On following page

MAR 30 2012

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzoia, Staff Director  
Honorable Bill Emmerson, 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 Mark DeSaulnier, Chair, Senate Budget and Fiscal Review Subcommittee No. 3  
Honorable Holly Mitchell, Chair, Assembly Budget Subcommittee No. 1  
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 Wilkening, Undersecretary, Health and Human Services Agency  
Ms. Sonia Herrera, Assistant Secretary, Health and Human Services Agency  
Mr. Alex Kam, Acting Director, California Office of HIPAA Implementation  
Mr. Tom Grant, Budget Officer, Department of Social Services



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

**Addition of Budget Bill Item 0540-490, Reappropriation, Secretary for Natural Resources Agency**

**Reappropriations**

It is requested that Item 0540-490 be added to reappropriate Proposition 84 funds from the 2009 Budget Act and Proposition 50 funds originally appropriated by Chapter 230, Statutes of 2004 (SB 1107). The request would allow these projects to continue through June 30, 2015.

Proposition 84

Provision 1.5 of Item 0540-101-6051 of the 2009 Budget Act allocates \$12 million from Proposition 84 funds for data gathering and model development projects in compliance with Chapter 728, Statutes of 2008 (SB 375). The California Department of Transportation administers these programs through an interagency agreement with the Secretary for Natural Resources Agency (Secretary). This appropriation was available for support or local assistance and, as such, a budget revision was approved in 2009 to transfer the authority from local assistance to the Secretary's support item in compliance with the interagency agreement. Because of a variety of factors, several projects will not be completed by the expiration of the current encumbrance period. The reappropriation is necessary to allow these projects to continue to completion.

Proposition 50

SB 1107 appropriated Proposition 50 funds for the River Parkways grant program in 2004. This request will allow ongoing projects to be completed and remaining funds to be awarded in the final round of River Parkways program funding.

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

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

ANA J. MATOSANTOS  
Director  
By:

/s/ Michael Cohen

MICHAEL COHEN  
Chief Deputy Director

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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. John Laird, Secretary, Natural Resources Agency  
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural Resources Agency  
Mr. Bryan Cash, Deputy Assistant Secretary, Natural Resources Agency  
Ms. Marcy Brown, Manager, Department of Parks and Recreation

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Attachment

0540-490—Reappropriation, Secretary of the Natural Resources Agency. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2015:

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

(1) Section 40 of Chapter 230 of the Statutes of 2004, as reappropriated by Item 0540-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 0540-001-6051, Budget Act of 2009 (Ch. 1, Stats. 2009-10 3<sup>rd</sup> Ex. Sess., as revised by Ch. 1, 2009-10 4<sup>th</sup> Ex. Sess.)



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Assembly Budget Committee

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

**Amendment to Budget Bill Items 0555-001-0028 and 0555-001-0044, Support,  
Secretary for Environmental Protection**

It is requested that Item 0555-001-0028 be increased by \$5,676,000 and that Item 0555-001-0044 be amended to reflect this change, to provide funding for Unified Program grants to local Unified Program Agencies authorized by Chapter 571, Statutes of 2008 (AB 2286).

This chapter requires the Secretary for Environmental Protection to complete a statewide information management system capable of receiving all information that covered entities are required to report under the Unified Hazardous Materials and Hazardous Waste Regulatory Management Program (Unified Program). Additionally, the bill requires 116 local governments and 145,000 businesses regulated by the Unified Program to report electronically by 2013.

This amendment will provide grant funding to implement efficient online submission of specified hazardous materials information to the state and enable emergency responders to access up-to-date safety information electronically, improving the speed and safety of responses.

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 Matt Paulin, Assistant Program Budget Manager, at (916) 324-0043.

ANA J. MATOSANTOS

Director

By:

/s/ Michael Cohen

MICHAEL COHEN

Chief Deputy Director

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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. Eric Jarvis, Assistant Secretary for Fiscal and Administrative Programs, Office of the Secretary  
for Environmental Protection  
Mr. Don Johnson, Assistant Secretary for Local Program Coordination and Emergency Response,  
Office of the Secretary for Environmental Protection  
Ms. Cathleen Chapin, Branch Chief, Administrative Services Division, California Air Resources  
Board  
Mr. Matthew Singh, Budget Section Manager, Administrative Services Division, California Air  
Resources Board



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Honorable Mark Leno, Chair  
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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 Item 0840-001-0001 and Reimbursements, Support,  
State Controller's Office**

It is requested that Item 0840-001-0001 be amended by increasing reimbursements for the following:

1. \$856,000 and 8.0 positions for one year for federally-mandated audits of the Disproportionate Share Hospital Program, administered by the Department of Health Care Services, to ensure the state will continue to receive the federal payment (approximately \$1.0 billion annually) from the Center for Medicaid Services to help offset hospitals' uncompensated care costs for providing hospital services to low-income patients.
2. \$889,000 and 7.4 positions for five years for federally-mandated audits of the Women, Infants, and Children program, administered by the California Department of Public Health, to ensure the state will comply with the federal requirement that five percent of the vendors be audited annually and to ensure greater oversight of program expenditures. This includes \$23,000 of one-time costs for minor equipment.
3. \$3,009,000 and 27.0 permanent positions to address workload from Chapter 5, First Extraordinary Session, Statutes of 2011 (ABX1 26), as modified by the California Supreme Court decision in *CRA et. al. v. Ana Matosantos, et. al.* and add budget bill language requiring the Controller to report annually beginning in September 2014 on the level of activity and workload for Department of Finance to adjust funding and positions going forward, if necessary.

**Provision 17 is added to Item 0840-001-0001 as follows:**

"17. The Controller shall report to the Department of Finance, not later than mid-September of each year, starting with September 2014, on the level of activity and workload associated with Controller's responsibility on Redevelopment Agency asset transfers, recognized obligation payment schedules, and oversight of auditor-controller actions, per Chapter 5, First Extraordinary Session, Statutes of 2011 (ABX1 26), including all necessary justification to



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continue positions and funding for the remainder of fiscal year 2014-15 and ongoing. Based on the information, the Department of Finance may reduce reimbursement expenditure authority and related positions to reflect a lower level of activity and workload starting in 2014-15. No adjustments shall be made pursuant to this provision prior to a 30-day notification in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations.”

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 Oscar Chaves, Principal Program Budget Analyst, at (916) 445-5332.

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 Bill Emmerson, 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 Gloria Negrete McLeod, 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  
Honorable John Chiang, State Controller  
Mr. Collin Wong-Martinusen, Chief of Staff, State Controller's Office  
Mr. John Hiber, Chief Operating Office, State Controller's Office  
Mr. Jim Lombard, Chief Administrative Officer, State Controller's Office  
Mr. Tom Yowell, Chief of Administration and Disbursements, State Controller's Office  
Mr. Ernesto Hidalgo, Chief of Budgets and Contracts, State Controller's Office  
Ms. Jennifer Chavez, Budget Officer, State Controller's Office



**MAR 30 2012**

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 the Government Code section, State Treasurer's Office**

**Trailer bill language to repeal the sunset date for the 3-percent cap on credit enhancement expenses (Issue 001)**

It is requested that Government Code section 5924 be amended to remove the June 30, 2013, expiration for the 3-percent cap on expenses incurred in relation to credit enhancement on bonds payable from the General Fund. If this sunset date is not repealed, the cap reverts back to 2 percent.

The recent financial crisis has resulted in increased costs for the state's bond program. Additionally, newly required bank regulations could potentially result in the demand for higher or current level of credit enhancement costs in the near future. Removal of the sunset date would likely prevent the need to retire variable-rate bonds with more costly long-term fixed-rate bonds, and prevent potential failure of the State Treasurer's Office to quickly negotiate renewal of existing or new credit enhancement fees due to a low cap.

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 Greg Bruss, Principal Program Budget Analyst, at (916) 445-5332.

ANA J. MATOSANTOS  
Director  
By:

/s/ Michael Cohen

MICHAEL COHEN  
Chief Deputy Director

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Honorable Felipe Fuentes, Chair, Assembly Appropriations Committee  
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Honorable Jim Nielsen, Vice Chair, Assembly Budget Committee  
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Honorable Gloria Negrete McLeod, 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  
Honorable Bill Lockyer, State Treasurer  
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

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## Attachment 1:

### Government Code Section 5924

5924. (a) (1) Notwithstanding Section 13340, there is hereby continuously appropriated without regard to fiscal years, from the General Fund in the State Treasury for the purpose of this chapter, an amount that will equal the sum annually as will be necessary to pay all obligations, including principal, interest, fees, costs, indemnities, and all other amounts incurred by the state under or in connection with any credit enhancement or liquidity agreement, as specified in paragraph (2), that is entered into by the state pursuant to this chapter for bonds payable pursuant to an appropriation from the General Fund.

(2) A credit enhancement or liquidity agreement subject to this section includes a credit enhancement or liquidity agreement that is in the form of a letter of credit, standby purchase agreement, reimbursement agreement, liquidity facility, or other similar arrangement.

(b) (1) If the agent for sale determines that the credit enhancement or liquidity agreement is expected to result in a lower cost of the borrowing for the bonds to which the credit enhancement or liquidity agreement pertains, the state may incur fees, costs, and other similar expenses under or in connection with any credit enhancement or liquidity agreement entered into by the state pursuant to this chapter.

(2) The amount appropriated pursuant to subdivision (a) for fees, costs, and other similar expenses incurred in connection with any credit enhancement or liquidity agreement, when expressed as a percentage of the original principal amount of the bonds to which the credit enhancement or liquidity agreement pertains, may not exceed 3 percent.

(3) The amount appropriated pursuant to subdivision (a) for interest incurred in connection with any credit enhancement or liquidity agreement, when expressed as a percentage of the outstanding principal amount of the bonds to which the credit enhancement or liquidity agreement pertains, may not exceed the interest rate percentage set forth in subdivision (d) of Section 16731.

~~(c) This section shall become inoperative on June 30, 2013, and, as of January 1, 2014, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2014, deletes or extends the dates on which it becomes inoperative and is repealed.~~

~~5924. (a) (1) Notwithstanding Section 13340, there is hereby continuously appropriated without regard to fiscal years, from the General Fund in the State Treasury for the purpose of this chapter, an amount that will equal the sum annually as will be necessary to pay all obligations, including principal, interest, fees, costs, indemnities, and all other amounts incurred by the state under or in connection with any credit enhancement or liquidity agreement, as specified in paragraph (2), that is entered into by the state pursuant to this chapter for bonds payable pursuant to an appropriation from the General Fund.~~

~~(2) A credit enhancement or liquidity agreement subject to this section includes a credit enhancement or liquidity agreement that is in the form of a letter of credit, standby purchase agreement,~~

~~reimbursement agreement, liquidity facility, or other similar arrangement.~~

~~(b) (1) If the agent for sale determines that the credit enhancement or liquidity agreement is expected to result in a lower cost of the borrowing for the bonds to which the credit enhancement or liquidity agreement pertains, the state may incur fees, costs, and other similar expenses under or in connection with any credit enhancement or liquidity agreement entered into by the state pursuant to this chapter.~~

~~(2) The amount appropriated pursuant to subdivision (a) for fees, costs, and other similar expenses incurred in connection with any credit enhancement or liquidity agreement, when expressed as a percentage of the original principal amount of the bonds to which the credit enhancement or liquidity agreement pertains, may not exceed the percentage set forth in paragraph (1) of subdivision (g) of Section 147 of Title 26 of the United States Code enacted as of January 1, 2003.~~

~~(3) The amount appropriated pursuant to subdivision (a) for interest incurred in connection with any credit enhancement or liquidity agreement, when expressed as a percentage of the outstanding principal amount of the bonds to which the credit enhancement or liquidity agreement pertains, may not exceed the interest rate percentage set forth in subdivision (d) of Section 16731.~~

~~(e) This section shall become operative June 30, 2013.~~

5924. ~~(a) (1) Notwithstanding Section 13340, there is hereby continuously appropriated without regard to fiscal years, from the General Fund in the State Treasury for the purpose of this chapter, an amount that will equal the sum annually as will be necessary to pay all obligations, including principal, interest, fees, costs, indemnities, and all other amounts incurred by the state under or in connection with any credit enhancement or liquidity agreement, as specified in paragraph (2), that is entered into by the state pursuant to this chapter for bonds payable pursuant to an appropriation from the General Fund.~~

~~(2) A credit enhancement or liquidity agreement subject to this section includes a credit enhancement or liquidity agreement that is in the form of a letter of credit, standby purchase agreement, reimbursement agreement, liquidity facility, or other similar arrangement.~~

~~(b) (1) If the agent for sale determines that the credit enhancement or liquidity agreement is expected to result in a lower cost of the borrowing for the bonds to which the credit enhancement or liquidity agreement pertains, the state may incur fees, costs, and other similar expenses under or in connection with any credit enhancement or liquidity agreement entered into by the state pursuant to this chapter.~~

~~(2) The amount appropriated pursuant to subdivision (a) for fees, costs, and other similar expenses incurred in connection with any credit enhancement or liquidity agreement, when expressed as a percentage of the original principal amount of the bonds to which the credit enhancement or liquidity agreement pertains, may not exceed the percentage set forth in paragraph (1) of subdivision (g) of Section 147 of Title 26 of the United States Code enacted as of January 1, 2003.~~

~~(3) The amount appropriated pursuant to subdivision (a) for interest incurred in connection with any credit enhancement or~~

MAR 30 2012

~~liquidity agreement, when expressed as a percentage of the outstanding principal amount of the bonds to which the credit enhancement or liquidity agreement pertains, may not exceed the interest rate percentage set forth in subdivision (d) of Section 16731.~~

~~(e) This section shall become operative June 30, 2013.~~



MAR 30 2012

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 Item 0971-001-0528, Support, California Alternative Energy and Advanced Transportation Financing Authority**

It is requested that Item 0971-001-0528 be amended to add Budget Bill language to extend the loan repayment of \$1,011,000 from the Renewable Resource Trust Fund by eighteen months to no later than December 31, 2014, and allow California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) to use fee revenues received for program costs, prior to repayment.

Provision 1 of Item 0971-011-0382, Budget Act of 2010 (Chapter 712, Statutes of 2010) requires CAEATFA to fully repay a loan of \$2,409,000 no later than June 30, 2013, and to use all fee revenues, beginning July 1, 2011, towards the loan repayment. This request is necessary as the receipt of fee revenues associated with the sales and use tax exclusion for "green" technology companies, authorized by Chapter 10, Statutes of 2010 (SB 71) has been delayed due to slower than projected equipment purchases by applicants. Revised projections indicate a potential cash flow concern in 2013, which could impact the ability to cover staffing and administrative costs. The current language is restrictive regarding the use of fee revenue. The following Budget Bill language is proposed to be added to the Budget Bill for fiscal year 2012-13:

Item 0971-001-0528:

Provisions:

2. Notwithstanding any other provision of law, of the \$2,409,000 loan made over two fiscal years to the California Alternative Energy Authority Fund from the Renewable Resource Trust Fund pursuant to Item 0971-011-0382, Budget Act of 2010 (Provision 1) (Ch. 712, Stats. 2010), \$1,011,000 shall be repaid, including applicable interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer to the California Alternative Energy Authority Fund, not later than December 31, 2014. After a loan repayment of \$1,398,000, including applicable interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer to the California Alternative Energy Authority Fund, is made to the Renewable Resource Trust Fund, due no later than June 30, 2013, fee revenues received pursuant to the program established by Chapter 10 of the Statutes of 2010 may be used to support the program so long as it does not interfere with the loan repayment by December 31, 2014.

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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 Oscar F. Chaves, Principal Program Budget Analyst, at (916) 445-5332.

ANA J. MATOSANTOS  
Director  
By:

/s/ Michael Cohen

MICHAEL COHEN  
Chief Deputy Director

Attachment

cc: Honorable Christine Kehoe, Chair, Senate Appropriations Committee  
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Ms. Christine Solich, Executive Director, California Alternative Energy and Advanced  
Transportation Financing Authority  
Mr. Hugo Lopez, Director, Administrative Division, State Treasurer's Office  
Ms. Becky Grajski, Budget Officer, State Treasurer's Office