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## *California State Senate*

COMMITTEE  
ON  
BUDGET AND FISCAL REVIEW

ROOM 5019, STATE CAPITOL  
SACRAMENTO, CA 95814

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## Agenda

**February 26, 2014**

**11 a.m. - Room 4203**

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### BILL

### AUTHOR

### SUBJECT

**A.B. 79**

**Committee on Budget**

**Budget Act of 2013**

**A.B. 80**

**Committee on Budget**

**Drought Trailer Bill**

**SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW**  
*Mark Leno, Chair*

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<b>Bill No:</b>	<b>AB 79</b>
<b>Author:</b>	<b>Committee on Budget</b>
<b>As Amended:</b>	<b>February 24, 2014</b>
<b>Consultant:</b>	<b>Catherine Freeman</b>
<b>Fiscal:</b>	<b>Yes</b>
<b>Hearing Date:</b>	<b>February 26, 2014</b>

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**Subject:** Budget Act of 2013

**Summary:** This supplemental appropriations bill appropriates funding for immediate drought relief, water efficiency, emergency drinking water provision, groundwater protection, and flood management.

**Background:** As it amends the 2013-14 budget package, AB 79 makes various appropriations related to drought.

**Proposed Law:**

- 1) *Water Efficiency:* Provides \$30 million from cap and trade auction revenues to the Department of Water Resources for reduction of greenhouse gas emissions and also for local water use efficiency programs. Of this amount, \$20 million is directly for local assistance and \$10 million is to be used for state water efficiency projects. Provides \$10 million from cap and trade auction revenues to the California Department of Food and Agriculture for agricultural water efficiency projects that reduce greenhouse gas emissions. Funding for greenhouse gas emission reduction programs will be subject to legislative notification prior to expenditure.
- 2) *Food Assistance:* Allows \$25.3 million from the General Fund to be allocated by the Department of Social Services for food assistance for those impacted by drought.
- 3) *Water Quality:* Provides \$7 million from the Water Pollution Control Revolving Fund for small and severely disadvantaged communities impacted by drought for low and no-cost loans to improve water quality compliance. Provides \$4 million from the Cleanup and Abatement Account for similar purposes.
- 4) *Groundwater Monitoring:* Provides \$1.2 million (Waste Discharge Permit Fund) to the State Water Resources Control Board for the Groundwater Ambient Monitoring and Assessment Program for monitoring and measurement of groundwater statewide.
- 5) *Drinking Water Assistance:* Provides \$15 million (General Fund) to the Department of Public Health for emergency drinking water assistance for drought-impacted areas, including those with impacted groundwater quality. These funds are to be used after all eligible federal funds are utilized.
- 6) *Conservation Corps:* Provides \$13 million (General Fund) to the California Conservation Corps to conduct water efficiency and drought-response projects and education, and for local assistance grants to certified community conservation corps.

- 7) *Fish and Wildlife*: Provides \$2.3 million (General Fund) to the Department of Fish and Wildlife for urgent fish and stream conservation activities necessitated by drought.
- 8) *Employment Training*: Provides \$2 million (General Fund) to the Employment Development Department to provide flexible training services to workers and employers in localities designated by the Governor for drought or other disaster relief.
- 9) *Disaster Assistance*: Provides \$1.8 million (General Fund) to the Office of Emergency Services for local coordination of drought-related disaster assistance.
- 10) *Groundwater Monitoring and Protection*: Provides \$1 million (General Fund) to the Department of Water Resources for groundwater monitoring and reporting. Provides \$800,000 (General Fund) to the State Water Resources Control Board for activities that protect groundwater resources in critical basins.
- 11) *Public Education*: Provides \$1 million (General Fund) to the Department of Water Resources for immediate public education about water through the Save Our Water Campaign.
- 12) *Flood*: Provides \$77 million (Proposition 1E Bond Funds) to the Department of Water Resources for state and local programs that provide multi-benefit flood protection, water supply and water reliability.

**Fiscal Effect:** Appropriates \$193.9 million for state and local programs designed to reduce the impact of drought.

**Support:** Unknown

**Opposed:** Unknown

**SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW**  
*Mark Leno, Chair*

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<b>Bill No:</b>	<b>AB 80</b>
<b>Author:</b>	<b>Committee on Budget</b>
<b>As Amended:</b>	<b>February 24, 2014</b>
<b>Consultant:</b>	<b>Catherine Freeman</b>
<b>Fiscal:</b>	<b>Yes</b>
<b>Hearing Date:</b>	<b>February 26, 2014</b>

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**Subject:** Provides statutory changes necessary to implement the budget act.

**Summary:** This bill makes various changes to provide immediate drought relief, water efficiency, housing assistance and water supply protection related to the drought.

**Background:** As part of the 2013-14 budget package, AB 80 makes various statutory changes to implement the budget act.

**Proposed Law:** This bill includes the following key changes:

1. *Integrated Regional Water Management:* Provides \$472.5 million for integrated regional water management grants (mainly local assistance). Accelerates the allocation of funds and required co-benefits for water supply, water efficiency, and/or drought.
2. *Housing Assistance:* Allows \$10 million from the existing Housing Rehabilitation Loan Fund appropriation to be made available for rental assistance related to the drought. Authorizes the Department of Housing and Community Development to make the Office of Migrant Services available for persons or families experiencing hardships as a result of the drought.
3. *Penalties for Illegal Diversions:* Revises the definition of a critically dry (drought) year and applies this definition to increased penalties for illegal diversions from \$500 to \$1,000 per day and \$2,500 per acre foot of water. Non-drought year provisions remain the same. Increases the penalty for violating a cease and desist order for water diversion from \$1,000 to \$10,000 per day in drought years. Penalties and civil liability may be imposed by court or State Water Resources Control Board order.
4. *Water Recycling:* Amends the emergency regulations for water recycling to include critically dry and drought years as eligible criteria.

**Fiscal Effect:** This bill appropriates \$472.5 million (bond funds) for integrated regional water management, and provides statutory guidance necessary to implement the 2013-14 budget.

**Support:** Unknown

**Opposed:** Unknown

**Comments:** This bill provides the necessary statutory references to enact the 2013-14 budget related to drought.

AMENDED IN SENATE FEBRUARY 24, 2014

AMENDED IN SENATE JUNE 12, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 79**

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**Introduced by Committee on Budget (~~Blumenfield~~ *Skinner* (Chair),  
*Bloom*, ~~*Bonilla*~~, *Campos*, *Chesbro*, *Dababneh*, *Daly*, *Dickinson*,  
*Gordon*, *Jones-Sawyer*, *Mitchell*, *Mullin*, *Muratsuchi*, *Nazarian*,  
*Skinner*, *Rodriguez*, *Stone*, and *Ting*, and *Weber*)**

January 10, 2013

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~~An act to amend Sections 12838, 12838.1, and 15820.922 of the Government Code, and to amend Sections 6025, 6025.1, 6126, 6126.2, 6126.3, 6126.6, 6129, and 6133 of, and to repeal Section 6131 of, the Penal Code, relating to corrections and making an appropriation therefor, to take effect immediately, bill related to the budget. An act to amend the Budget Act of 2013 (Chapters 20 and 354 of the Statutes of 2013) by amending Items 0690-001-0001, 2240-101-0001, 2240-101-0890, 3340-001-0001, 3600-001-0001, 3600-001-0200, 3860-001-0001, 3860-001-6052, 3860-003-0001, 3860-101-6052, 3860-301-6052, 3940-001-0001, 3940-001-0193, 3940-001-0439, 3940-101-3147, 4265-111-0001, 5180-101-0001, 5180-141-0001, 5180-141-0890, 7100-001-0001, 7100-001-0870, and 8570-001-0001 of, and by adding Items 3860-001-3228, 3860-101-3228, 3860-301-3228, 3860-401, 3940-002-0679, and 8570-001-3228 to, Section 2.00 of, and by amending Section 39.00 of, that act, relating to the State Budget, and making an appropriation therefor, to take effect immediately, budget bill.~~

## LEGISLATIVE COUNSEL'S DIGEST

AB 79, as amended, Committee on Budget. ~~Corrections-Budget Act of 2013.~~

*The Budget Act of 2013 made appropriations for the support of state government for the 2013-14 fiscal year.*

*This bill would amend the Budget Act of 2013 by revising items of appropriation and making other changes for the purpose of addressing drought conditions in the state.*

*This bill would become operative only if AB 80 or SB 104 of the 2013-14 Regular Session is enacted and becomes operative.*

*This bill would declare that it is to take effect immediately as a Budget Bill.*

~~Existing law establishes the Department of Corrections and Rehabilitation to oversee the state prison system. Within the department, existing law establishes 2 undersecretaries, one for administration and offender services and one for operations.~~

~~This bill would also establish within the department an Undersecretary for Health Care Services. The bill would establish, under that undersecretary, the Division of Health Care Operations and the Division of Health Care Policy and Administration to be headed by a director, who shall be appointed by the Governor.~~

~~Existing law establishes the Board of State and Community Corrections to collect and maintain available information and data about state and community correctional policies, practices, capacities, and needs, among other duties. Existing law prohibits those members of the board from receiving compensation, but allows them to be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties.~~

~~Existing law prohibits Members of the Legislature and state, county, district, judicial district, and city officers or employees from having a financial interest in any contract made by them in their official capacity, or by any body or board of which they are members. Existing law provides that every officer or person who is prohibited by the laws of this state from making or having an interest in contracts who willfully violates any of the provisions of those laws may be punished by a fine of not more than \$1,000, or by imprisonment in the state prison, and is forever disqualified from holding any office in this state.~~

~~This bill would, commencing July 1, 2013, add to the Board of State and Community Corrections a chairperson to be appointed by the~~

~~Governor, subject to Senate confirmation. The bill would require that the chairperson serve full time. The bill would also exclude the chairperson from the provision prohibiting members of the board from receiving compensation and would require the Department of Human Resources to fix the compensation for the chairperson.~~

~~This bill would provide that members of a committee created by the Board of State and Community Corrections, including a member of the board in his or her capacity as a member of a committee created by the board, are deemed to have no financial interest in any contract made by the board based upon the receipt of compensation for holding public office or public employment, for purposes of the provisions prohibiting public officers from having a financial interest in any contract made by them in their official capacity, or by any body or board of which they are members.~~

~~Existing law creates the Office of the Inspector General, that is responsible for contemporaneous oversight of internal affairs investigations and the disciplinary process of the Department of Corrections and Rehabilitation. Existing law requires the Inspector General, when requested by the Governor, the Senate Committee on Rules, or the Speaker of the Assembly, to review policies, practices, and procedures of the department. Upon completion of the review, the Inspector General is required to prepare a public written report, as described, to be posted on its Internet Web site and a complete written report to be disclosed in confidence, along with all underlying materials the Inspector General deems appropriate, to the Governor, the Secretary of the Department of Corrections and Rehabilitation, and the appropriate law enforcement agency. Existing law prohibits the Inspector General from hiring any person known to be directly or indirectly involved in an open internal affairs investigation being conducted by any federal, state, or local law enforcement agency, or the Office of the Inspector General.~~

~~This bill would remove the Secretary as a party who would receive a copy of the complete written report, and would instead require the Inspector General to provide the report to the authorized entity that requested the report and the appropriate law enforcement agency. The bill would delete the prohibition on hiring a person who is directly or indirectly involved in an open internal affairs investigation by the Office of the Inspector General, and would instead prohibit hiring someone who is directly or indirectly involved in an open internal affairs investigation by any federal, state, or local agency.~~

Existing law creates, within the Office of the Inspector General, a Bureau of Independent Review (BIR) subject to the direction of the Inspector General. The BIR is responsible for contemporaneous oversight of the department investigations conducted by its Office of Internal Affairs.

This bill would eliminate the BIR, make the Office of the Inspector General directly responsible for the BIR’s duties and responsibilities, and require the Office of the Inspector General to have staff physically collocated with the department’s Office of Internal Affairs.

The bill would delete obsolete provisions, and make conforming changes:

The bill would appropriate \$750,000 from the 1990 Prison Construction Fund to the Department of Corrections and Rehabilitation for statewide budget packages and advanced planning in its capital outlay program during the 2013–14 fiscal year, as specified. The bill would require that the funds be available for encumbrance until June 30, 2014, and be allocated by the Department of Corrections and Rehabilitation, upon approval by the Department of Finance.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Item 0690-001-0001 of Section 2.00 of the Budget  
2 Act of 2013 is amended to read:

3		
4	0690-001-0001—For support of the Office of Emergency Ser-	
5	vices.....	35,029,000
6		36,829,000
7	Schedule:	
8	(1) 20-Emergency Management Services....	50,079,000
9	(2) 40-Special Programs and Grant Manage-	
10	ment.....	67,591,000
11		69,391,000
12	(3) 65.01-Administration and Executive	
13	Program.....	15,229,000
14	(4) 65.02-Distributed Administration and	
15	Executive.....	-15,229,000



1	(4.5) 70-Public Safety Communications.....	74,100,000
2	(5) Reimbursements.....	-4,275,000
3	(6) Amount payable from the State Emergen-	
4	cy Telephone Number Account (Item	
5	0690-001-0022).....	-2,453,000
6	(7) Amount payable from the Unified Pro-	
7	gram Account (Item 0690-001-0028)....	-800,000
8	(8) Amount payable from the Nuclear	
9	Planning Assessment Special Account	
10	(Item 0690-001-0029).....	-1,174,000
11	(9) Amount payable from the Restitution	
12	Fund (Item 0690-001-0214).....	-19,000
13	(10) Amount payable from the Federal	
14	Trust Fund (Item 0690-001-0890).....	-71,565,000
15	(11) Amount payable from the Local Public	
16	Prosecutors and Public Defenders	
17	Training Fund (Item 0690-002-0241)....	-83,000
18	(12) Amount payable from the Victim-Wit-	
19	ness Assistance Fund (Item 0690-002-	
20	0425).....	-1,352,000
21	(13) Amount payable from the Equality in	
22	Prevention and Services for Domestic	
23	Abuse Fund (Item 0690-001-3112).....	-5,000
24	(14) Amount payable from the Transit Sys-	
25	tem Safety, Security, and Disaster Re-	
26	sponse Account, Highway Safety,	
27	Traffic Reduction, Air Quality, and Port	
28	Security Fund of 2006 (Item 0690-001-	
29	6061).....	-2,650,000
30	(15) Amount payable from the Antiterrorism	
31	Fund (Item 0690-010-3034).....	-718,000
32	(16) Amount payable from the Technology	
33	Services Revolving Fund (Item 0690-	
34	001-9730).....	-71,647,000

Provisions:

1. Funds appropriated in this item may be reduced by the Director of Finance, after giving notice to the Chairperson of the Joint Legislative Budget Committee, by the amount of federal funds made available for the

1 purposes of this item in excess of the federal funds  
2 scheduled in Item 0690-001-0890.

3 2. Upon approval by the Department of Finance, the  
4 Controller shall transfer such funds as are necessary  
5 between this item and Item 0690-101-0890.

6 3. *Of the funds appropriated in this item, \$1,800,000*  
7 *shall be available for encumbrance until June 30,*  
8 *2015, for the state operations center for providing*  
9 *assistance to local jurisdictions and local assistance*  
10 *centers that provide local communities with technical*  
11 *guidance and disaster recovery support.*

12  
13 *SEC. 2. Item 2240-101-0001 of Section 2.00 of the Budget Act*  
14 *of 2013 is amended to read:*

16	2240-101-0001—For local assistance, Department of Housing	
17	and Community Development.....	5,629,000
18	Schedule:	
19	(1) 20-Financial Assistance Program.....	<del>127,625,000</del>
20		138,625,000
21	(2) Amount payable from the Federal	
22	Trust Fund (Item 2240-101-0890).....	<del>-121,996,000</del>
23		-132,996,000

24  
25 *SEC. 3. Item 2240-101-0890 of Section 2.00 of the Budget Act*  
26 *of 2013 is amended to read:*

28	2240-101-0890—For local assistance, Department of Housing	
29	and Community Development, for payment to Item 2240-	
30	101-0001, payable from the Federal Trust Fund.....	<del>121,996,000</del>
31		132,996,000

32 Provisions:

33 1. Notwithstanding any other provision of law, federal  
34 funds appropriated by this item but not encumbered  
35 or expended by June 30, 2014, may be expended in  
36 the subsequent fiscal year.

37  
38 *SEC. 4. Item 3340-001-0001 of Section 2.00 of the Budget Act*  
39 *of 2013 is amended to read:*

1	3340-001-0001—For support of California Conservation		
2	Corps.....		31,091,000
3			44,091,000
4	Schedule:		
5	(1) 10-Training and Work Program.....	67,133,000	
6		80,133,000	
7	(2) 20.01-Administration.....	7,787,000	
8	(3) 20.02-Distributed Administration.....	-7,787,000	
9	(5) Amount payable from the California		
10	Environmental License Plate Fund (Item		
11	3340-001-0140).....	-321,000	
12	(6) Amount payable from the Collins-		
13	Dugan California Conservation Corps		
14	Reimbursement Account (Item 3340-		
15	001-0318).....	-29,202,000	
16	(7) Amount payable from the State Respon-		
17	sibility Area Fire Prevention Fund (Item		
18	3340-001-3063).....	-1,514,000	
19	(7.5) Amount payable from the California		
20	Clean Water, Clean Air, Safe Neighbor-		
21	hood Parks, and Coastal Protection		
22	Fund (Item 3340-001-6029).....	-5,000,000	
23	(8) Amount payable from the Safe Drinking		
24	Water, Water Quality and Supply, Flood		
25	Control, River and Coastal Protection		
26	Fund of 2006 (Item 3340-001-6051).....	-5,000	
27	Provisions:		
28	1. Of the funds appropriated in this item, \$2,725,000		
29	shall be available for use by the California Conserva-		
30	tion Corps to respond to natural disasters and other		
31	emergencies, including the fighting of forest fires.		
32	2. To the extent that funds in excess of the amount iden-		
33	tified in Provision 1 are necessary in order for the		
34	California Conservation Corps to respond to one or		
35	more emergencies declared by the Governor, the De-		
36	partment of Finance shall transfer, from the funds		
37	available pursuant to Section 8690.6 of the Govern-		
38	ment Code, an amount not to exceed \$1,500,000 as		
39	necessary to fund that response. If, after the Depart-		
40	ment of Finance has transferred funds pursuant to this		

1 provision, the California Conservation Corps receives  
 2 reimbursements or other amounts in payment of its  
 3 costs of response to one or more declared emergencies,  
 4 those amounts shall be deposited in the General Fund.

5 3. (a) *Of the funds appropriated in this item,*  
 6 *\$13,000,000 shall be available to the California*  
 7 *Conservation Corps for encumbrance until June*  
 8 *30, 2016, and shall be expended for water conser-*  
 9 *vation and drought response projects, water effi-*  
 10 *ciency education and outreach activities, and lo-*  
 11 *cal assistance grants to certified community con-*  
 12 *servation corps, as identified in Section 14507.5*  
 13 *of the Public Resources Code. To the extent feasi-*  
 14 *ble, the California Conservation Corps and the*  
 15 *local conservation corps shall employ veterans*  
 16 *and unemployed young adults in the corps mem-*  
 17 *ber teams deployed to construct and implement*  
 18 *these projects*

19 (b) *For purposes of this provision, water conservation*  
 20 *and drought response projects include all of the*  
 21 *following:*

22 (1) *\$5,000,000 for program support to complete*  
 23 *water-efficient landscaping, water-efficient*  
 24 *irrigation, and replacement of plumbing fix-*  
 25 *tures for schools, public agencies, and com-*  
 26 *mmercial properties; replacement and installa-*  
 27 *tion of water-efficient plumbing fixtures, in-*  
 28 *cluding low-flow toilets, water efficiency ed-*  
 29 *ucation, and outreach activities in disadvan-*  
 30 *tagged communities; and energy projects that*  
 31 *contribute to energy and water conservation.*

32 (2) *\$5,000,000 for program support to complete*  
 33 *projects to protect public safety and natural*  
 34 *resources, including regional and community*  
 35 *fuel load reduction activities on public lands*  
 36 *to avoid catastrophic fire.*

37 (3) *\$3,000,000 for grants to certified community*  
 38 *conservation corps for the water conservation*  
 39 *and fuel reduction activities described in this*

provision in communities served by community conservation corps.

SEC. 5. Item 3600-001-0001 of Section 2.00 of the Budget Act of 2013 is amended to read:

3600-001-0001—For support of Department of Fish and Wildlife, for payment to Item 3600-001-0200, payable from the General Fund.....	62,089,000
	64,389,000

SEC. 6. Item 3600-001-0200 of Section 2.00 of the Budget Act of 2013 is amended to read:

3600-001-0200—For support of Department of Fish and Wildlife.....	109,729,000
Schedule:	
(1) 20-Biodiversity Conservation Program.....	130,795,000
	132,645,000
(2) 25-Hunting, Fishing, and Public Use....	74,705,000
(3) 30-Management of Department Lands and Facilities.....	54,853,000
(4) 40-Enforcement.....	71,172,000
	71,622,000
(4.5) 45-Communication, Education, and Outreach.....	3,637,000
(5) 50-Spill Prevention and Response.....	35,194,000
(5.5) 61-Fish and Game Commission.....	1,433,000
(6) 70.01-Administration.....	45,369,000
(7) 70.02-Distributed Administration.....	-45,369,000
(8) Reimbursements.....	-30,100,000
(8.5) Amount payable from the General Fund (Item 3600-001-0001).....	-62,089,000
	-64,389,000
(9) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection (Villaraigosa-Keeley Act) Bond Fund (Item 3600-001-0005).....	-500,000

1	(10) Amount payable from the California	
2	Environmental License Plate Fund	
3	(Item 3600-001-0140).....	-14,989,000
4	(12) Amount payable from the Fish and	
5	Wildlife Pollution Account (Item 3600-	
6	001-0207).....	-1,120,000
7	(13) Amount payable from the California	
8	Waterfowl Habitat Preservation Ac-	
9	count, Fish and Game Preservation	
10	Fund (Item 3600-001-0211).....	-244,000
11	(14) Amount payable from the Marine Inva-	
12	sive Species Control Fund (Item 3600-	
13	001-0212).....	-1,363,000
14	(15) Amount payable from the Public Re-	
15	sources Account, Cigarette and Tobacco	
16	Products Surtax Fund (Item 3600-001-	
17	0235).....	-2,102,000
18	(16) Amount payable from the Oil Spill	
19	Prevention and Administration Fund	
20	(Item 3600-001-0320).....	-28,190,000
21	(17) Amount payable from the Environmen-	
22	tal Enhancement Fund (Item 3600-001-	
23	0322).....	-357,000
24	(18.5) Amount payable from the Harbors	
25	and Watercraft Revolving Fund (Item	
26	3600-001-0516).....	-2,427,000
27	(19) Amount payable from the Federal	
28	Trust Fund (Item 3600-001-0890).....	-42,000,000
29	(20) Amount payable from the Special De-	
30	posit Fund (Item 3600-001-0942).....	-1,648,000
31	(21) Amount payable from the Hatchery	
32	and Inland Fisheries Fund (Item 3600-	
33	001-3103).....	-21,480,000
34	(21.5) Amount payable from the Timber	
35	Regulation and Forest Restoration	
36	Fund (Item 3600-001-3212).....	-5,348,000
37	(22) Amount payable from the Interim Water	
38	Supply and Water Quality Infrastructure	
39	and Management Subaccount (Item	
40	3600-001-6027).....	-545,000

1	(23) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3600-001-6031).....	-7,216,000
2		
3		
4		
5	(26) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3600-001-6051).....	-27,412,000
6		
7		
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9		
10	(27) Amount payable from the Salton Sea Restoration Fund (Item 3600-001-8018).....	-12,795,000
11		
12		
13	(28) Amount payable from the California Sea Otter Fund (Item 3600-001-8047).....	-135,000
14		
15		

Provisions:

- 17 1. The funds appropriated in this item may be increased with the approval of, and under the conditions set by, the Director of Finance to meet current obligations proposed to be funded in Schedules (8) and (19). The funds appropriated in this item shall not be increased until the Department of Fish and Wildlife has a valid contract, signed by the client agency, that provides sufficient funds to finance the increased authorization. This increased authorization may not be used to expand services or create new obligations. Reimbursements received under Schedules (8) and (19) shall be used in repayment of any funds used to meet current obligations pursuant to this provision.
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- 30 2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall continue only so long as the Bureau of Reclamation within the United States Department of the Interior continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in *Natural Resources Defense Council v. Rodgers* (2005) 381 F.Supp.2d 1212.
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- 37
- 38 3. *Of the funds appropriated in this item, \$2,300,000 shall be available to the Department of Fish and Wildlife for addressing urgent fish, stream, and con-*
- 39
- 40

1 *ervation activities related to the extreme drought*  
2 *conditions.*

3  
4 *SEC. 7. Item 3860-001-0001 of Section 2.00 of the Budget Act*  
5 *of 2013 is amended to read:*

6  
7 3860-001-0001—For support of Department of Water Re-  
8 sources..... 50,353,000  
9 51,353,000

10 Schedule:

- 11 (1) 10-Continuing Formulation of the Cali-
- 12 fornia Water Plan..... 58,817,000
- 13 60,817,000
- 14 (2) 20-Implementation of the State Water
- 15 Resources Development System..... 4,073,000
- 16 (3) 30-Public Safety and Prevention of
- 17 Damage..... 241,710,000
- 18 242,210,000
- 19 (4) 35-Central Valley Flood Protection
- 20 Board..... 13,732,000
- 21 (5) 40-Services..... 7,454,000
- 22 (6) 45-California Energy Resources
- 23 Scheduling (CERS)..... 24,175,000
- 24 (7) 50.01-Management and Administra-
- 25 tion..... 86,980,000
- 26 (8) 50.02-Distributed Management and
- 27 Administration..... -86,980,000
- 28 (9) Reimbursements..... -41,069,000
- 29 (10) Amount payable from the California
- 30 Environmental License Plate Fund
- 31 (Item 3860-001-0140)..... -533,000
- 32 (11) Amount payable from the Feasibility
- 33 Projects Subaccount (Item 3860-001-
- 34 0445)..... -86,000
- 35 (12) Amount payable from the Energy Re-
- 36 sources Programs Account (Item 3860-
- 37 001-0465)..... -2,589,000



1	(13) Amount payable from the Sacramento	
2	Valley Water Management and Habitat	
3	Protection Subaccount (Item 3860-001-	
4	0544).....	-26,000
5	(14) Amount payable from the California	
6	Safe Drinking Water Fund of 1988	
7	(Item 3860-001-0793).....	-232,000
8	(15) Amount payable from the Federal	
9	Trust Fund (Item 3860-001-0890).....	-11,293,000
10	(16) Amount payable from the Dam Safety	
11	Fund (Item 3860-001-3057).....	-11,639,000
12	(17) Amount payable from the Department	
13	of Water Resources Electric Power	
14	Fund (Item 3860-001-3100).....	-24,175,000
15	(18) Amount payable from the Cost of Imple-	
16	mentation Account, Air Pollution Con-	
17	trol Fund (Item 3860-001-3237).....	-324,000
18	(19) Amount payable from the Safe Drinking	
19	Water, Clean Water, Watershed Protec-	
20	tion, and Flood Protection Bond Fund	
21	(Item 3860-001-6001).....	-1,027,000
22	(20) Amount payable from the Flood Protec-	
23	tion Corridor Subaccount (Item 3860-	
24	001-6005).....	-100,000
25	(21) Amount payable from the Urban Stream	
26	Restoration Subaccount (Item 3860-	
27	001-6007).....	-45,000
28	(22) Amount payable from the Yuba Feather	
29	Flood Protection Subaccount (Item	
30	3860-001-6010).....	-407,000
31	(23) Amount payable from the Water Con-	
32	servation Account (Item 3860-001-	
33	6023).....	-198,000
34	(24) Amount payable from the Conjunctive	
35	Use Subaccount (Item 3860-001-	
36	6025).....	-50,000
37	(25) Amount payable from the Bay-Delta	
38	Multipurpose Water Management Sub-	
39	account (Item 3860-001-6026).....	-550,000

1	(26) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3860-001-6031).....	-5,835,000
2		
3		
4		
5	(27) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3860-001-6051).....	-15,047,000
6		
7		
8		
9		
10	(28) Amount payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006 (Item 3860-001-6052).....	-184,383,000
11		
12		
13		-184,883,000
14		
15	(29) Amount payable from the Greenhouse Gas Reduction Fund (Item 3860-001-3228).....	-1,000,000
16		
17		
18	Provisions:	
19	1. The amounts appropriated in Items 3860-001-0001 to 3860-001-6052, inclusive, shall be transferred to the Water Resources Revolving Fund (0691) for direct expenditure in such amounts as the Department of Finance may authorize, including cooperative work with other agencies.	
20		
21		
22		
23		
24		
25	2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code may be expended only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in <i>Natural Resources Defense Council v. Rodgers</i> (E.D. Cal. 2005) 381 F.Supp.2d 1212.	
26		
27		
28		
29		
30		
31		
32		
33	3. <i>Of the funds appropriated in Schedule (28), \$33,000,000 shall be available for encumbrance until June 30, 2016, and shall be expended for flood management projects consistent with the Central Valley Flood Protection Plan, adopted pursuant to Section 9612 of the Water Code, that, in addition to flood management benefits, provide other public benefits,</i>	
34		
35		
36		
37		
38		
39		

including water supply, transient water storage, water quality improvements, and ecosystem benefits.

- 4. Of the funds appropriated in this item, \$1,000,000 shall be expended to improve groundwater monitoring and reporting efforts, including, but not limited to, a new well completion report system.

SEC. 8. Item 3860-001-3228 is added to Section 2.00 of the Budget Act of 2013, to read:

3860-001-3228—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Greenhouse Gas Reduction Fund ..... 1,000,000

Provisions:

- 1. The amount appropriated in this item shall be available for encumbrance or expenditure until June 30, 2016, and available for liquidation until June 30, 2018.
- 2. The funds appropriated in this item shall be expended to administer a grant program for local agencies, joint powers authorities, or nonprofit organizations to implement residential, commercial, or institutional water efficiency programs or projects that reduce greenhouse gas emissions, and also reduce water and energy use.

SEC. 9. Item 3860-001-6052 of Section 2.00 of the Budget Act of 2013 is amended to read:

3860-001-6052—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006..... ~~184,383,000~~  
184,883,000

SEC. 10. Item 3860-003-0001 of Section 2.00 of the Budget Act of 2013 is amended to read:

3860-003-0001—For support of Department of Water Resources..... 1,000,000

- 1 Provisions:  
2 1. The Department of Water Resources shall notify the  
3 Joint Legislative Budget Committee within 30 days  
4 of expending funds from this item for flood emergency  
5 response.  
6 2. The Department of Water Resources is authorized to  
7 use funds from this item only for emergency response  
8 if they are spent on activities to respond to a flood  
9 emergency event pursuant to the criteria identified in  
10 the Water Resources Engineering Memorandum Pro-  
11 cess. These criteria will specify conditions where an  
12 imminent threat of system failure has been identified  
13 based on (a) forecasts of riverflows to exceed flood  
14 stage or overtop levees or banks, (b) water flowing  
15 through a levee carrying sediment, or (c) the determi-  
16 nation by a geotechnical engineer or flood-fight spe-  
17 cialist that there is a need for immediate levee or flood  
18 control structure repair or stabilization to prevent  
19 failure. The department shall notify the Chairperson  
20 of the Joint Legislative Budget Committee of the flood  
21 emergency criteria developed by the department and  
22 provide a copy of the final Water Resources Engineer-  
23 ing Memorandum to the chairperson of the joint  
24 committee 30 days prior to adoption.  
25 3. The Department of Water Resources may access funds  
26 from this item only for a period of seven days for each  
27 event following the identification of a flood emergency  
28 event.  
29 4. If additional funds are needed beyond the amount ap-  
30 propriated in this item, the Department of Finance is  
31 authorized to transfer funds from Item 9840-001-0001  
32 to this item, pursuant to Provision 5 of Item 9840-001-  
33 0001.  
34 5. The Department of Water Resources may transfer  
35 funds from this item back to the original source, either  
36 Item 3860-001-0001 or 9840-001-0001, if the depart-  
37 ment has determined that the funds are not ultimately  
38 needed for emergency response activities.  
39 6. *Notwithstanding any other provision of this item,*  
40 *\$1,000,000 of the funds appropriated in this item shall*

1 be available to augment the Save Our Water Cam-  
2 paign. The Save Our Water Campaign shall expand  
3 its education and outreach activities, including coor-  
4 dinating local actions to assist all Californians.

5  
6 **SEC. 11.** *Item 3860-101-3228 is added to Section 2.00 of the*  
7 *Budget Act of 2013, to read:*

8  
9 *3860-101-3228—For local assistance, Department of Water*  
10 *Resources, payable from the Greenhouse Gas Reduction*  
11 *Fund ..... 19,000,000*

12 *Provisions:*

- 13 1. *The amount appropriated in this item shall be avail-*  
14 *able for encumbrance or expenditure until June 30,*  
15 *2016, and available for liquidation until June 30, 2018.*
- 16 2. *The funds appropriated in this item shall be available*  
17 *for local assistance to establish, on or before July 1,*  
18 *2014, a grant program for local agencies, joint powers*  
19 *authorities, or nonprofit organizations to implement*  
20 *residential, commercial, or institutional water efficien-*  
21 *cy programs or projects that reduce greenhouse gas*  
22 *emissions, and also reduce water and energy use.*
- 23 3. *The funds appropriated in this item shall be available*  
24 *for expenditure not sooner than 30 days after notifica-*  
25 *tion in writing to the chairpersons of the committees*  
26 *in each house of the Legislature that consider the State*  
27 *Budget, and the Chairperson of the Joint Legislative*  
28 *Budget Committee, or his or her designee. The notifi-*  
29 *cation shall include a description of proposed expen-*  
30 *ditures, how the expenditures will further the regula-*  
31 *tory purposes of the California Global Warming Solu-*  
32 *tions Act of 2006 (Division 25.5 (commencing with*  
33 *Section 38500) of the Health and Safety Code), how*  
34 *the expenditures will achieve specified greenhouse*  
35 *gas emission reductions, how the agency considered*  
36 *other objectives of that act, and how the agency will*  
37 *document expenditure results, pursuant to Section*  
38 *16428.9 of the Government Code.*

1 SEC. 12. Item 3860-101-6052 of Section 2.00 of the Budget  
2 Act of 2013 is amended to read:

3  
4 3860-101-6052—For local assistance, Department of Water  
5 Resources, payable from the Disaster Preparedness and  
6 Flood Prevention Bond Fund of 2006..... ~~217,100,000~~  
7 222,100,000

8 Provisions:  
9 1. Of the funds appropriated in this item, \$5,000,000  
10 shall be available for encumbrance until June 30,  
11 2016, and shall be expended for flood management  
12 projects consistent with the Central Valley Flood  
13 Protection Plan, adopted pursuant to Section 9612 of  
14 the Water Code, that, in addition to flood management  
15 benefits, provide other public benefits, including water  
16 supply, transient water storage, water quality improve-  
17 ments, and ecosystem benefits.

18  
19 SEC. 13. Item 3860-301-3228 is added to Section 2.00 of the  
20 Budget Act of 2013, to read:

21  
22 3860-301-3228—For capital outlay, Department of Water Re-  
23 sources, payable from the Greenhouse Gas Reduction Fund  
24 ..... 10,000,000

25 Schedule:  
26 (1) 20.20.212-Water-Energy Efficiency  
27 Projects..... 10,000,000

28 Provisions:  
29 1. The funds appropriated in this item shall be available  
30 for encumbrance until June 30, 2017, and shall be  
31 expended to improve water use efficiency, save energy,  
32 and reduce greenhouse gas emissions from state water  
33 management systems.  
34 2. The funds appropriated in this item shall be available  
35 for expenditure not sooner than 30 days after notifica-  
36 tion in writing to the chairpersons of the committees  
37 in each house of the Legislature that consider the State  
38 Budget, and the Chairperson of the Joint Legislative  
39 Budget Committee, or his or her designee. The notifi-  
40 cation shall include a description of proposed expen-



1	(9) 30.95.327-Sacramento River Flood	
2	Control System Evaluation.....	333,000
3	(10) 30.95.328-American River Watershed,	
4	Folsom Dam Raise Project.....	3,350,000
5	(11) Reimbursements-West Sacramento	
6	Project (GRR).....	-500,000
7	(12) Reimbursements-Sutter County Feasi-	
8	bility Study.....	-494,000
9	(13) Reimbursements-Lower Cache Creek,	
10	Yolo County, Woodland Area	
11	Project.....	-103,000
12		-353,000
13	(14) Reimbursements-Folsom Dam Modifi-	
14	cations Project.....	-12,193,000
15		-19,814,000
16	(15) Reimbursements-Yuba River Basin	
17	Project.....	-322,000
18	(16) Reimbursements-Marysville Ring Lev-	
19	ee Reconstruction Project.....	-3,727,000
20	(17) Reimbursements-American River Wa-	
21	tershed, Folsom Dam Raise Project.....	-1,005,000
22	Provisions:	
23	1. The funds appropriated in this item may be expended	
24	for relocations and acquisition of land, easements, and	
25	rights-of-way, including, but not limited to, borrow	
26	pits, spoil areas, and easements for levees, clearing,	
27	flood control works, and flowage, and for appraisals,	
28	surveys, and engineering studies necessary for the	
29	completion or operation of the projects in the Sacra-	
30	mento and San Joaquin watersheds as authorized by	
31	Section 8617.1 and Chapters 1 (commencing with	
32	Section 12570), 2 (commencing with Section 12639),	
33	3 (commencing with Section 12800), 3.5 (commencing	
34	with Section 12840), and 4 (commencing with Section	
35	12850) of Part 6 of Division 6 of the Water Code.	
36	Notwithstanding paragraph (1) of subdivision (a) of	
37	Section 12582.7 and Section 12585.5 of the Water	
38	Code, prior to state and federal authorization of the	
39	project and appropriation of federal construction funds	
40	by Congress and subsequent to submittal of a report	



- 1 to the Legislature pursuant to Section 12582.7 of the  
2 Water Code . The amounts appropriated in this item  
3 may be expended for state costs associated with pre-  
4 construction design and engineering work conducted  
5 by the federal government and others.
- 6 2. Funds appropriated in this item may also be expended  
7 for the evaluation, repair, rehabilitation, reconstruction,  
8 or replacement of flood protection facilities consistent  
9 with subdivision (a) of Section 5096.821 of the Public  
10 Resources Code; for study, evaluation, improvement,  
11 and addition of facilities to provide enhanced levels  
12 of flood protection consistent with subdivision (b) of  
13 Section 5096.821 of the Public Resources Code; or  
14 for the protection, creation, and enhancement of flood  
15 protection corridors and bypasses consistent with  
16 Section 5096.825 of the Public Resources Code.
- 17 3. Funds appropriated in this item may also be used for  
18 any of the following:
- 19 (a) Advances to the federal government, or payments  
20 to the federal government or others for incidental  
21 construction or reconstruction items that are an  
22 obligation of the state in connection with the  
23 completion or operation of the projects and for  
24 materials.
- 25 (b) Flood protection-related activities of the state as-  
26 sociated with construction, reconstruction, reloca-  
27 tion, or alterations to levees, other flood control  
28 works, highways, railroads, bridges, power lines,  
29 communication lines, pipelines, irrigation works,  
30 and other structures and facilities, and for ap-  
31 praisals, surveys, mitigation and engineering  
32 studies incidental thereto.
- 33 (c) Flood protection-related planning studies, surveys,  
34 preliminary plans, drawings, acquisitions, reloca-  
35 tions, rights-of-way, construction, construction  
36 supervision, contract administration, and other  
37 work activities to be performed by Department  
38 of Water Resources personnel and contractors for  
39 completion of the projects.

- 1       4. Funds appropriated in this item may be used to imple-  
 2       ment the projects identified in this item without ar-  
 3       rangements with the federal government while making  
 4       reasonable efforts to obtain funding from the federal  
 5       government in advance or by arranging to perform  
 6       work which is a federal responsibility prior to the  
 7       availability of federal appropriations with the intention  
 8       that the costs will be reimbursed or eligible for credit  
 9       by the federal government as provided in Public Law  
 10       99-662, Section 104, November 17, 1986; Public Law  
 11       90-483, Section 215, August 13, 1968; or other appli-  
 12       cable law.
- 13       5. Notwithstanding Section 26.00, funds may be trans-  
 14       ferred, with the approval of the Department of Finance,  
 15       among projects specified in this item and other Depart-  
 16       ment of Water Resources flood protection-related  
 17       major capital outlay projects with an active appropria-  
 18       tion. The Director of Finance shall notify, in writing,  
 19       the chairpersons of the committees in each house of  
 20       the Legislature that consider appropriations and the  
 21       Chairperson of the Joint Legislative Budget Commit-  
 22       tee, within 30 days or such lesser time as the chairper-  
 23       son of the joint committee, or his or her designee, may  
 24       determine, prior to any transfer.
- 25       6. Payments from a local sponsor may be received by  
 26       the Department of Water Resources and may be ad-  
 27       vanced to the federal government.
- 28       7. *Funds appropriated for the Lower Cache Creek,*  
 29       *Lower San Joaquin River, West Sacramento, and Sut-*  
 30       *ter Basin feasibility studies and reevaluation reports*  
 31       *shall be available for encumbrance until June 30,*  
 32       *2015.*
- 33       8. *Funds appropriated for the Delta Flood Emergency*  
 34       *Preparedness, Response, and Recovery Project and*  
 35       *the Folsom Dam Modifications Project shall be*  
 36       *available for encumbrance until June 30, 2017.*

37  
 38       SEC. 15. *Item 3860-401 is added to Section 2.00 of the Budget*  
 39       *Act of 2013, to read:*

1 3860-401—*The amount of \$32,500,000 from The Safe Drinking*  
 2 *Water, Water Quality and Supply, Flood Control, River*  
 3 *and Coastal Protection Bond Act of 2006 (Division 43*  
 4 *(commencing with Section 75001) of the Public Resources*  
 5 *Code) shall be expended for support of flood management*  
 6 *projects consistent with the Central Valley Flood Protection*  
 7 *Plan, adopted pursuant to Section 9612 of the Water Code,*  
 8 *that, in addition to flood management benefits, provide*  
 9 *other public benefits, including water supply, transient*  
 10 *water storage, water quality improvements, and ecosystem*  
 11 *benefits.*

12  
 13 *SEC. 16. Item 3940-001-0001 of Section 2.00 of the Budget*  
 14 *Act of 2013 is amended to read:*

15  
 16 3940-001-0001—*For support of State Water Resources Control*  
 17 *Board, for payment to Item 3940-001-0439, payable from*  
 18 *the General Fund.....* 14,726,000  
 19 *18,026,000*

- 20 *Provisions:*  
 21 *1. Of the amount appropriated in this item, \$800,000*  
 22 *shall be available to the State Water Resources Con-*  
 23 *trol Board to protect and ensure the sustainability of*  
 24 *groundwater resources in critical basins.*  
 25 *2. Of the amount appropriated in this item, \$2,500,000*  
 26 *shall be available to the State Water Resources Con-*  
 27 *trol Board for drought-related water right and water*  
 28 *conservation actions, including establishing and en-*  
 29 *forcing requirements to prevent the waste or unreason-*  
 30 *able use of water and to promote water recycling, es-*  
 31 *tablishing and enforcing curtailments in diversion*  
 32 *based on unavailability of water under the diverters*  
 33 *priority of right, and enforcing terms and conditions*  
 34 *of water right permits and licenses.*

35  
 36 *SEC. 17. Item 3940-001-0193 of Section 2.00 of the Budget*  
 37 *Act of 2013 is amended to read:*

1 3940-001-0193—For support of State Water Resources Control  
 2 Board, for payment to Item 3940-001-0439, payable from  
 3 the Waste Discharge Permit Fund..... ~~105,951,000~~  
 4 *107,151,000*

5 Provisions:

- 6 1. Of the amount appropriated in this item, and notwith-  
 7 standing subdivision (k) of Section 13350 of the Water  
 8 Code, up to \$700,000 shall be from the balance of  
 9 penalty revenues generated by the imposition of liabil-  
 10 ities pursuant to Section 13350 of the Water Code.  
 11 The funds specified in this provision are hereby appro-  
 12 priated to support the development of uniform water  
 13 recycling criteria for indirect potable water reuse for  
 14 groundwater recharge pursuant to Chapter 700 of the  
 15 Statutes of 2010.
- 16 2. *Of the amount appropriated in this item, \$1,200,000*  
 17 *shall be available to the State Water Resources Con-*  
 18 *trol Board for the Groundwater Ambient Monitoring*  
 19 *Assessment Program. These funds shall be available*  
 20 *for encumbrance or expenditure until June 30, 2015.*

21  
 22 *SEC. 18. Item 3940-001-0439 of Section 2.00 of the Budget*  
 23 *Act of 2013 is amended to read:*

24  
 25 3940-001-0439—For support of State Water Resources Control  
 26 Board, payable from the Underground Storage Tank  
 27 Cleanup Fund..... 280,982,000  
 28 Schedule:  
 29 (1) 10-Water Quality..... ~~484,643,000~~  
 30 *485,843,000*  
 31 (2) 20-Water Rights..... ~~13,974,000~~  
 32 *17,274,000*  
 33 (3) 25-Department of Justice Legal Ser-  
 34 vices..... 1,217,000  
 35 (4) 30.01-Administration..... 21,245,000  
 36 (5) 30.02-Distributed Administration..... -21,245,000  
 37 (6) Reimbursements..... -9,203,000  
 38 (7) Amount payable from the General  
 39 Fund (Item 3940-001-0001)..... ~~-14,726,000~~  
 40 *-18,026,000*

1	(8) Amount payable from the Unified Pro-	
2	gram Account (Item 3940-001-0028)....	-601,000
3	(9) Amount payable from the Waste	
4	Discharge Permit Fund (Item 3940-	
5	001-0193).....	<del>-105,951,000</del>
6		<i>-107,151,000</i>
7	(10) Amount payable from the Marine Inva-	
8	sive Species Control Fund (Item 3940-	
9	001-0212).....	-100,000
10	(11) Amount payable from the Public Re-	
11	sources Account, Cigarette and Tobacco	
12	Products Surtax Fund (Item 3940-001-	
13	0235).....	-720,000
14	(12) Amount payable from the Integrated	
15	Waste Management Account, Integrated	
16	Waste Management Fund (Item 3940-	
17	001-0387).....	-4,640,000
18	(13) Amount payable from the Water Recy-	
19	cling Subaccount (Item 3940-001-	
20	0419).....	-1,160,000
21	(14) Amount payable from the Drainage	
22	Management Subaccount (Item 3940-	
23	001-0422).....	-528,000
24	(15) Amount payable from the Seawater In-	
25	trusion Control Subaccount (Item 3940-	
26	001-0424).....	-228,000
27	(16) Amount payable from the Underground	
28	Storage Tank Tester Account (Item	
29	3940-001-0436).....	-64,000
30	(17) Amount payable from the 1984 State	
31	Clean Water Bond Fund (Item 3940-	
32	001-0740).....	-314,000
33	(18) Amount payable from the Federal	
34	Trust Fund (Item 3940-001-0890)....	-48,713,000
35	(19) Amount payable from the Water	
36	Rights Fund (Item 3940-001-3058)....	-13,000,000
37	(20) Amount payable from the Wastewater	
38	Operator Certification Fund (Item 3940-	
39	001-3160).....	-1,276,000

1	(21) Amount payable from the Timber Reg-	
2	ulation and Forest Restoration Fund	
3	(Item 3940-001-3212).....	-2,495,000
4	(22) Amount payable from the Cost of Imple-	
5	mentation Account, Air Pollution Con-	
6	trol Fund (Item 3940-001-3237).....	-578,000
7	(23) Amount payable from the Watershed	
8	Protection Subaccount (Item 3940-001-	
9	6013).....	-200,000
10	(24) Amount payable from the Santa Ana	
11	River Watershed Subaccount (Item	
12	3940-001-6016).....	-250,000
13	(25) Amount payable from the Lake Elsinore	
14	and San Jacinto Watershed Subaccount	
15	(Item 3940-001-6017).....	-133,000
16	(26) Amount payable from the Nonpoint	
17	Source Pollution Control Subaccount	
18	(Item 3940-001-6019).....	-204,000
19	(27) Amount payable from the State Revolv-	
20	ing Fund Loan Subaccount (Item 3940-	
21	001-6020).....	-629,000
22	(28) Amount payable from the Wastewater	
23	Construction Grant Subaccount (Item	
24	3940-001-6021).....	-932,000
25	(29) Amount payable from the Coastal	
26	Nonpoint Source Control Subaccount	
27	(Item 3940-001-6022).....	-136,000
28	(30) Amount payable from the Water Secu-	
29	rity, Clean Drinking Water, Coastal and	
30	Beach Protection Fund of 2002 (Item	
31	3940-001-6031).....	-1,092,000
32	(31) Amount payable from the Safe Drinking	
33	Water, Water Quality and Supply,	
34	Flood Control, River and Coastal Pro-	
35	tection Fund of 2006 (Item 3940-001-	
36	6051).....	-1,903,000
37	(32) Amount payable from the Petroleum	
38	Underground Storage Tank Financing	
39	Account (Item 3940-001-8026).....	-609,000

1 (33) Amount payable from the State Water  
 2 Pollution Control Revolving Fund Ad-  
 3 ministration Fund (Item 3940-001-  
 4 9739)..... -8,467,000

5 Provisions:

- 6 1. Notwithstanding any other provision of law, upon ap-  
 7 proval and order of the Director of Finance, the State  
 8 Water Resources Control Board may borrow sufficient  
 9 funds for cash purposes from special funds that other-  
 10 wise provide support for the board. Any such loans  
 11 are to be repaid with interest at the rate earned in the  
 12 Pooled Money Investment Account.
- 13 2. The amount appropriated in Program (25) shall be  
 14 used to reimburse the Department of Justice for legal  
 15 services. In addition to the amount in Program (25),  
 16 upon order of the Director of Finance, any non-General  
 17 Fund Budget Act item for support of the State Water  
 18 Resources Control Board may be augmented to reim-  
 19 burse the Department of Justice for legal services. No  
 20 augmentation shall be made sooner than 30 days after  
 21 the Joint Legislative Budget Committee has been noti-  
 22 fied in writing.

23  
 24 *SEC. 19. Item 3940-002-0679 is added to Section 2.00 of the*  
 25 *Budget Act of 2013, to read:*

26  
 27 *3940-002-0679—For support of State Water Resources Control*  
 28 *Board..... 4,000,000*

29 Provisions:

- 30 1. *The funds appropriated in this item are appropriated*  
 31 *from the State Water Pollution Cleanup and Abatement*  
 32 *Account, created pursuant to Section 13440 of the*  
 33 *Water Code, to the State Water Resources Control*  
 34 *Board to provide interim emergency drinking water*  
 35 *to disadvantaged communities with contaminated*  
 36 *drinking water supplies, without regard to the source*  
 37 *of contamination, including those contaminated*  
 38 *drinking water supplies exacerbated by drought con-*  
 39 *ditions. These funds shall be available for expenditure*  
 40 *until June 30, 2015.*

1  
 2 *SEC. 20. Item 3940-101-3147 of Section 2.00 of the Budget*  
 3 *Act of 2013 is amended to read:*  
 4  
 5 3940-101-3147—For local assistance, State Water Resources  
 6 Control Board, for Program 10-Water Quality, payable  
 7 from the State Water Pollution Control Revolving Fund  
 8 Small Community Grant Fund, to be available for expen-  
 9 diture until June 30, ~~2015~~ 2017..... 8,000,000  
 10 15,000,000

11  
 12 *SEC. 21. Item 4265-111-0001 of Section 2.00 of the Budget*  
 13 *Act of 2013 is amended to read:*  
 14  
 15 4265-111-0001—For local assistance, Department of Public  
 16 Health..... 31,957,000  
 17 46,957,000

18 Schedule:  
 19 (1) 10.10-Emergency Preparedness..... 60,724,000  
 20 (2) 20.10-Chronic Disease Prevention and  
 21 Health Promotion..... 193,242,000  
 22 (3) 20.20-Infectious Disease..... 271,121,000  
 23 (4) 20.30-Family Health..... 1,628,722,000  
 24 (5) 20.40-Health Information and Strategic  
 25 Planning..... 510,000  
 26 (6) 20.50-County Health Services..... 14,181,000  
 27 (7) 20.60-Environmental Health..... ~~13,000,000~~  
 28 128,000,000  
 29 (8) Reimbursements..... -227,101,000  
 30 (9) Amount payable from the Childhood  
 31 Lead Poisoning Prevention Fund (Item  
 32 4265-111-0080)..... -11,000,000  
 33 (10) Amount payable from the Health  
 34 Statistics Special Fund (Item 4265-111-  
 35 0099)..... -510,000  
 36 (11) Amount payable from the California  
 37 Health Data and Planning Fund (Item  
 38 4265-111-0143)..... -240,000



1	(12) Amount payable from the Genetic	
2	Disease Testing Fund (Item 4265-111-	
3	0203).....	-87,747,000
4	(13) Amount payable from the Health Edu-	
5	cation Account, Cigarette and Tobacco	
6	Products Surtax Fund (Item 4265-111-	
7	0231).....	-35,185,000
8	(14) Amount payable from the Child Health	
9	and Safety Fund (Item 4265-111-	
10	0279).....	-469,000
11	(15) Amount payable from the Indian Gam-	
12	ing Special Distribution Fund (Item	
13	4265-111-0367).....	-4,000,000
14	(16) Amount payable from the Domestic	
15	Violence Training and Education Fund	
16	(Item 4265-111-0642).....	-235,000
17	(17) Amount payable from the Federal	
18	Trust Fund (Item 4265-111-	
19	0890).....	-1,509,879,000
20	(18) Amount payable from the WIC	
21	Manufacturer Rebate Fund (Item	
22	4265-111-3023).....	-260,000,000
23	(19) Amount payable from the Water Secu-	
24	rity, Clean Drinking Water, Coastal	
25	and Beach Protection Fund of 2002	
26	(Item 4265-111-6031).....	-65,000,000
27	(20) Amount payable from the Safe Drink-	
28	ing Water, Water Quality and Supply,	
29	Flood Control, River and Coastal Pro-	
30	tection Fund of 2006 (Item 4265-111-	
31	6051).....	-48,000,000
32	(21) Amount payable from the ALS/Lou	
33	Gehrig's Disease Research Fund (Item	
34	4265-111-8053).....	-177,000
35	Provisions:	
36	1. The Office of AIDS in the State Department of Public	
37	Health, in allocating and processing contracts and	
38	grants, shall comply with the same requirements that	
39	are established for contracts and grants for other public	
40	health programs. Notwithstanding any other provision	

- 1 of law, the contracts or grants administered by the
- 2 Office of AIDS shall be exempt from the Public Con-
- 3 tract Code and shall be exempt from approval by the
- 4 Department of General Services prior to their execu-
- 5 tion.
- 6 2. The appropriation in this item for the Alzheimer’s
- 7 Research Centers shall be used for direct services, in-
- 8 cluding, but not limited to, diagnostic screening, case
- 9 management, disease management, support for care-
- 10 givers, and related services necessary for positive
- 11 client outcomes.
- 12 3. *Of the amount appropriated in Schedule (7),*
- 13 *\$15,000,000 shall be available for encumbrance until*
- 14 *June 30, 2016, for purposes consistent with subdivi-*
- 15 *sions (a) and (c) of Section 75021 of the Public Re-*
- 16 *sources Code for grants of up to \$500,000 per project*
- 17 *for public water systems to address drought-related*
- 18 *drinking water emergencies or threatened emergen-*
- 19 *cies. The State Department of Public Health shall de-*
- 20 *velop new guidelines for the allocation and adminis-*
- 21 *tration of these moneys, including guidelines that*
- 22 *dictate the circumstances under which the per-project*
- 23 *limit of \$500,000 may be exceeded. These guidelines*
- 24 *shall not be subject to Chapter 3.5 (commencing with*
- 25 *Section 11340) of Part 1 of Division 3 of Title 2 of the*
- 26 *Government Code. The department shall make every*
- 27 *effort to use other funds available to address drinking*
- 28 *water emergencies, including federal funds made*
- 29 *available for the drought, prior to using the funds*
- 30 *specified in this provision.*

31

32 *SEC. 22. Item 5180-101-0001 of Section 2.00 of the Budget*

33 *Act of 2013 is amended to read:*

34

35 5180-101-0001—For local assistance, Department of Social

36 Services.....	1,287,588,000
37 Schedule:	
38 (1) 16.30-CalWORKs.....	4,462,802,000
39 (2) 16.65-Other Assistance Payments.....	843,264,000
40 (3) Reimbursements.....	-944,000

1	(4) Amount payable from the Emergency	
2	Food Assistance Program Fund (Item	
3	5180-101-0122).....	-618,000
4	(5) Amount payable from the Federal	
5	Trust Fund (Item 5180-101-	
6	0890).....	-4,008,897,000
7	(6) Amount payable from the Child Support	
8	Collections Recovery Fund (Item 5180-	
9	101-8004).....	-8,019,000

10 Provisions:

- 11 1. (a) No funds appropriated in this item shall be encum-
- 12 bered unless every rule or regulation adopted and
- 13 every all-county letter issued by the State Depart-
- 14 ment of Social Services that adds to the costs of
- 15 any program is approved by the Department of
- 16 Finance as to the availability of funds before it
- 17 becomes effective. In making the determination
- 18 as to availability of funds to meet the expenditures
- 19 of a rule, regulation, or all-county letter that would
- 20 increase the costs of a program, the Department
- 21 of Finance shall consider the amount of the pro-
- 22 posed increase on an annualized basis, the effect
- 23 the change would have on the expenditure limita-
- 24 tions for the program set forth in this act, the ex-
- 25 tent to which the rule, regulation, or all-county
- 26 letter constitutes a deviation from the premises
- 27 under which the expenditure limitations were
- 28 prepared, and any additional factors relating to
- 29 the fiscal integrity of the program or the state's
- 30 fiscal situation.
- 31 (b) Notwithstanding Sections 28.00 and 28.50, the
- 32 availability of funds contained in this item for
- 33 rules, regulations, or all-county letters that add to
- 34 program costs funded from the General Fund in
- 35 excess of \$500,000 on an annual basis, including
- 36 those that are the result of a federal regulation,
- 37 but excluding those that are (a) specifically re-
- 38 quired as a result of the enactment of a federal or
- 39 state law or (b) included in the appropriation made
- 40 by this act, shall not be approved by the Depart-

1                   ment of Finance sooner than 30 days after notifi-  
2                   cation in writing to the chairpersons of the com-  
3                   mittees in each house of the Legislature that con-  
4                   sider appropriations and the Chairperson of the  
5                   Joint Legislative Budget Committee, or sooner  
6                   than such lesser time after notification as the  
7                   chairperson of the joint committee, or his or her  
8                   designee, may in each instance determine.

9           2. Notwithstanding Chapter 1 (commencing with Section  
10           18000) of Part 6 of Division 9 of the Welfare and In-  
11           stitutions Code, a loan not to exceed \$500,000,000  
12           shall be made available from the General Fund, from  
13           funds not otherwise appropriated, to cover the federal  
14           share of costs of a program or programs when the  
15           federal funds have not been received by this state prior  
16           to the usual time for transmitting that federal share to  
17           the counties of this state. This loan from the General  
18           Fund shall be repaid when the federal share of costs  
19           for the program or programs becomes available.

20           3. The Department of Finance may authorize the transfer  
21           of amounts from this item to Item 5180-001-0001 in  
22           order to fund the costs of the administrative hearing  
23           process associated with the CalWORKs program.

24           4. (a) The Department of Finance is authorized to ap-  
25           prove expenditures in those amounts made neces-  
26           sary by changes in either caseload or payments,  
27           including, but not limited to, the timing of federal  
28           payments, or any rule or regulation adopted and  
29           any all-county letter issued as a result of the enact-  
30           ment of a federal or state law, the adoption of a  
31           federal regulation, or a court action, during the  
32           2013–14 fiscal year that are within or in excess  
33           of amounts appropriated in this act for that year.

34           (b) If the Department of Finance determines that the  
35           estimate of expenditures will exceed the expendi-  
36           tures authorized for this item, the department shall  
37           so report to the Legislature. At the time the report  
38           is made, the amount of the appropriation made in  
39           this item shall be increased by the amount of the

- 1 excess unless and until otherwise provided by  
2 law.
- 3 5. Nonfederal funds appropriated in this item which have  
4 been budgeted to meet the state's Temporary Assis-  
5 tance for Needy Families maintenance-of-effort require-  
6 ment established pursuant to the federal Personal Re-  
7 sponsibility and Work Opportunity Reconciliation Act  
8 of 1996 (P.L. 104-193) may not be expended in any  
9 way that would cause their disqualification as a feder-  
10 ally allowable maintenance-of-effort expenditure.
- 11 6. In the event of declared disaster and upon county re-  
12 quest, the State Department of Social Services may  
13 act in the place of any county and assume direct respon-  
14 sibility for the administration of eligibility and grant  
15 determination. Upon recommendation of the Director  
16 of Social Services, the Department of Finance may  
17 authorize the transfer of funds from this item and Item  
18 5180-101-0890, to Items 5180-001-0001 and 5180-  
19 001-0890, for this purpose.
- 20 7. Pursuant to the Electronic Benefit Transfer (EBT) Act  
21 (Chapter 3 (commencing with Section 10065) of Part  
22 1 of Division 9 of the Welfare and Institutions Code)  
23 and in accordance with the EBT System regulations  
24 (Manual of Policies and Procedures Section 16-  
25 401.15), in the event a county fails to reimburse the  
26 EBT contractor for settlement of EBT transactions  
27 made against the county's cash assistance programs,  
28 the state is required to pay the contractor. The State  
29 Department of Social Services may use funds from  
30 this item to reimburse the EBT contractor for settle-  
31 ment on behalf of the county. The county shall be re-  
32 quired to reimburse the department for the county's  
33 settlement via direct payment or administrative offset.
- 34 8. The Department of Finance is authorized to approve  
35 expenditures for the California Food Assistance Pro-  
36 gram in those amounts made necessary by changes in  
37 the CalFresh Program Standard Utility Allowance,  
38 including those that result from midyear Standard  
39 Utility Allowance adjustments requested by the state.  
40 If the Department of Finance determines that the esti-

1           mate of expenditures will exceed the expenditure au-  
 2           thority of this item, the department shall so report to  
 3           the Legislature. At the time the report is made, the  
 4           amount of the appropriation made in this item shall  
 5           be increased by the amount of the excess unless and  
 6           until otherwise provided by law.

7           9. *Upon request of the State Department of Social Ser-*  
 8           *VICES, the Department of Finance may increase expen-*  
 9           *diture authority in this item by up to \$25,300,000 for*  
 10           *food assistance programs associated with persons af-*  
 11           *ected by the drought. Notwithstanding any other*  
 12           *provision of law, these funds shall be available for*  
 13           *encumbrance by the State Department of Social Ser-*  
 14           *VICES through December 31, 2014, for commodity*  
 15           *purchases and state and local agency administrative*  
 16           *costs incurred on or before June 30, 2014, to provide*  
 17           *food assistance associated with the drought through*  
 18           *existing partnerships. The Department of Finance*  
 19           *shall provide notification of the adjustment to the Joint*  
 20           *Legislative Budget Committee within 10 working days*  
 21           *from the date of Department of Finance approval of*  
 22           *the adjustment.*

23  
 24           SEC. 23. *Item 5180-141-0001 of Section 2.00 of the Budget*  
 25           *Act of 2013 is amended to read:*

26  
 27           5180-141-0001—For local assistance, Department of Social  
 28           Services..... 742,457,000  
 29           Schedule:  
 30           (1) 16.75-County Administration and  
 31           Automation Projects..... 2,031,473,000  
 32           (2) Reimbursements..... -221,534,000  
 33           (3) Amount payable from the Federal  
 34           Trust Fund (Item 5180-141-  
 35           0890)..... -1,067,482,000

36           Provisions:  
 37           1. Notwithstanding Chapter 1 (commencing with Section  
 38           18000) of Part 6 of Division 9 of the Welfare and In-  
 39           stitutions Code, a loan not to exceed \$140,000,000  
 40           shall be made available from the General Fund, from

- 1 funds not otherwise appropriated, to cover the federal  
2 or reimbursable share, or both, of costs of a program  
3 or programs when the federal funds or reimbursements  
4 have not been received by this state prior to the usual  
5 time for transmitting state payments for the federal or  
6 reimbursable share of costs. This loan from the General  
7 Fund shall be repaid when the federal share of costs  
8 or the reimbursements for the program or programs  
9 becomes available.
- 10 2. In the event of declared disaster and upon county re-  
11 quest, the State Department of Social Services may  
12 act in the place of any county and assume direct respon-  
13 sibility for the administration of eligibility and grant  
14 determination. Upon recommendation of the Director  
15 of Social Services, the Department of Finance may  
16 authorize the transfer of funds from this item and Item  
17 5180-141-0890, to Items 5180-001-0001 and 5180-  
18 001-0890, for this purpose.
- 19 3. Provision 1 of Item 5180-101-0001 also applies to this  
20 item.
- 21 4. Pursuant to public assistance caseload estimates reflect-  
22 ed in the annual Governor's Budget, the Department  
23 of Finance may approve expenditures in those amounts  
24 made necessary by a court action or changes in  
25 caseload that are in excess of amounts appropriated  
26 in this act. If the Department of Finance determines  
27 that the estimate of expenditures will exceed the ex-  
28 penditures authorized for this item, the department  
29 shall so report to the Legislature. At the time the report  
30 is made, the amount of the appropriation made by this  
31 item shall be increased by the amount of the excess  
32 unless and until otherwise provided by law.
- 33 5. Nonfederal funds appropriated in this item which have  
34 been budgeted to meet the state's Temporary Assis-  
35 tance for Needy Families maintenance-of-effort require-  
36 ment established pursuant to the federal Personal Re-  
37 sponsibility and Work Opportunity Reconciliation Act  
38 of 1996 (P.L. 104-193) may not be expended in any  
39 way that would cause their disqualification as a feder-  
40 ally allowable maintenance-of-effort expenditure.

- 1       6. This item may be increased by order of the Director
- 2       of Finance to address system changes necessary to
- 3       implement the requirements of the federal Patient
- 4       Protection and Affordable Care Act (P.L. 111-148).
- 5       The Director of Finance shall provide notification in
- 6       writing to the Joint Legislative Budget Committee of
- 7       any expenditure approved under this provision not less
- 8       than 30 days prior to the effective date of the approval.
- 9       7. *In the event of a declaration of a major disaster by the*
- 10      *President of the United States, and upon request of*
- 11      *the State Department of Social Services following ap-*
- 12      *proval by the United States Department of Food and*
- 13      *Agriculture’s Food and Nutrition Service, the Depart-*
- 14      *ment of Finance may increase expenditure authority*
- 15      *in this item in order to fund the administrative costs*
- 16      *of a Disaster Supplemental Nutrition Assistance Pro-*
- 17      *gram food assistance program.*

18  
 19       *SEC. 24. Item 5180-141-0890 of Section 2.00 of the Budget*  
 20 *Act of 2013 is amended to read:*

21

22	5180-141-0890—For local assistance, Department of Social	
23	Services, for payment to Item 5180-141-0001, payable	
24	from the Federal Trust Fund.....	1,067,482,000
25	Provisions:	
26	1. Provisions 2, 3, 4, <del>and 6</del> , and 7 of Item 5180-141-0001	
27	also apply to this item.	
28	2. Upon request by the Department of Finance, the Con-	
29	troller shall transfer funds between this item and Item	
30	5180-153-0890 as needed to reflect the estimated ex-	
31	penditure amounts for each county that opts into the	
32	Title IV-E Child Welfare Waiver Demonstration	
33	Project pursuant to Section 18260 of the Welfare and	
34	Institutions Code. The Department of Finance shall	
35	report to the Legislature the amount to be transferred	
36	pursuant to this provision. The transfer shall be autho-	
37	rized at the time the report is made.	

38  
 39       *SEC. 25. Item 7100-001-0001 of Section 2.00 of the Budget*  
 40 *Act of 2013 is amended to read:*



1	7100-001-0001—For support of Employment Development	
2	Department, for payment to Item 7100-001-0870.....	<del>22,070,000</del>
3		24,070,000

4 Provisions:

5 1. Of the funds appropriated in this item, \$2,000,000

6 shall be available for encumbrance until June 30,

7 2015, for the purposes of providing flexible training-

8 related services to workers and employers in localities

9 designated by the Governor for drought or other dis-

10 aster relief.

11

12 *SEC. 26. Item 7100-001-0870 of Section 2.00 of the Budget*

13 *Act of 2013 is amended to read:*

15	7100-001-0870—For support of Employment Development	
16	Department, payable from the Unemployment Administra-	
17	tion Fund—Federal.....	659,728,000
18	Schedule:	
19	(1) 10-Employment and Employment-Re-	
20	lated Services.....	179,688,000
21	(2) 21-Tax Collections and Benefit Pay-	
22	ments.....	801,927,000
23	(3) 22-California Unemployment Insurance	
24	Appeals Board.....	78,900,000
25	(4) 30.01-General Administration.....	53,380,000
26	(5) 30.02-Distributed General Administra-	
27	tion.....	-51,004,000
28	(6) 50-Employment Training Panel.....	<del>49,109,000</del>
29		51,109,000
30	(7) Reimbursements.....	-25,847,000
31	(8) Amount payable from the General	
32	Fund (Item 7100-001-0001).....	<del>-22,070,000</del>
33		-24,070,000
34	(9) Amount payable from the Employment	
35	Development Department Benefit Au-	
36	dit Fund (Item 7100-001-0184).....	-15,805,000
37	(10) Amount payable from the Employment	
38	Development Department Contingent	
39	Fund (Item 7100-001-0185).....	-82,190,000

- 1 (11) Amount payable from the Employment
- 2 Training Fund (Item 7100-001-
- 3 0514)..... -51,589,000
- 4 (12) Amount payable from the Unemploy-
- 5 ment Compensation Disability Fund
- 6 (Item 7100-001-0588)..... -253,778,000
- 7 (13) Amount payable from the School Em-
- 8 ployees Fund (Item 7100-001-0908).... -993,000
- 9 Provisions:
- 10 1. Funds appropriated in this item are in lieu of the
- 11 amounts that otherwise would have been appropriated
- 12 pursuant to Section 1555 of the Unemployment Insur-
- 13 ance Code.
- 14 2. Provision 1 of Item 7100-001-0588 also applies to
- 15 funds appropriated in this item for the Unemployment
- 16 Insurance Program.

17

18 *SEC. 27. Item 8570-001-0001 of Section 2.00 of the Budget*

19 *Act of 2013 is amended to read:*

20

21 8570-001-0001—For support of Department of Food and

22 Agriculture..... 55,612,000

23 Schedule:

24 (1) 11-Agricultural Plant and Animal

25 Health, Pest Prevention, Food Safety

26 Services..... 168,719,000

27 (2) 21-Marketing, Commodities, and Agri-

28 cultural Services..... 21,908,000

29 (3) 31-Assistance to Fairs and County

30 Agricultural Activities..... 1,343,000

31 (4) 41.01-Executive, Management, and

32 Administrative Services..... 20,624,000

33 (5) 41.02-Distributed Executive, Manage-

34 ment, and Administrative Services..... -20,493,000

35 (6) 51-General Agricultural Activities..... ~~25,323,000~~

36 *35,323,000*

37 (7) Reimbursements..... -16,537,000

38 (8) Amount payable from the Motor Vehicle

39 Account, State Transportation Fund

40 (Item 8570-001-0044)..... -6,674,000

1	(9) Amount payable from the Department	
2	of Agriculture Account, Department	
3	of Food and Agriculture Fund (Item	
4	8570-001-0111).....	-37,977,000
5	(11) Amount payable from the Fair and Ex-	
6	position Fund (Item 8570-001-0191)....	-1,343,000
7	(12) Amount payable from the Harbors and	
8	Watercraft Revolving Fund (Item 8570-	
9	001-0516).....	-4,294,000
10	(13) Amount payable from the Department	
11	of Agriculture Building Fund (Item	
12	8570-001-0601).....	-1,963,000
13	(14) Amount payable from the Federal	
14	Trust Fund (Item 8570-001-0890).....	-91,496,000
15	(15) Amount payable from the Antiterrorism	
16	Fund (Item 8570-001-3034).....	-541,000
17	(16) Amount payable from the Analytical	
18	Laboratory Account, Department of	
19	Food and Agriculture Fund (Item 8570-	
20	001-3101).....	-500,000
21	(17) Amount payable from the Specialized	
22	License Plate Fund (Item 8570-001-	
23	3139).....	-477,000
24	(17.5) Amount payable from the Green-	
25	house Gas Reduction Fund (Item	
26	8570-001-3228).....	-10,000,000
27	(18) Amount payable from the Municipal	
28	Shelter Spay-Neuter Fund (Item 8570-	
29	001-8055).....	-10,000
30	Provisions:	
31	1. The Secretary of Food and Agriculture shall furnish	
32	to the Director of Finance and the Chairperson of the	
33	Joint Legislative Budget Committee annual reports on	
34	all expenditures from all fund sources for emergency	
35	detection and eradication activities relating to agricul-	
36	tural plant or animal pests or diseases for which no	
37	other program funds are available to be used to detect	
38	or eradicate such pest or disease if the pest or disease	
39	is not considered established in California and the pest	
40	or disease infests or infects plants or animals of com-	

1 commercial or noncommercial agriculture, ornamental  
 2 horticultural, or habitat of significance. The report  
 3 shall specify the amount expended by funding source,  
 4 the activities performed, the pest or disease, the loca-  
 5 tion where the pest was detected, the location where  
 6 the eradication efforts were performed, and the animal  
 7 or plant affected for each emergency detection or  
 8 eradication.

9 2. The Department of Food and Agriculture shall require  
 10 full public participation, including public meetings,  
 11 from all major regions of the state for each notification  
 12 of proposed actions within the Light Brown Apple  
 13 Moth program.

14  
 15 *SEC. 28. Item 8570-001-3228 is added to Section 2.00 of the*  
 16 *Budget Act of 2013, to read:*

17  
 18 *8570-001-3228—For support of Department of Food and*  
 19 *Agriculture, for payment to Item 8570-001-0001, payable*  
 20 *from the Greenhouse Gas Reduction Fund ..... 10,000,000*

21 *Provisions:*

22 1. *The funds appropriated in this item shall be available*  
 23 *for encumbrance until June 30, 2015, to establish and*  
 24 *implement a program, in consultation and coordina-*  
 25 *tion with the Department of Water Resources and the*  
 26 *State Water Resources Control Board, on or before*  
 27 *July 1, 2014, to provide financial incentives to agricul-*  
 28 *tural operations to invest in water irrigation treatment*  
 29 *and distribution systems that will reduce greenhouse*  
 30 *gas emissions, and will also reduce water and energy*  
 31 *use, augment supply, and increase water and energy*  
 32 *efficiency in agricultural applications. Incentives shall*  
 33 *be ranked and distributed based on financial need,*  
 34 *immediacy of water supply increased and efficiency*  
 35 *gained to address water shortages, and reduction in*  
 36 *water pumping or treatment that uses energy causing*  
 37 *greenhouse gas emissions.*

38 2. *The funds appropriated in this item shall be available*  
 39 *for expenditure not sooner than 30 days after notifica-*  
 40 *tion in writing to the chairpersons of the committees*

1           in each house of the Legislature that consider the State  
2           Budget, and the Chairperson of the Joint Legislative  
3           Budget Committee, or his or her designee. The notifi-  
4           cation shall include a description of proposed expen-  
5           ditures, how the expenditures will further the regula-  
6           tory purposes of the California Global Warming Solu-  
7           tions Act of 2006 (Division 25.5 (commencing with  
8           Section 38500) of the Health and Safety Code), how  
9           the expenditures will achieve specified greenhouse  
10          gas emission reductions, how the agency considered  
11          other objectives of that act, and how the agency will  
12          document expenditure results, pursuant to Section  
13          16428.9 of the Government Code.

14  
15          SEC. 29. Section 39.00 of the Budget Act of 2013 is amended  
16          to read:

17          Sec. 39.00. The Legislature hereby finds and declares that the  
18          following bills are other bills providing for appropriations related  
19          to the Budget Bill within the meaning of subdivision (e) of Section  
20          12 of Article IV of the California Constitution: AB 74, AB 75, AB  
21          76, AB 77, AB 78, AB 79, AB 80 as amended on February 24,  
22          2014, AB 81, AB 82, AB 83, AB 84, AB 85, AB 86, AB 87, AB  
23          89, AB 90, AB 91, AB 92, AB 93, AB 94, AB 95, AB 96, AB 97,  
24          AB 98, AB 99, AB 100, AB 102, AB 103, AB 104, AB 105, AB  
25          106, AB 107, AB 108, AB 109, SB 66, SB 70, SB 71, SB 72, SB  
26          73, SB 74, SB 75, SB 76, SB 77, SB 79, SB 80, SB 81, SB 82, SB  
27          83, SB 84, SB 85, SB 86, SB 87, SB 88, SB 89, SB 90, SB 91, SB  
28          92, SB 93, SB 94, SB 96, SB 97, SB 98, SB 99, SB 100, SB 101,  
29          SB 102, SB 103, SB 104 as amended on February 24, 2014, and  
30          SB 105.

31          SEC. 30. This act shall become operative only if Assembly Bill  
32          80 or Senate Bill 104 of the 2013–14 Regular Session is enacted,  
33          amending the Budget Act of 2013.

34          SEC. 31. This act is a Budget Bill within the meaning of  
35          subdivision (e) of Section 12 of Article IV of the California  
36          Constitution and shall take effect immediately.

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**All matter omitted in this version of the bill  
appears in the bill as amended in the  
Senate, June 12, 2013. (JR11)**

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AMENDED IN SENATE FEBRUARY 24, 2014

AMENDED IN SENATE JUNE 12, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 80**

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**Introduced by Committee on Budget (~~Blumenfield~~ *Skinner* (Chair),  
*Bloom*, ~~Bonilla~~, *Campos*, *Chesbro*, *Dababneh*, *Daly*, *Dickinson*,  
*Gordon*, *Jones-Sawyer*, ~~Mitchell~~, *Mullin*, *Muratsuchi*, *Nazarian*,  
*Skinner*, *Rodriguez*, *Stone*, and ~~Ting Ting~~, and *Weber*)**

January 10, 2013

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*An act to amend Section 116.232 of the Code of Civil Procedure, to amend Sections 12419.10, 68086, 68502.5, 68511.7, 70628, and 77203 of, and to add Section 68502.6 to, the Government Code, to amend Sections 1203.2, 1229, 1230, 1231, 1232, 1233, 1233.1, 1233.15, 1233.2, 1233.3, 1233.4, 1233.6, 1233.61, and 3000.08 of, and to repeal Section 1233.8 of, the Penal Code, to amend, repeal, and add Section 19210 of the Public Contract Code, and to amend Section 903.45 of the Welfare and Institutions Code, relating to courts, and making an appropriation therefor, to take effect immediately, bill related to the budget. An act to amend Section 8683 of the Government Code, to amend Section 50661 of, to add Section 50716 to, and to add Chapter 3 (commencing with Section 34085) to Part 1.6 of Division 24 of, the Health and Safety Code, to amend Sections 10201.5, 10214.5, and 10214.6 of the Unemployment Insurance Code, to amend Sections 1052, 1058.5, 1551, 1831, and 1845 of, and to add Sections 1846 and 13562.5 to, the Water Code, relating to drought relief, making an appropriation therefor, to take effect immediately, bill related to the budget.*

## LEGISLATIVE COUNSEL'S DIGEST

AB 80, as amended, Committee on Budget. ~~Courts.~~ *Drought relief.*

*(1) The California Constitution requires the reasonable and beneficial use of water. Under the public trust doctrine, the State Water Resources Control Board, among other state agencies, is required to take the public trust into account in the planning and allocation of water resources and to protect the public trust whenever feasible. Existing law establishes the Water Rights Fund, which consists of various fees and penalties. The moneys in the Water Rights Fund are available, upon appropriation by the Legislature, for the administration of the board's water rights program.*

*This bill would provide that a person or entity in violation of a term or condition of a permit, license, certificate, or registration issued or adopted by the board, as prescribed, or the public trust doctrine, is liable in an amount not to exceed \$500 for each day in which the violation occurs. These funds would be deposited in the Water Rights Fund.*

*(2) Existing law, the California Emergency Services Act sets forth the emergency powers of the Governor under its provisions.*

*This bill would provide that the provisions of this bill described in (1) apply only in a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years, or during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.*

*(3) Under existing law, the Disaster Assistance Fund is continuously appropriated, without regard to fiscal years, for purposes of the California Disaster Assistance Act. Existing law requires the Director of the Office of Emergency Services, whenever funds are available for purpose of the act, to make allocations in the amounts that the director determines to be necessary to state agencies for making the investigations, estimates, and reports required by the act.*

*This bill would authorize the director, when a proclamation of a state of emergency has been issued, to make allocations of funds available for the purposes of the act in the amounts that the director determines necessary to state agencies for expenditures incurred performing extraordinary emergency measures. This bill would prohibit these allocations from being made to reimburse employee costs related to emergency work activities or any permanent repairs to the agency's own facilities.*



(4) Existing law declares that the diversion or use of water other than as authorized by specified provisions of law is a trespass. Existing law authorizes the imposition of civil liability for a trespass in an amount not to exceed \$500 for each day in which the trespass occurs.

This bill would authorize the imposition of civil liability by the board or superior court in an amount not to exceed the sum of \$1,000 for each day in which the trespass occurs and \$2,500 for each acre-foot of water diverted or used other than as authorized during a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

(5) Under existing law, a person who violates a cease and desist order may be liable in an amount not to exceed \$1,000 for each day in which the violation occurs. Revenue generated from these penalties is deposited in the Water Rights Fund.

This bill, for a violation occurring in a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions, would authorize a person violating a cease and desist order to be liable in an amount not to exceed \$10,000 for each day in which the violation occurs.

(6) Under existing law, emergency regulations of the board are not subject to review by the Office of Administrative Law if the board adopts findings that the emergency regulation is adopted to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water to promote wastewater reclamation, or to promote water conservation, and that the emergency regulation is adopted in response to conditions which exist, or are threatened, in a critically dry year immediately preceded by 2 or more consecutive dry or critically dry years.

This bill also would allow the adoption of emergency regulations by the board if the board finds the emergency regulation is adopted to require curtailment of diversions when water is not available under the diverter's priority of right. This bill instead would require the emergency regulation to be adopted in response to conditions which exist, or are threatened, in a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of

*emergency based on drought conditions. This bill would make a violation of a regulation adopted by the board under these provisions an infraction punishable by a fine of up to \$500 for each day in which the violation occurs. By creating a new crime, this bill would impose a state-mandated local program.*

*Existing law provides that these emergency regulations are authorized to remain in effect for up to 270 days, as prescribed.*

*This bill would permit an emergency regulation adopted under these provisions to be renewed if the board determines that the above-described conditions are still in effect.*

*(7) Existing law authorizes the board to issue a cease and desist order against a person who is violating, or threatening to violate, certain requirements, including requirements set forth in a decision or order relating to the unauthorized use of water.*

*This bill would authorize the board to issue a cease and desist order in response to a violation or threatened violation of an emergency regulation adopted pursuant to the provisions described in (6).*

*(8) Existing law requires the State Department of Public Health to adopt uniform water recycling criteria for indirect potable water reuse for groundwater recharge, as defined, by December 31, 2013.*

*This bill would require the State Department of Public Health, no later than June 30, 2014, to adopt by emergency regulations requirements for groundwater replenishment using recycled water.*

*(9) Existing law creates the Housing Rehabilitation Loan Fund and continuously appropriates moneys in the fund for, among other purposes, making specified deferred payment housing rehabilitation loans.*

*This bill, to the extent no other funding sources are available, would make available \$10,000,000 in the fund to the department for the purpose of providing housing rental-related subsidies to persons rendered homeless, or at risk of becoming homeless, due to unemployment, underemployment, or other economic hardship resulting from the state of emergency proclaimed by the Governor based on drought conditions. This bill would authorize the department to administer the housing rental-related subsidies or contract with qualified local government agencies or nonprofit organizations to administer the program.*

*(10) Existing law authorizes the Department of Housing and Community Development to contract with local public and private nonprofit agencies to provide housing services, including shelter,*

*education, sanitation, and day care services, for migrant agricultural workers, through the development, construction, reconstruction, rehabilitation, or operation of a migrant farm labor center.*

*This bill would require the department to make the Office of Migrant Services centers available for rent by persons or families experiencing economic hardships as a result of the drought.*

*(11) Existing law authorizes the Employment Development Department to collect and administer an employment training tax. Existing law establishes the Employment Training Panel (ETP) in the Employment Development Department, and prescribes the functions and duties of the ETP with respect to the development, implementation, and administration of various employment training programs in the state. Existing law requires the ETP to establish the Partnership for Workforce Recovery Training for the purpose of supporting and implementing the workforce development goals set forth in the federal American Recovery and Reinvestment Act of 2009.*

*This bill would eliminate the requirement that the ETP establish the Partnership for Workforce Recovery Training, and would instead require the ETP to develop and publish guidelines for the purpose of supporting and implementing one or more alternative fund programs to reimburse the cost of training using funds from a source other than the employment training tax.*

*This bill would require the ETP, as needed in response to a proclamation of a state of emergency issued by the Governor under the California Emergency Services Act, to identify industries and occupations that shall be priorities for training funds for the purpose of funding special employment training projects that improve the skills and employment security of frontline workers and to waive specified wage and employment retention provisions.*

*Existing law, with respect to funds appropriated in the annual Budget Act to the department for allocation by the ETP for the training of workers in regions suffering from high unemployment and low job creation, authorizes the ETP to waive the minimum wage requirements for participation in the program in certain circumstances.*

*This bill would provide that the ETP may waive the minimum wage requirements with respect to funds appropriated to the department for allocation by the ETP in the annual Budget Act for training of workers in regions identified in a proclamation of a state of emergency issued by the Governor under the California Emergency Services Act.*

(12) Existing law, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program.

This bill would appropriate \$472,500,000 from these bond funds for the purposes of integrated regional water management grants.

(13) The bill would require, to the extent feasible and appropriate, water conservation and drought response projects funded pursuant to these provisions and the provisions of the bill described in paragraph (15) to use the services of the California Conservation Corps or certified community conservation corps.

(14) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(15) This bill would become operative only if AB 79 or SB 103 is enacted, amending the Budget Act of 2013.

(16) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~(1) Existing law requires the small claims court to charge and collect a fee of \$10 from the plaintiff for each defendant on whom the court clerk serves a copy of the plaintiff's claim by mail.~~

This bill would increase that fee to \$15 for each defendant to whom a copy of the claim is mailed by the small claims court clerk.

~~(2) Existing law requires the Controller, to the extent feasible, to offset any amount overdue and unpaid for a fine, penalty, assessment, bail, vehicle parking penalty, or court-ordered reimbursement for court-related services, from a person or entity, against any amount owing the person or entity by a state agency on a claim for a refund from the Franchise Tax Board under the Personal Income Tax Law or the Bank and Corporation Tax Law, from winnings in the California State Lottery, or from a cash payment of a claim for unclaimed property held by the state, as specified. Existing law requires the Controller to deduct and retain from any amount offset in favor of a city or county an amount sufficient to reimburse the administrative costs of processing the offset payment.~~

~~This bill would prohibit the Controller and the Franchise Tax Board from conditioning a request for offset on the submission of a person's social security number. The bill would additionally require the Controller to deduct and retain from any amount offset in favor of a court an amount sufficient to reimburse the administrative costs of processing the offset payment. The bill would authorize the Franchise Tax Board, if necessary to confirm the identity of a person before making an offset, and upon paying any necessary fees, to obtain a social security number from the Department of Motor Vehicles, as specified.~~

~~(3) Existing law requires the Legislature to make an annual appropriation to the Judicial Council for the general operations of the trial courts based on the request of the Judicial Council, which is submitted to the Governor and the Legislature. Existing law requires the Judicial Council to retain the ultimate responsibility to adopt a budget and allocate funding for the trial courts. Existing law requires the Judicial Council to set a preliminary allocation for each trial court in July of each fiscal year and to finalize those allocations in January, as specified. Existing law, until June 30, 2014, authorizes a trial court to carry unexpended funds over from one fiscal year to the next. Existing law, commencing June 30, 2014, authorizes a trial court to carry over unexpended funds in an amount not to exceed 1% of the court's operating budget from the prior fiscal year.~~

~~This bill would require the Judicial Council to include an estimate of the available trial court reserves as of June 30 of the prior fiscal year when setting its July preliminary allocation and to offset each court's allocation by the amount of reserves in excess of the amount authorized to be carried over, as specified. The bill would similarly require the Judicial Council to finalize its January allocations after review of available trial court reserves as of June 30 of the prior fiscal year and to offset each court's allocation as described above. The bill would exempt certain funds from the calculation of the 1% authorized to be carried over from the prior fiscal year.~~

~~(4) Existing law establishes the Trial Court Trust Fund to fund trial court operations, as specified.~~

~~This bill would authorize the Administrative Office of the Courts (AOC) to make loans to the Trial Court Trust Fund from specified funds if the cash balance of the Trial Court Trust Fund is insufficient to support trial court operations during the fiscal year, but would prohibit the total amount of outstanding loans from exceeding \$150,000,000, as specified. The bill would prohibit AOC from authorizing a loan pursuant to these~~

~~provisions to provide cash resources to any court that has not first provided a balanced budget approved by the Judicial Council. The bill would also authorize the AOC to transfer funds from the Trial Court Trust Fund for the repayment of these loans and would prohibit the charge or payment of interest, as specified. The bill would require that all loans made pursuant to these provisions be repaid within 2 years, as provided.~~

~~(5) Existing law requires, for each proceeding lasting less than one hour, a fee of \$30 to be charged for the reasonable cost of the services of an official court reporter.~~

~~This bill would require the proceeds of the fee to be distributed to the court in which the fee was collected.~~

~~(6) Existing law, until January 1, 2017, requires each trial court, prior to adopting a baseline budget plan for the fiscal year, to provide the public notice of, and an opportunity for input on, through submission of written documents or a public hearing, the trial court's proposed budget plan, and requires the baseline budget plan to be made available to the public at the courthouse and on the court's public Internet Web site no less than 3 court days prior to the hearing or, if there is no hearing, prior to adoption of the plan.~~

~~This bill would extend the operation of these provisions indefinitely.~~

~~(7) Existing law provides the fee for an exemplification of a record is \$20, in addition to other charges allowed.~~

~~This bill would increase the fee to \$50 for an exemplification, in addition to other charges allowed.~~

~~(8) Existing law provides that a person released from prison after serving a term for certain crimes is subject to parole supervision, as specified, and the jurisdiction of the court where the person is released or resides for the purpose of hearing petitions to revoke parole and impose a term of custody.~~

~~This bill would expand those provisions to provide that jurisdiction for that purpose also includes the jurisdiction of the court in any county where the supervised person is arrested. The bill would make additional conforming changes relating to persons subject to mandatory supervision and postrelease community supervision, as specified.~~

~~(9) Existing law, the California Community Corrections Performance Incentives Act of 2009, authorizes each county to establish a Community Corrections Performance Incentives Fund, and authorizes the state to annually allocate moneys into a State Community Corrections Performance Incentives Fund to be used for specified purposes relating~~

to improving local probation supervision practices and capacities, as specified. The act defines “community corrections” for these purposes to mean the placement of persons convicted of a felony offense under probation supervision, with conditions imposed by a court for a specified period.

This bill would expand those provisions to additionally include within “community corrections” the placement of persons convicted of a felony offense under mandatory supervision or postrelease community supervision, as specified. The bill would make additional conforming changes:

(10) Existing law, until January 1, 2015, requires the Administrative Office of the Courts, in consultation with the Chief Probation Officers of California, to specify and define minimum required outcome-based measures, which shall include, among other things, the percentage of persons on felony probation who are being supervised in accordance with evidence-based practices. Existing law requires the Administrative Office of the Courts, in consultation with the Chief Probation Officer of each county and the Department of Corrections and Rehabilitation, to provide a quarterly statistical report to the Department of Finance, including statistical information pertaining to felons and persons on felony probation for each county.

This bill would expand these provisions to include persons who were placed on mandatory supervision and postrelease community supervision on and after January 1, 2012, as specified. The bill would extend the operation of the provisions described in this paragraph indefinitely.

(11) Existing law requires the AOC, in consultation with the Chief Probation Officers of California, the Department of Corrections and Rehabilitation, and the Department of Finance, to submit a report to the Governor and the Legislature pertaining to community corrections programs for felony probationers, as specified.

This bill would expand these provisions to include data regarding persons who were placed on mandatory supervision and postrelease community supervision:

(12) Existing law provides for a probation failure reduction incentive payment for each eligible county, and establishes 2 tiers for evaluating counties for purposes of calculating that payment. Existing law also provides high performance grants to county probation departments for purposes of bolstering practices to reduce recidivism:

This bill would establish a 3rd tier for the purposes of calculating a probation failure reduction incentive payment. The bill would provide

that a county that fails to submit specified required information to the AOC would not be eligible for the incentive payment or the grant, as specified. The bill would modify the funding and calculation of the incentive payments and grants. The bill would appropriate \$1,000,000 from the State Community Corrections Performance Incentive Fund to the judicial branch for the costs of implementing and administering the probation failure reduction incentive payment, as specified.

~~(13) Existing law, until January 1, 2015, requires after the conclusion of each calendar year, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the AOC, to calculate the probation failure rate for counties and for the state, as specified.~~

~~This bill would additionally require calculation of mandatory supervision failure to prison rates and postrelease community supervision to failure to prison rates, for counties and for the state, as specified. The bill would extend the operation of these provisions indefinitely.~~

~~(14) Existing law, commencing not earlier than July 1, 2011, and not later than December 15, 2012, requires the California State Auditor to establish a pilot program to audit 6 trial courts, as provided, and to commence an audit of the trial courts on or before December 15, 2013. It also requires, not later than December 15, 2013, and biennially thereafter, an audit of the AOC, the Habeas Corpus Resource Center, and the appellate courts.~~

~~This bill would instead require the audit of the AOC, the Habeas Corpus Resource Center, the California Supreme Court, and the appellate courts to commence on or before July 1, 2013, and a copy of the final audit report of the AOC to be provided to specified entities on or before December 31, 2013. The bill would, on January 1, 2014, repeal these provisions, and would instead require the California State Auditor to biennially audit 5 judicial branch entities and the AOC, as specified; subject to an appropriation for this purpose, and to provide a final audit report to the judicial branch entity, the Legislature, the Judicial Council, and the Department of Finance, as provided.~~

~~(15) Existing law authorizes the board of supervisors to designate a county financial evaluation officer to make financial evaluations of liability for reimbursement of the costs of support of a minor, as specified, and authorizes that officer to petition the court for an order requiring the person who is determined to be financially responsible to~~



pay those costs. Under existing law, if the parent or guardian is currently receiving reunification services, and the court finds that repayment by the parent or guardian will pose a barrier to reunification with the child, as specified, the court shall not order repayment of those costs by the parent or guardian.

This bill would prohibit the county financial officer from petitioning the court for an order of repayment of those costs, and the court from ordering that repayment, based upon either the finding of the court or the determination of the county financial officer, that repayment by the parent or guardian will pose a barrier to reunification with the child, as specified.

~~(16) This bill would also require the Judicial Council to report to the appropriate budget and policy committees of the Legislature, the Joint Legislative Budget Committee, the Legislative Analyst’s Office, and the Department of Finance, on or before June 30, 2014, on an evaluation of the Long Beach court building performance-based infrastructure project, as specified.~~

~~(17) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.~~

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: ~~no~~-yes.

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

1     SECTION 1. *The Legislature finds and declares that California*  
2 *is experiencing an unprecedented dry period and shortage of water*  
3 *for its citizens, local governments, agriculture, environment, and*  
4 *other uses. The purpose of this act is to enact urgent legislation*  
5 *to appropriate funds and expedite administrative actions to*  
6 *increase water supply reliability consistent with the state’s*  
7 *economic, health and safety, and resource protection laws.*

8     SEC. 2. *Section 8683 of the Government Code is amended to*  
9 *read:*

10     8683. (a) Whenever funds are available for purposes of this  
11 chapter, the director shall make allocations ~~therefrom~~ *from the*  
12 *funds available* in the amounts that he or she determines to be  
13 necessary to state agencies for expenditure for making the  
14 investigations, estimates, and reports required by this chapter.  
15 Those allocations may also be made to provide for preliminary  
16 investigations, estimates, reports, training of state agency

1 personnel, or to reimburse the state agencies for expenditures made  
2 in anticipation of actual applications by local agencies. Allocations  
3 may also be made for the purpose of making any investigations,  
4 estimates, and reports that may be necessary to enable local  
5 agencies to obtain federal aid for disaster relief purposes, regardless  
6 of whether or not that aid is available for projects that are eligible  
7 for state allocations pursuant to this chapter. The director may  
8 make allocations to any state agency or office from those funds,  
9 or other funds available therefor, in the amounts that are necessary  
10 to administer this chapter.

11 *(b) When a proclamation of a state of emergency has been issued*  
12 *by the Governor under the California Emergency Services Act*  
13 *(Chapter 7 (commencing with Section 8550)) and funds are*  
14 *available for purposes of this chapter, the director may make*  
15 *allocations from the funds available in the amounts that the*  
16 *director determines necessary to state agencies for expenditures*  
17 *incurred performing extraordinary emergency measures. An*  
18 *allocation pursuant to this subdivision is at the discretion of the*  
19 *director, but an allocation shall not reimburse either of the*  
20 *following:*

21 *(1) Employee costs related to emergency work activities.*

22 *(2) Any permanent repairs to the agency's own facilities.*

23 *SEC. 3. Chapter 3 (commencing with Section 34085) is added*  
24 *to Part 1.6 of Division 24 of the Health and Safety Code, to read:*

25

26 *CHAPTER 3. DROUGHT HOUSING RENTAL SUBSIDIES*

27

28 *34085. (a) The department shall provide housing rental-related*  
29 *subsidies for the purposes of disaster relief to persons rendered*  
30 *homeless or at risk of becoming homeless due to unemployment,*  
31 *underemployment, or other economic hardship resulting from the*  
32 *state of emergency proclaimed by the Governor on January 17,*  
33 *2014. The housing rental-related subsidies shall provide rental*  
34 *assistance to individuals who are unemployed or underemployed*  
35 *because agricultural or other businesses are affected by the*  
36 *drought conditions and to other persons that have suffered*  
37 *economic losses due to the drought conditions.*

38 *(b) The department may administer the housing rental-related*  
39 *subsidies or contract with qualified local government agencies or*  
40 *nonprofit organizations to administer the subsidies.*

1 (c) *The department shall adopt guidelines establishing criteria*  
2 *for the subsidies, including, but not limited to, eligibility, income*  
3 *limits, and subsidy amounts.*

4 34086. *Any rule, policy, or standard of general application*  
5 *employed by the department in implementing the provisions of this*  
6 *chapter shall not be subject to the requirements of the*  
7 *Administrative Procedure Act (Chapter 3.5 (commencing with*  
8 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*  
9 *Code).*

10 SEC. 4. *Section 50661 of the Health and Safety Code is*  
11 *amended to read:*

12 50661. (a) There is hereby created in the State Treasury the  
13 Housing Rehabilitation Loan Fund. All interest or other increments  
14 resulting from the investment of moneys in the Housing  
15 Rehabilitation Loan Fund shall be deposited in the fund,  
16 notwithstanding Section 16305.7 of the Government Code.  
17 Notwithstanding Section 13340 of the Government Code, all  
18 money in the fund is continuously appropriated to the department  
19 for the following purposes:

20 (1) For making deferred-payment rehabilitation loans for  
21 financing all or a portion of the cost of rehabilitating existing  
22 housing to meet rehabilitation standards as provided in this chapter.

23 (2) For making deferred payment loans as provided in Sections  
24 50668.5, 50669, and 50670.

25 (3) For making deferred payment loans pursuant to Sections  
26 50662.5 and 50671.

27 (4) Subject to the restrictions of Section 53131, if applicable,  
28 for administrative expenses of the department made pursuant to  
29 this chapter, Article 3 (commencing with Section 50693) of Chapter  
30 7.5, and Chapter 10 (commencing with Section 50775).

31 (5) For related administrative costs of nonprofit corporations  
32 and local public entities contracting with the department pursuant  
33 to Section 50663 in an amount, if any, as determined by the  
34 department, to enable the entities and corporations to implement  
35 a program pursuant to this chapter. The department shall ensure  
36 that not less than 20 percent of the funds loaned pursuant to this  
37 chapter shall be allocated to rural areas. For purposes of this chapter  
38 “rural area” shall have the same meaning as in Section 50199.21.

1 (6) *To the extent no other funding sources are available, ten*  
2 *million dollars (\$10,000,000) shall be available for the purposes*  
3 *of Section 34085.*

4 (b) There shall be paid into the fund the following:

5 (1) Any moneys appropriated and made available by the  
6 Legislature for purposes of the fund.

7 (2) Any moneys that the department receives in repayment of  
8 loans made from the fund, including any interest thereon.

9 (3) Any other moneys that may be made available to the  
10 department for the purposes of this chapter from any other source  
11 or sources.

12 (4) Moneys transferred or deposited to the fund pursuant to  
13 Sections 50661.5 and 50778.

14 (c) Notwithstanding any other provision of law, any interest or  
15 other increment earned by the investment or deposit of moneys  
16 appropriated by subdivision (b) of Section 3 of Chapter 2 of the  
17 Statutes of the 1987–88 First Extraordinary Session, or Section 7  
18 of Chapter 4 of the Statutes of the 1987–88 First Extraordinary  
19 Session, shall be deposited in a special account in the Housing  
20 Rehabilitation Loan Fund and shall be used exclusively for  
21 purposes of Sections 50662.5 and 50671.

22 (d) Notwithstanding any other provision of law, effective with  
23 the date of the act adding this subdivision, appropriations  
24 authorized by the Budget Act of 1996 for support of the  
25 Department of Housing and Community Development from the  
26 California Disaster Housing Repair Fund and the California  
27 Homeownership Assistance Fund shall instead be authorized for  
28 expenditure from the Housing Rehabilitation Loan Fund.

29 *SEC. 5. Section 50716 is added to the Health and Safety Code,*  
30 *to read:*

31 *50716. (a) Notwithstanding any other law, to respond to the*  
32 *state of emergency proclaimed by the Governor on January 17,*  
33 *2014, the department shall, directly or through contracts, make*  
34 *the Office of Migrant Services centers available for rent by persons*  
35 *or families experiencing economic hardships as a result of the*  
36 *drought. This may include, but is not limited to, extending the*  
37 *period of occupancy prior to or beyond the standard 180-day*  
38 *period and redefining persons and families eligible to occupy the*  
39 *centers. To the extent feasible, the department shall give preference*  
40 *to persons and families that meet existing program criteria.*

1 (b) The department may adopt program guidelines to implement  
2 this section. Any rule, policy, or standard of general application  
3 employed by the department in implementing the provisions of this  
4 section shall not be subject to the requirements of the  
5 Administrative Procedure Act (Chapter 3.5 (commencing with  
6 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
7 Code).

8 SEC. 6. Section 10201.5 of the Unemployment Insurance Code  
9 is amended to read:

10 10201.5. With respect to funding appropriated in the annual  
11 Budget Act to the Employment Development Department for  
12 allocation by the Employment Training Panel and identified for  
13 training of workers in regions suffering from high unemployment  
14 and low job creation, ~~including creation or regions identified in a~~  
15 ~~proclamation of a state of emergency issued by the working poor,~~  
16 ~~Governor under the California Emergency Services Act (Chapter~~  
17 ~~7 (commencing with Section 8550) of Division 1 of Title 2 of the~~  
18 ~~Government Code), the panel, notwithstanding subdivision (g) (f)~~  
19 of Section 10201, may waive the minimum wage requirements  
20 included in that subdivision provided that the post-retention wage  
21 of each trainee who has completed training and the required  
22 training period exceeds his or her wage before and during training.  
23 This determination shall be made on a case-by-case basis to ensure  
24 that post-training improvements in earnings are sufficient to  
25 warrant the investment of public funds.

26 SEC. 7. Section 10214.5 of the Unemployment Insurance Code  
27 is amended to read:

28 10214.5. (a) The panel may allocate up to 15 percent of the  
29 annually available training funds for the purpose of funding special  
30 employment training projects that improve the skills and  
31 employment security of frontline workers, as defined in subdivision  
32 (a) of Section 10200. Notwithstanding any other provision of this  
33 chapter, participants in these projects are not required to meet the  
34 eligibility criteria set forth in paragraph (1) of subdivision (a) of  
35 Section 10200 or subdivision (c) of Section 10201.

36 (b) The panel shall, on an annual ~~basis,~~ *basis or as needed in*  
37 *response to a proclamation of a state of emergency issued by the*  
38 *Governor under the California Emergency Services Act (Chapter*  
39 *7 (commencing with Section 8550) of Division 1 of Title 2 of the*  
40 *Government Code), identify industries and occupations that shall*

1 be priorities for funding under this section. Training shall be  
2 ~~targeted~~ *targeted, but not limited*, to frontline workers who earn  
3 at least the state average hourly wage.

4 (c) The panel may waive the minimum wage provisions pursuant  
5 to subdivision (f) of Section 10201 for projects in regions of the  
6 state where the unemployment rate is significantly higher than the  
7 ~~state average~~; *average or regions identified in a proclamation of*  
8 *a state of emergency issued by the Governor under the California*  
9 *Emergency Services Act (Chapter 7 (commencing with Section*  
10 *8550) of Division 1 of Title 2 of the Government Code), and also*  
11 may waive the employment retentions provisions specified in  
12 subdivision (f) of Section 10209 and instead require that the trainee  
13 has been retained in employment for a minimum of 90 days out  
14 of 120 consecutive days after the end of training with no more  
15 than three employers.

16 (d) (1) The panel may allocate funds pursuant to subdivision  
17 (a) to increase the productivity and extended employment retention  
18 of workers in the state's major seasonal industries.

19 (2) In funding special employment training projects for this  
20 purpose, the panel may do all of the following:

21 (A) When the amount of the postretention wages of each trainee  
22 who has completed training exceeds the amount of wages that the  
23 trainee earned before and during training, waive the minimum  
24 wage requirements set forth in subdivision (f) of Section 10201.

25 (B) Waive the employment retention requirements set forth in  
26 subdivision (f) of Section 10209 and instead require that the trainee  
27 be retained in employment for not less than 500 hours within the  
28 12-month period following the completion of the training.

29 (C) When the panel finds that the training is necessary to achieve  
30 the objectives of vocational training, waive the limitation on  
31 job-related basic and literacy skills training set forth in subdivision  
32 (a) of Section 10209.

33 (3) For purposes of this section, "major seasonal industries"  
34 means eligible employers who satisfy all of the following  
35 requirements:

36 (A) Have a workforce comprised of at least 50 percent of  
37 workers whose employment period is necessarily cyclical,  
38 including, but not limited to, businesses directly involved in the  
39 harvesting, packing, or processing of goods or products.

1 (B) Have retained at least 50 percent of the same seasonal  
2 employees for at least one season of not less than 500 hours for  
3 the preceding 12-month period.

4 (C) Pay wages and provide benefits that exceed industry  
5 averages.

6 (e) The panel shall adopt minimum standards for consideration  
7 of proposals to be funded pursuant to this section.

8 (f) The panel may select contracts funded under this section  
9 based on competitive bidding.

10 (g) It is the intent of the Legislature in providing the authority  
11 for these projects that the panel allocate these funds in a manner  
12 consistent with the objectives of this chapter as provided in Section  
13 10200.

14 *SEC. 8. Section 10214.6 of the Unemployment Insurance Code*  
15 *is amended to read:*

16 10214.6. (a) ~~The panel shall establish the Partnership for~~  
17 ~~Workforce Recovery Training (PWRT) for the purposes of~~  
18 ~~supporting and implementing the workforce development goals~~  
19 ~~set forth in the federal American Recovery and Reinvestment Act~~  
20 ~~of 2009 (ARRA) (P.L. 111-5). The panel shall develop and publish~~  
21 ~~guidelines for implementation of the PWRT, consistent with, and~~  
22 ~~including develop and publish guidelines for the purpose of~~  
23 ~~supporting and implementing one or more alternative fund~~  
24 ~~programs to reimburse the cost of training consistent with the~~  
25 ~~purposes of this part, using funds from a source other than the~~  
26 ~~employment training tax. The alternative funds may be from any~~  
27 ~~federal, state, or local governmental entity, as appropriated in~~  
28 ~~statute or other means. The guidelines shall include adequate fiscal~~  
29 ~~and accounting controls, as prescribed in subdivision (g) (f) of~~  
30 ~~Section 10205.~~

31 ~~(b) The panel may allocate any funds it receives pursuant to the~~  
32 ~~federal Workforce Investment Act of 1998 (29 U.S.C. Sec. 2801~~  
33 ~~et seq.) and the ARRA to support the activities of the PWRT. Any~~  
34 ~~funds received by the panel pursuant to this section shall be~~  
35 ~~deposited into a separate account established by the department~~  
36 ~~in the State Treasury, and used for the purposes of this section.~~

37 (e)

38 (b) The panel may adopt any regulations necessary to implement  
39 this section, but any regulations so adopted are exempt from the

1 requirements of Chapter 3.5 (commencing with Section 11340) of  
 2 Part 1 of Division 3 of Title 2 of the Government Code.

3 ~~(d)~~

4 (c) The panel may solicit proposals and enter into contracts or  
 5 other agreements to secure funding for the purposes of this section,  
 6 but those proposals, contracts, and agreements shall be exempt  
 7 from any competitive bidding requirements otherwise prescribed  
 8 in statute.

9 *SEC. 9. Section 1052 of the Water Code is amended to read:*

10 1052. (a) The diversion or use of water subject to this division  
 11 other than as authorized in this division is a trespass.

12 ~~(b) Civil liability may be administratively imposed by the board  
 13 pursuant to Section 1055 for a trespass as defined in this section  
 14 in an amount not to exceed five hundred dollars (\$500) for each  
 15 day in which the trespass occurs.~~

16 ~~(e)~~

17 (b) The Attorney General, upon request of the board, shall  
 18 institute in the superior court in and for any county ~~wherein~~ *where*  
 19 the diversion or use is threatened, is occurring, or has occurred  
 20 ~~appropriate~~ *an* action for the issuance of injunctive relief as may  
 21 be warranted by way of temporary restraining order, preliminary  
 22 injunction, or permanent injunction.

23 (c) *Any person or entity committing a trespass as defined in this  
 24 section may be liable in an amount not to exceed the following:*

25 (1) *If the unauthorized diversion or use occurs in a critically  
 26 dry year immediately preceded by two or more consecutive below  
 27 normal, dry, or critically dry years or during a period for which  
 28 the Governor has issued a proclamation of a state of emergency  
 29 under the California Emergency Services Act (Chapter 7  
 30 (commencing with Section 8550) of Division 1 of Title 2 of the  
 31 Government Code) based on drought conditions, the sum of the  
 32 following:*

33 (A) *One thousand dollars (\$1,000) for each day in which the  
 34 trespass occurs.*

35 (B) *Two thousand five hundred dollars (\$2,500) for each  
 36 acre-foot of water diverted or used other than as authorized in  
 37 this division.*

38 (2) *If the unauthorized diversion or use is not described by  
 39 paragraph (1), five hundred dollars (\$500) for each day in which  
 40 the unauthorized diversion or use occurs.*



1 (d) Civil liability for a violation of this section may be imposed  
2 by the superior court or the board as follows:

3 ~~(d) Any person or entity committing a trespass as defined in~~  
4 ~~this section~~

5 (1) ~~The superior court may be liable for a sum not to exceed~~  
6 ~~five hundred dollars (\$500) for each day impose civil liability in~~  
7 ~~which the trespass occurs. The an action brought by the Attorney~~  
8 ~~General, upon request of the board, shall petition the superior court~~  
9 ~~to impose, assess, and recover any sums pursuant to this~~  
10 ~~subdivision. subdivision (c).~~ In determining the appropriate amount,  
11 the court shall take into consideration all relevant circumstances,  
12 including, but not limited to, the extent of harm caused by the  
13 violation, the nature and persistence of the violation, the length of  
14 time over which the violation occurs, and the corrective action, if  
15 any, taken by the violator.

16 (2) ~~The board may impose civil liability in accordance with~~  
17 ~~Section 1055.~~

18 (e) All funds recovered pursuant to this section shall be  
19 deposited in the Water Rights Fund established pursuant to Section  
20 1550.

21 (f) The remedies prescribed in this section are cumulative and  
22 not alternative.

23 *SEC. 10. Section 1058.5 of the Water Code is amended to read:*

24 1058.5. (a) This section applies to any emergency regulation  
25 adopted by the board for which the board makes both of the  
26 following findings:

27 (1) The emergency regulation is adopted to prevent the waste,  
28 unreasonable use, unreasonable method of use, or unreasonable  
29 method of diversion, of water, to promote wastewater reclamation,  
30 water recycling or water conservation, to ~~promote~~ require  
31 curtailment of diversions when water conservation is not available  
32 under the diverter's priority of right, or in furtherance of any of  
33 the foregoing, to require reporting of diversion or use or the  
34 preparation of monitoring or technical reports.

35 (2) The emergency regulation is adopted in response to  
36 conditions which exist, or are threatened, in a critically dry year  
37 immediately preceded by two or more consecutive ~~dry below~~  
38 ~~normal, dry, or critically dry years. years or during a period for~~  
39 ~~which the Governor has issued a proclamation of a state of~~  
40 ~~emergency under the California Emergency Services Act (Chapter~~

1 7 (commencing with Section 8550) of Division 1 of Title 2 of the  
 2 Government Code) based on drought conditions.

3 (b) Notwithstanding Sections 11346.1 and 11349.6 of the  
 4 Government Code, any findings of emergency adopted by the  
 5 board, in connection with the adoption of an emergency regulation  
 6 ~~to which under this section applies,~~ *section*, are not subject to  
 7 review by the Office of Administrative Law.

8 ~~Any~~ *An* emergency regulation adopted by the board ~~to which~~  
 9 *under this section applies* may remain in effect for up to 270 days,  
 10 as determined by the board, and is deemed repealed immediately  
 11 upon a finding by the board that due to changed conditions it is  
 12 no longer necessary for the regulation to remain in effect. *An*  
 13 *emergency regulation adopted by the board under this section may*  
 14 *be renewed if the board determines that the conditions specified*  
 15 *in paragraph (2) of subdivision (a) are still in effect.*

16 (d) *In addition to any other applicable civil or criminal*  
 17 *penalties, any person or entity who violates a regulation adopted*  
 18 *by the board pursuant to this section is guilty of an infraction*  
 19 *punishable by a fine of up to five hundred dollars (\$500) for each*  
 20 *day in which the violation occurs.*

21 *SEC. 11. Section 1551 of the Water Code is amended to read:*  
 22 1551. All of the following shall be deposited in the Water  
 23 Rights Fund:

24 (a) All fees, expenses, and penalties collected by the board or  
 25 the State Board of Equalization under this chapter and Part 3  
 26 (commencing with Section 2000).

27 (b) All funds collected under Section 1052, ~~1845~~, *Article 4*  
 28 *(commencing with Section 1845) of Chapter 12*, or Section 5107.

29 (c) All fees collected under Section 13160.1 in connection with  
 30 certificates for activities involving hydroelectric power projects  
 31 subject to licensing by the Federal Energy Regulatory Commission.

32 *SEC. 12. Section 1831 of the Water Code is amended to read:*  
 33 1831. (a) When the board determines that any person is  
 34 violating, or threatening to violate, any requirement described in  
 35 subdivision (d), the board may issue an order to that person to  
 36 cease and desist from that violation.

37 (b) The cease and desist order shall require that person to comply  
 38 forthwith or in accordance with a time schedule set by the board.

39 (c) The board may issue a cease and desist order only after  
 40 notice and an opportunity for hearing pursuant to Section 1834.

1 (d) The board may issue a cease and desist order in response to  
2 a violation or threatened violation of any of the following:

3 (1) The prohibition set forth in Section 1052 against the  
4 unauthorized diversion or use of water subject to this division.

5 (2) Any term or condition of a permit, license, certification, or  
6 registration issued under this division.

7 (3) Any decision or order of the board issued under this part,  
8 Section 275, or Article 7 (commencing with Section 13550) of  
9 Chapter 7 of Division 7, in which decision or order the person to  
10 whom the cease and desist order will be issued, or a predecessor  
11 in interest to that person, was named as a party directly affected  
12 by the decision or order.

13 (4) *A regulation adopted under Section 1058.5.*

14 (e) This article ~~shall~~ *does* not authorize the board to regulate in  
15 any manner, the diversion or use of water not otherwise subject to  
16 regulation of the board under this ~~part.~~ *division or Section 275.*

17 *SEC. 13. Section 1845 of the Water Code is amended to read:*

18 1845. (a) Upon the failure of any person to comply with a  
19 cease and desist order issued by the board pursuant to this chapter,  
20 the Attorney General, upon the request of the board, shall petition  
21 the superior court for the issuance of prohibitory or mandatory  
22 injunctive relief as appropriate, including a temporary restraining  
23 order, preliminary injunction, or permanent injunction.

24 (b) (1) ~~Any~~ *A* person or entity who violates a cease and desist  
25 order issued pursuant to this chapter may be liable for a sum in an  
26 amount not to exceed ~~one thousand dollars (\$1,000) for each day~~  
27 ~~in which the violation occurs.~~ *following:*

28 (A) *If the violation occurs in a critically dry year immediately*  
29 *preceded by two or more consecutive below normal, dry, or*  
30 *critically dry years or during a period for which the Governor has*  
31 *issued a proclamation of a state of emergency under the California*  
32 *Emergency Services Act (Chapter 7 (commencing with Section*  
33 *8550) of Division 1 of Title 2 of the Government Code) based on*  
34 *drought conditions, ten thousand dollars (\$10,000) for each day*  
35 *in which the violation occurs.*

36 (B) *If the violation is not described by subparagraph (A), one*  
37 *thousand dollars (\$1,000) for each day in which the violation*  
38 *occurs.*

1 (2) Civil liability may be imposed by the superior court. The  
2 Attorney General, upon the request of the board, shall petition the  
3 superior court to impose, assess, and recover those sums.

4 (3) Civil liability may be imposed administratively by the board  
5 pursuant to Section 1055.

6 (c) In determining the appropriate amount, the court, or the  
7 board, as the case may be, shall take into consideration all relevant  
8 circumstances, including, but not limited to, the extent of harm  
9 caused by the violation, the nature and persistence of the violation,  
10 the length of time over which the violation occurs, and the  
11 corrective action, if any, taken by the violator.

12 (d) All funds recovered pursuant to this section shall be  
13 deposited in the Water Rights Fund established pursuant to Section  
14 1550.

15 *SEC. 14. Section 1846 is added to the Water Code, to read:*

16 *1846. (a) A person or entity may be liable for a violation of*  
17 *any of the following in an amount not to exceed five hundred*  
18 *dollars (\$500) for each day in which the violation occurs:*

19 *(1) A term or condition of a permit, license, certificate, or*  
20 *registration issued under this division.*

21 *(2) An order or regulation adopted by the board under Section*  
22 *275, Section 1058.5, or the public trust doctrine.*

23 *(b) Civil liability may be imposed by the superior court. The*  
24 *Attorney General, upon the request of the board, shall petition the*  
25 *superior court to impose, assess, and recover those sums.*

26 *(c) Civil liability may be imposed administratively by the board*  
27 *pursuant to Section 1055.*

28 *(d) In determining the appropriate amount of civil liability, the*  
29 *court, pursuant to subdivision (b), or the board, pursuant to*  
30 *subdivision (c), may take into consideration all relevant*  
31 *circumstances, including, but not limited to, the extent of harm*  
32 *caused by the violation, the nature and persistence of the violation,*  
33 *the length of time over which the violation occurs, and the*  
34 *corrective action, if any, taken by the violator.*

35 *(e) No liability shall be recoverable under this section for any*  
36 *violation for which liability is recovered under Section 1052.*

37 *(f) All funds recovered pursuant to this section shall be deposited*  
38 *in the Water Rights Fund established pursuant to Section 1550.*

39 *(g) This section applies only in a critically dry year immediately*  
40 *preceded by two or more consecutive below normal, dry, or*

1 *critically dry years or during a period for which the Governor has*  
2 *issued a proclamation of a state of emergency under the California*  
3 *Emergency Services Act (Chapter 7 (commencing with Section*  
4 *8550) of Division 1 of Title 2 of the Government Code) based on*  
5 *drought conditions.*

6 *SEC. 15. Section 13562.5 is added to the Water Code, to read:*

7 *13562.5. Notwithstanding any other law, no later than June*  
8 *30, 2014, the department shall adopt, by emergency regulations*  
9 *in accordance with Chapter 3.5 (commencing with Section 11340)*  
10 *of Part 1 of Division 3 of Title 2 of the Government Code,*  
11 *requirements for groundwater replenishment using recycled water.*  
12 *The adoption of these regulations is an emergency and shall be*  
13 *considered by the Office of Administrative Law as necessary for*  
14 *the immediate preservation of the public peace, health, safety, and*  
15 *general welfare. Notwithstanding Chapter 3.5 (commencing with*  
16 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*  
17 *Code, emergency regulations adopted by the department pursuant*  
18 *to this section shall not be subject to review by the Office of*  
19 *Administrative Law and shall remain in effect until revised by the*  
20 *department.*

21 *SEC. 16. Water conservation and drought response projects*  
22 *funded by the provisions of this act, or the act described in Section*  
23 *19, shall, to the extent feasible and appropriate, use the services*  
24 *of the California Conservation Corps or certified community*  
25 *conservation corps, as defined in Section 14507.5 of the Public*  
26 *Resources Code.*

27 *SEC. 17. No reimbursement is required by this act pursuant*  
28 *to Section 6 of Article XIII B of the California Constitution because*  
29 *the only costs that may be incurred by a local agency or school*  
30 *district will be incurred because this act creates a new crime or*  
31 *infraction, eliminates a crime or infraction, or changes the penalty*  
32 *for a crime or infraction, within the meaning of Section 17556 of*  
33 *the Government Code, or changes the definition of a crime within*  
34 *the meaning of Section 6 of Article XIII B of the California*  
35 *Constitution.*

36 *SEC. 18. Of the funds made available pursuant to Division 43*  
37 *(commencing with Section 75001) of the Public Resources Code,*  
38 *the sum of four hundred seventy-two million five hundred thousand*  
39 *dollars (\$472,500,000) is hereby appropriated pursuant to Section*  
40 *75026 of the Public Resources Code as follows:*

1 (a) Two hundred million dollars (\$200,000,000) shall be  
 2 available to the Department of Water Resources for integrated  
 3 regional water management grants through an expedited  
 4 solicitation round for projects that provide immediate regional  
 5 drought preparedness, increase local water supply reliability and  
 6 the delivery of safe drinking water, assist water suppliers and  
 7 regions to implement conservation programs and measures that  
 8 are not locally cost-effective, or reduce water quality conflicts or  
 9 ecosystem conflicts created by the drought. The Department of  
 10 Water Resources shall consult with the State Department of Public  
 11 Health on what emergency drinking water projects may be further  
 12 expedited through these funds.

13 (b) Two hundred seventy-two million five hundred thousand  
 14 dollars (\$272,500,000), shall be available to the Department of  
 15 Water Resources for integrated regional water management grants.  
 16 Notwithstanding Section 75100 of the Public Resources Code, the  
 17 Department of Water Resources may expend up to twenty-one  
 18 million eight hundred thousand dollars (\$21,800,000) of the funds  
 19 appropriated pursuant to this paragraph for projects submitted  
 20 prior to the enactment of this section.

21 SEC. 19. This act shall become operative only if Assembly Bill  
 22 79 or Senate Bill 103 of the 2013–14 Regular Session is enacted  
 23 as amending the Budget Act of 2013.

24 SEC. 20. This act is a bill providing for appropriations related  
 25 to the Budget Bill within the meaning of subdivision (e) of Section  
 26 12 of Article IV of the California Constitution, has been identified  
 27 as related to the budget in the Budget Bill, and shall take effect  
 28 immediately.

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**All matter omitted in this version of the bill  
 appears in the bill as amended in the  
 Senate, June 12, 2013. (JR11)**