

Department of Parks & Recreation

BUDGET NO. 3790

REPORT NO. 1

PUBLIC RESOURCES CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 1.57. Central Valley Vision [5095.50. - 5095.54.]

(Chapter 1.57 added by Stats. 2007, Ch. 546, Sec. 2.)

5095.53.

The plan shall include a specific timeline for implementation. By January 1, 2009, the department shall report to the Legislature on the plan and timeline for implementation of the plan.

(Added by Stats. 2007, Ch. 546, Sec. 2. Effective January 1, 2008.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1426	Wolk	Parks and nature education facilities: Central Valley Vision.	Chaptered 10/12/2007	10/12/2007 - Chaptered by Secretary of State - Chapter 546, Statutes of 2007.	Secretary of State-Chaptered	Yes	Majority
AB-1602	Nunez	Environment: Sustainable Communities and Urban Greening Program.	Introduced 02/23/2007	11/30/2008 - From Senate committee without further action.	Senate-Died - Environmental Quality	Yes	Majority
SB-931	Ridley-Thomas	Parks and nature education facilities.	Amended Senate 05/01/2007	02/04/2008 - Returned to Secretary of State pursuant to Joint Rule 56.	Senate-Died - Appropriations	Yes	Majority

COMMENTS/ RECOMMENDATIONS:

This one-time report on the Department's Central Valley Vision was submitted in 2009.

REPORT NO. 2

PUBLIC RESOURCE CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 1.69. California Parklands Act of 1980 [5096.141. - 5096.213.]

(Chapter 1.69 added by Stats. 1980, Ch. 250, Sec. 1.)

ARTICLE 4. State Park System [5096.161. - 5096.163.]

(Article 4 added by Stats. 1980, Ch. 250, Sec. 1.)

5096.162.

(a) Any Member of the Legislature, the State Park and Recreation Commission, the California Coastal Commission, or the Secretary of the Resources Agency may nominate any project to be funded under this article for study by the Department of Parks and Recreation. Any of the commissions shall make nominations by vote of its membership.

(b) The Department of Parks and Recreation shall study any project so nominated. In addition to the procedures required by Section 5006, the Department of Parks and Recreation shall submit to the Legislature annually a report consisting of a prioritized listing and comparative evaluation of all projects nominated for study, in accordance with the following schedule:

(1) March 1, 1981, for projects nominated prior to January 15, 1981.

(2) November 1, 1981, for projects nominated prior to June 30, 1981, and after January 15, 1981.

(3) November 1, 1982, and each November 1 thereafter for projects nominated during the 12 months ending June 30, 1982, and each June 30 thereafter.

(c) Projects proposed for appropriation for the state park system pursuant to subdivision (b) of Section 5096.151 shall be subject to the favorable recommendation of the State Park and Recreation Commission. Projects recommended by the commission shall be forwarded to the Director of Finance for inclusion in the Budget Bill.

(Added by Stats. 1980, Ch. 250, Sec. 1. Approved November 4, 1980, by adoption of Proposition 1. Operative December 1, 1980.)

NO RELATED LEGISLATION

COMMENTS/ RECOMMENDATIONS:

According to the Department of Parks and Recreation, the bond funds in the California Parklands Act of 1980 have been exhausted and no further reporting is necessary.

REPORT NO. 3

PUBLIC RESOURCES CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 1.691. California Park and Recreational Facilities Act of 1984 [5096.225. - 5096.267.]

(Chapter 1.691 added by Stats. 1984, Ch. 5, Sec. 1.)

ARTICLE 4. State Park System [5096.241. - 5096.243.]

(Article 4 added by Stats. 1984, Ch. 5, Sec. 1.)

5096.242.

(a) Any Member of the Legislature, the State Park and Recreation Commission, the California Coastal Commission, or the Secretary of the Resources Agency may nominate any project to be funded under this article for study by the Department of Parks and Recreation. The State Park and Recreation Commission shall nominate projects after holding at least one public hearing to seek project proposals from individuals, citizen groups, the Department of Parks and Recreation, and other public agencies. Any of the commissions shall make nominations by vote of its membership.

(b) The Department of Parks and Recreation shall study any project so nominated. In addition to the procedures required by Section 5006, the Department of Parks and Recreation shall submit to the Legislature and to the Secretary of the Resources Agency annually a report consisting of a prioritized listing and comparative evaluation of all projects nominated for study, in accordance with the following schedule:

(1) March 1, 1985, for projects nominated prior to January 1, 1985.

(2) November 1, 1985, for projects nominated prior to June 30, 1985, and after January 1, 1985.

(3) November 1, 1986, and each November 1 thereafter for projects nominated during the 12 months ending June 30, 1986, and each June 30 thereafter.

(c) Nominated projects shall be approved by the Secretary of the Resources Agency and forwarded by the secretary to the Director of Finance for inclusion in the Budget Bill.

(Added by Stats. 1984, Ch. 5, Sec. 1. Approved June 5, 1984, by adoption of Proposition 18.)

COMMENTS/ RECOMMENDATIONS:

According to the Department of Parks and Recreation, the bond funds in the California Park and Recreational Facilities Act of 1984 have been exhausted and no further reporting is necessary.

REPORT NO. 4

PUBLIC RESOURCES CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 1.692. Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 [5096.300. - 5096.372.]

(Chapter 1.692 added by Stats. 1999, Ch. 461, Sec. 1.)

ARTICLE 3. State Park System Program [5096.320. - 5096.324.]

(Article 3 added by Stats. 1999, Ch. 461, Sec. 1.)

5096.320.

The Legislature hereby recognizes that public financial resources are inadequate to meet all capital outlay needs of the state park system and that the need for the acquisition, development, restoration, rehabilitation, improvement, and protection of state park system lands and facilities has increased to the point that their continued well-being and the realization of their full public benefit is in jeopardy.

(a) The department shall annually submit to the Legislature and to the secretary a report, consisting of a prioritized listing and comparative evaluation of needs.

(b) Projects approved by the secretary shall be forwarded by the secretary to the Director of Finance for inclusion in the Budget Bill.

[\(Added by Stats. 1999, Ch. 461, Sec. 1. Approved March 7, 2000, by adoption of Proposition 12.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-18	Villaraigosa, Keeley	Bond: parks, water, and coastal protection act.	Chaptered 09/22/1999	09/22/1999 - Chaptered by Secretary of State - Chapter 461, Statutes of 1999.	-		
AB-145		California Park, Recreation, and Wildlife Enhancement Act of 1990.	Chaptered 09/14/1990		-		
SB-2	Chesbro	Parks and resources improvement: bond act.	Amended Senate 03/22/1999	02/02/2000 - Returned to Secretary of Senate pursuant to Joint Rule 56.	-	Yes	Two Thirds

COMMENTS/ RECOMMENDATIONS:

According to the Department of Parks and Recreation information on the capital outlay priorities and needs are outlined annually in budget requests.

REPORT NO. 5

PUBLIC RESOURCES CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 3.2. Roberti-Z'berg-Harris Urban Open-Space and Recreation Program [5620. - 5632.]

(Heading of Chapter 3.2 amended by Stats. 1984, Ch. 1748, Sec. 1.)

ARTICLE 2. Administration [5624. - 5632.]

(Article 2 added by Stats. 1976, Ch. 160.)

5631.

The department, in cooperation with the federal government, local public agencies, and appropriate representatives of industry, shall, from time to time as needed but no less frequently than once every five years, coordinate and conduct a statewide needs analysis in relation to the purposes of this chapter. That analysis shall include a full review of the grant program authorized pursuant to this chapter. The department shall report its findings and recommendations from any analysis, including recommendations as to funding levels and sources in connection with the grant program, to the Legislature. The department may recommend specific legislative changes to the program.

(Amended by Stats. 2003, Ch. 62, Sec. 247. Effective January 1, 2004.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-538		Urban open-space and recreation program: City of San Bernardino land.	Chaptered 10/11/1991		-		
AB-775		Urban open-space and recreation programs: regional park districts.	Chaptered 09/19/1990		-		
SB-600	Committee on Judiciary	Maintenance of the codes.	Chaptered 07/14/2003	07/14/2003 - Chaptered by Secretary of State. Chapter 62, Statutes of 2003. 07/14/2003 - Approved by Governor.	-		
SB-1191	Speier	State and local reporting requirements.	Chaptered 10/12/2001	10/12/2001 - Chaptered by Secretary of State. Chapter 745, Statutes of 2001.	-		

COMMENTS/ RECOMMENDATIONS:

According to the Department of Parks and Recreation, funding for the Roberti-Z'berg-Harris Open-Space program has been exhausted and no further reporting is necessary.

REPORT NO. 6

PUBLIC RESOURCES CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 3.2. Roberti-Z'berg-Harris Urban Open-Space and Recreation Program [5620. - 5632.]

(Heading of Chapter 3.2 amended by Stats. 1984, Ch. 1748, Sec. 1.)

ARTICLE 2. Administration [5624. - 5632.]

(Article 2 added by Stats. 1976, Ch. 160.)

5632.

The director shall, on or before January 1, 1978, and January 1 of each year thereafter, submit a report to the Legislature on all grants made pursuant to this chapter.

[\(Added by Stats. 1976, Ch. 160.\)](#)

COMMENTS/ RECOMMENDATIONS:

According to the Department of Parks and Recreation, funding for the Roberti-Z'berg-Harris Urban Open-Space and Recreation program has been exhausted and no further reporting is necessary.

REPORT NO. 7

PUBLIC RESOURCES CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 1. State Parks and Monuments [5001. - 5077.8.]

(Chapter 1 added by Stats. 1939, Ch. 94.)

ARTICLE 1. State Park System [5001. - 5019.5.]

(Article 1 added by Stats. 1939, Ch. 94.)

5004.5.

(a) The California Youth Soccer and Recreation Development Program is hereby created in the department. The department shall administer the program, which is intended to provide assistance to local agencies and community-based organizations with regard to funding, and fostering the development of, new youth soccer, baseball, softball, and basketball recreation opportunities in the state.

(b) After all grants authorized under this program have been awarded, the department shall report to the Budget Committee of the Assembly and the Budget and Fiscal Review Committee of the Senate on the number of grant applications received, the total amount of funds sought by applicants, and the number of eligible applications that were not funded.

(c) The California Youth Soccer and Recreation Development Fund is hereby created in the State Treasury, to be used as a repository of funds derived from federal, state, and private sources to be used for the program.

(d) The department shall award grants, on a competitive basis, to local agencies and community-based organizations for the purposes of the program, subject to an appropriation therefor. The department shall also develop eligibility guidelines for the award of grants that give preference to those communities that provide matching funds for grants, and that are heavily populated, low-income urban areas with a high youth crime and unemployment rate. The guidelines shall also require that preference be given to those inner city properties that may be leased for periods of at least five years or more for recreational purposes. The department shall conduct public hearings throughout the state prior to final adoption of eligibility guidelines.

(e) Any regulation, guideline, or procedural guide adopted or developed pursuant to this section is not subject to the review or approval of the Office of Administrative Law or to any other requirement of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(f) For purposes of this section, the following terms have the following meanings:

(1) "Community-based organization" means an organization that enters into a cooperative agreement with the department pursuant to Section 513, a nonprofit group or organization, or a friends of parks group or organization of a city, county, city and county, and regional park. All community-based organizations shall have a current tax-exempt status as a nonprofit organization under Section 501(c)(3) of the federal Internal Revenue Code.

(2) "Local agency" means a city, county, city and county, park and recreation district, open-space district, or school district.

(g) This section shall be implemented only upon appropriation of sufficient funds to the department for that purpose.

(h) All funds received by the department pursuant to this section shall be encumbered within three years of the date of the appropriation and expended within eight years from the date of the appropriation.

(i) Nothing in this section is intended to prohibit community-based organizations from acting in partnership with organizations that do not have tax-exempt status as a nonprofit organization under Section 501(c)(3) of the federal Internal Revenue Code.

(Amended by Stats. 2002, Ch. 975, Sec. 1. Effective January 1, 2003.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-359	Murray	Parks and recreation: urban parks and healthy communities.	Chaptered 10/14/2001	10/14/2001 - Chaptered by Secretary of State. Chapter 877, Statutes of 2001.	-		
SB-586	Murray	Parks and recreation: California Youth Soccer and Recreation Development Program: Urban parks: Ballona Creek.	Amended Assembly 07/25/2002	11/30/2002 - From Assembly without further action.	-	Yes	Majority
SB-1622	Murray	Parks and recreation: California Youth Soccer and Recreation Development Program: urban parks: Ballona Creek.	Chaptered 09/27/2002	09/27/2002 - Chaptered by Secretary of State. Chapter 975, Statutes of 2002.	-		

COMMENTS/ RECOMMENDATIONS:

This report was one-time.

REPORT NO. 8

PUBLIC RESOURCES CODE

DIVISION 5. PARKS AND MONUMENTS [5001. - 5873.]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 1.692. Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 [5096.300. - 5096.372.]

(Chapter 1.692 added by Stats. 1999, Ch. 461, Sec. 1.)

ARTICLE 4. Grant Program [5096.331. - 5096.345.]

(Article 4 added by Stats. 1999, Ch. 461, Sec. 1.)

5096.340.

(a) Not less than 11 percent of the funds authorized in paragraph (1) of subdivision (l) of Section 5096.310 shall be available as grants on a competitive basis to cities, counties, and nonprofit organizations for the development or rehabilitation of real property consisting of urban recreational and cultural centers, museums, and facilities for wildlife education or environmental education.

(b) To be eligible for funding, a project shall initially be nominated by a Member of the Legislature for study by the department. The department shall study each project so nominated and, prior to the April 1 preceding the fiscal year in which funds are proposed to be appropriated, shall submit to the Legislature a prioritized listing and comparative evaluation of all projects nominated prior to the preceding July 1.

(c) In establishing priorities of projects, the department shall consider any favorable project characteristics, including, but not limited to, all of the following:

(1) The project will interpret one or more important California historical, cultural, economic, or resource themes or an important historical, cultural, economic, technological, or resource theme in a major region of California. Higher priority shall be assigned to projects whose themes are not interpreted in any existing museum or have demonstrable deficiencies in their presentation in an existing museum.

(2) The project is proposed to be operated on lands that are already in public ownership or on lands that will be acquired and used for the project in conjunction with adjoining public lands.

(3) Projects that are closely related geographically to the resources, activity, structure, place, or collection of objects to be interpreted, and are close to population centers and access routes.

(4) Projects that are in, or close to, population centers or are adjacent to, or readily served by, a state highway or other mode of public transportation.

(5) Projects for which there are commitments, or the serious likelihood of commitments, of funds or the donation of land or other property suitable for the project.

(d) The department shall annually forward a list of the highest priority projects to the Department of Finance for inclusion in the Budget Bill.

(e) An application for a grant for a cooperative museum project shall be submitted jointly by the city, county, or other public agency, an institute of higher learning, or a nonprofit organization that cooperatively is operating, or will operate, the project.

(Added by Stats. 1999, Ch. 461, Sec. 1, Approved March 7, 2000, by adoption of Proposition 12.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-18	Villaraigosa, Keeley	Bond: parks, water, and coastal protection act.	Chaptered 09/22/1999	09/22/1999 - Chaptered by Secretary of State - Chapter 461, Statutes of 1999.	-		
AB-145		California Park, Recreation, and Wildlife Enhancement Act of 1990.	Chaptered 09/14/1990		-		
SB-2	Chesbro	Parks and resources improvement: bond act.	Amended Senate 03/22/1999	02/02/2000 - Returned to Secretary of Senate pursuant to Joint Rule 56.	-	Yes	Two Thirds

COMMENTS/ RECOMMENDATIONS:

According to the Department of Parks and Recreation, the Legislature is no longer nominating projects.

REPORT NO. 9

PUBLIC RESOURCES CODE

DIVISION 20. CALIFORNIA COASTAL ACT [30000. - 30900.]

(Division 20 added by Stats. 1976, Ch. 1330.)

CHAPTER 5. State Agencies [30400. - 30420.]

(Chapter 5 added by Stats. 1976, Ch. 1330.)

ARTICLE 1. General [30400. - 30404.]

(Article 1 added by Stats. 1976, Ch. 1330.)

30404.

(a) The commission shall periodically, in the case of the State Energy Resources Conservation and Development Commission, the State Board of Forestry and Fire Protection, the State Water Resources Control Board and the California regional water quality control boards, the State Air Resources Board and air pollution control districts and air quality management districts, the Department of Fish and Game, the Department of Parks and Recreation, the Department of Boating and Waterways, the California Geological Survey and the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation, and the State Lands Commission, and may, with respect to any other state agency, submit recommendations designed to encourage the state agency to carry out its functions in a manner consistent with this division. The recommendations may include proposed changes in administrative regulations, rules, and statutes.

(b) Each of those state agencies shall review and consider the commission recommendations and shall, within six months from the date of their receipt, to the extent that the recommendations have not been implemented, report to the Governor and the Legislature its action and reasons therefor. The report shall also include the state agency's comments on any legislation that may have been proposed by the commission.

[\(Amended by Stats. 2006, Ch. 869, Sec. 25. Effective January 1, 2007. Note: See this section as modified in Governor's Reorganization Plan No. 2 of 2012.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX3-33	Villines	Energy: commission and department.	Amended Assembly 09/11/2009	10/27/2009 - From Senate committee without further action.	Senate-Died - Energy, Utilities and Communications	Yes	Majority
AB-1016	Villines	Energy: commission and department.	Amended Assembly 01/04/2010	02/02/2010 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	Assembly-Died - Utilities and Commerce	Yes	Majority
AB-2561	Villines, Fuentes	Energy: commission and department.	Amended Senate 08/02/2010	11/30/2010 - From Senate committee without further action.	Senate-Died - Rules	Yes	Majority
AB-3355	Committee on Judiciary	Maintenance of the codes.	Chaptered 08/03/1992		-		

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
GRP-2		Governor's reorganization plan: reorganization of executive branch of state government.	Introduced 05/03/2012	07/03/2012 - Plan takes effect.	-		
GRP-3		Governor's Reorganization Plan: Commissions and Departments	Introduced 06/13/2005	08/25/2005 - Senate adopts Senate Resolution 19. Pursuant to Government Code Section 12080.5, plan does not take effect. 08/25/2005 - Senate adopts SR 19. Pursuant to Gov. Code Sec. 12080.5 plan does not take effect.	-		
SB-668	Kuehl	Mining.	Chaptered 09/30/2006	09/30/2006 - Chaptered by Secretary of State. Chapter 869, Statutes of 2006. 09/30/2006 - Approved by Governor.	-	Yes	Majority
SB-989		State Board of Forestry.	Chaptered 09/29/1998		-		

COMMENTS/ RECOMMENDATIONS:

The State Lands Commission also proposed abolishing this report, but recommended the Natural Resources Agency assume the coordinating function.

REPORT NO. 10

RESOLUTION CHAPTER 12, STATUTES OF 1990

ACR 78, Hauser. Timber industry: museum.

This measure would request the Department of Parks and Recreation to prepare a feasibility study on the establishment of a California State Redwood Logging Museum in northwestern California and to encourage the participation of specified persons and entities in the preparation of the study and related activities.

Digest Key

WHEREAS, The Northern Counties Logging Interpretive Association presently possesses vast collections of artifacts of historical significance, and continues to collect objects worthy of display; and

WHEREAS, Presently no museum exists where objects of historical significance relating to the history and tradition of the California redwood timber industry may be put on public display, and suitable property for such a museum currently exists in Humboldt County, which has long been the heart of the major timber resources in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California requests the Department of Parks and Recreation to prepare a feasibility study on the establishment of a California State Redwood Logging Museum in northwestern California; and be it further

Resolved, That the Legislature requests the Department of Parks and Recreation to encourage the participation of the Northern Counties Logging Interpretive Association, as well as other appropriate and interested entities and persons, in locating objects suitable for display; and be it further

Resolved, That the Legislature requests the Department of Parks and Recreation to encourage the participation of other appropriate public agencies, public officials, and interested private citizens and entities in the preparation of the study; and be it further

Resolved, That the feasibility study indicate the steps which need to be taken to develop the museum, including a work plan and estimated revenues needed from the public and private sectors; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Parks and Recreation.

COMMENTS/ RECOMMENDATIONS:

This feasibility study was requested (not required) by the Legislature in 1990. The request is now out-of-date.

REPORT NO. 11

AB 1768 (CHAPTER 1127, STATUTES OF 2002)

SECTION 1.

Article 6.3 (commencing with Section 8592.9) is added to Chapter 7 of Division 1 of Title 2 of the Government Code, to read:

Article 6.3. Public Safety Communications Equipment
8592.9.

(a) Of the funds received from the federal government for homeland security and appropriated in the Budget Act of 2002, not more than fifteen million dollars (\$15,000,000) may be allocated to the security adviser to the Governor for disbursement to state and local government public safety agencies to procure and operate radio equipment that will provide interoperability among state, local, and federal public radio systems. This interoperable radio equipment shall meet the public safety digital communications standards in Suite 102 of the American National Standards Institute and the Telecommunications Information Association.

(b) Each state and local government public safety agency that receives funds pursuant to this section shall report to the Legislature on its progress in implementing this section by January 1 of each year, beginning in 2004, and until all of the funds disbursed pursuant to this section have been expended.

(c) This section shall not be construed to preempt or supercede the development and implementation of public radio communications systems by local governments.

SEC. 2.

Section 12152 of the Government Code is amended to read:
12152.

(a) To assist him or her in the discharge of the duties of his or her office, the Secretary of State may appoint one Assistant Secretary of State, whose powers, duties and liabilities shall be those of a deputy, and any deputies and clerical, expert, technical and other assistants necessary for the proper conduct of his or her office. The Assistant Secretary of State and all deputies are civil executive officers.

(b) Notwithstanding any other provision of law, but consistent with Section 4 of Article VII of the California Constitution and with subdivision (a) of this section, two employees of the Secretary of State's office shall be appointed by the Governor and are exempt from state civil service.

SEC. 12.

Section 33020 of the Health and Safety Code is amended to read:
33020.

"Redevelopment" means the planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, of all or part of a survey area, and the provision of those residential, commercial, industrial, public, or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including recreational and other facilities incidental or appurtenant to them and payments to school and community college districts in the fiscal years specified in Sections 33681, 33681.5, and 33681.7.

SEC. 13.

Section 33681 of the Health and Safety Code is amended to read:
33681.

(a) (1) During the 1992–93 fiscal year, a redevelopment agency shall remit, prior to May 10, 1993, an amount equal to the amount determined for that agency pursuant to subparagraph (D) of paragraph (2) to the county auditor for deposit in the Educational Revenue Augmentation Fund created pursuant to Section 97.03 of the Revenue and Taxation Code.

(2) For the 1992–93 fiscal year, on or before October 1, 1992, the Director of Finance shall do each of the following:

(A) Determine the total amount of property taxes apportioned to each agency pursuant to Section 33670, including any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 1990–91 fiscal year.

(B) Determine the total amount of property taxes apportioned to all agencies pursuant to Section 33670, including any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 1990–91 fiscal year.

(C) Determine a percentage factor by dividing two hundred five million dollars (\$205,000,000) by the amount determined pursuant to subparagraph (B).

(D) Determine an amount for each agency by multiplying the amount determined pursuant to subparagraph (A) by the percentage factor determined pursuant to subparagraph (C).

(E) Notify each agency and each legislative body of the amount determined pursuant to subparagraph (D).

(F) Notify each county auditor of the amounts determined pursuant to subparagraph (D) for each agency in his or her county.

(b) (1) Notwithstanding Sections 33334.2, 33334.3, and 33334.6, and any other provision of law, in order to make the full allocation required by this section, an agency may borrow up to 50 percent of the amount required to be allocated to the Low- and Moderate-Income Housing Fund pursuant to Sections 33334.2, 33334.3, and 33334.6 during the 1992–93 fiscal year, unless executed contracts exist that would be impaired if the agency reduced the amount allocated to the Low- and Moderate-Income Housing Fund pursuant to the authority of this section.

(2) As a condition for borrowing pursuant to this subdivision, an agency shall make a finding that there are insufficient other moneys to meet the requirements of subdivision (a). Funds borrowed pursuant to this subdivision shall be repaid in full on or before June 30, 2003, unless the agency is, on or before June 30, 2003, required by law to make a further payment to an Educational Revenue Augmentation Fund in the 2002–03 fiscal year, in which case the date for repayment of the loan borrowed pursuant to this subdivision shall be delayed by one year for each fiscal year, commencing with the 2002–03 fiscal year, that the agency is required to make this further payment.

(c) In order to make the allocation required by this section, an agency may use any funds that are legally available and not legally obligated for other uses, including, but not limited to, reserve funds, proceeds of land sales, proceeds of bonds or other indebtedness, lease revenues, interest, and other earned income. No moneys held in a low- and moderate-income fund as of July 1, 1992, may be used for this purpose.

(d) The legislative body shall, by March 1, 1993, report to the county auditor as to how the agency intends to fund the allocation required by this section.

(e) The allocation obligations imposed by this section, including amounts owed, if any, created under this section, are hereby declared to be an indebtedness of the redevelopment project to which they relate, payable from taxes allocated to the agency pursuant to Section 33670, and shall constitute an indebtedness of the agency with respect to the redevelopment project until paid in full.

(f) It is the intent of the Legislature, in enacting this section, that these allocations directly or indirectly assist in the financing or refinancing, in whole or in part, of the community's redevelopment projects pursuant to Section 16 of Article XVI of the California Constitution.

(g) It is the intent of the Legislature in enacting this section that this section supersede and be operative in place of Section 33681 of the Health and Safety Code as added by Senate Bill 617 of the 1991-92 Regular Session.

(h) This section shall be operative only until July 1, 2003. This section shall remain in effect only until January 1, 2004, and as of that date is repealed.

SEC. 14.

Section 33681.5 of the Health and Safety Code is amended to read:
33681.5.

(a) (1) During each of the 1993-94 and 1994-95 fiscal years, a redevelopment agency shall remit prior to May 10 an amount equal to the amount determined for that agency pursuant to subparagraph (D) of paragraph (2) to the county auditor for deposit in the Educational Revenue Augmentation Fund created pursuant to Section 97.03 of the Revenue and Taxation Code.

(2) For each of the 1993-94 and 1994-95 fiscal years, on or before October 1, the Director of Finance shall do each of the following:

(A) Determine the net tax increment apportioned to each agency pursuant to Section 33670, excluding any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 1990-91 fiscal year.

(B) Determine the net tax increment apportioned to all agencies pursuant to Section 33670, excluding any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 1990-91 fiscal year.

(C) Determine a percentage factor by dividing sixty-five million dollars (\$65,000,000) by the amount determined pursuant to subparagraph (B).

(D) Determine an amount for each agency by multiplying the amount determined pursuant to subparagraph (A) by the percentage factor determined pursuant to subparagraph (C).

(E) Notify each agency and each legislative body of the amount determined pursuant to subparagraph (D).

(F) Notify each county auditor of the amounts determined pursuant to subparagraph (D) for each agency in his or her county.

(b) (1) Notwithstanding Sections 33334.2, 33334.3, and 33334.6, and any other provision of law, in order to make the full allocation required by this section, an agency may borrow up to 50 percent of the amount required to be allocated to the Low- and Moderate-Income Housing Fund pursuant to Sections 33334.2, 33334.3, and 33334.6 during the 1993-94 and 1994-95 fiscal years, unless executed contracts exist that would be impaired if the agency reduced the amount allocated to the Low- and Moderate-Income Housing Fund pursuant to the authority of this section.

(2) As a condition of borrowing pursuant to this subdivision, an agency shall make a finding that there are insufficient other moneys to meet the requirements of subdivision (a). Funds borrowed pursuant to this subdivision shall be repaid in full on or before June 30, 2004, unless the agency

is, on or before June 30, 2003, required by law to make a further payment to an Educational Revenue Augmentation Fund in the 2002–03 fiscal year, in which case the date for repayment of the loan borrowed pursuant to this subdivision shall be delayed by one year for each fiscal year, commencing with the 2002–03 fiscal year, that the agency is required to make this further payment.

(c) In order to make the allocation required by this section, an agency may use any funds that are legally available and not legally obligated for other uses, including, but not limited to, reserve funds, proceeds of land sales, proceeds of bonds or other indebtedness, lease revenues, interest, and other earned income. No moneys held in a low- and moderate-income fund as of July 1 of that fiscal year may be used for this purpose.

(d) The legislative body shall by March 1 report to the county auditor as to how the agency intends to fund the allocation required by this section.

(e) The allocation obligations imposed by this section, including amounts owed, if any, created under this section, are hereby declared to be an indebtedness of the redevelopment project to which they relate, payable from taxes allocated to the agency pursuant to Section 33670, and shall constitute an indebtedness of the agency with respect to the redevelopment project until paid in full.

(f) It is the intent of the Legislature, in enacting this section, that these allocations directly or indirectly assist in the financing or refinancing, in whole or in part, of the community's redevelopment projects pursuant to Section 16 of Article XVI of the California Constitution.

(g) For the purpose of making the determinations required by subdivision (a), the Director of Finance shall use those amounts reported as the "net tax increment to agency" for all agencies and for each agency in Table 6 of the 1990–91 fiscal year Controller's Annual Report on Financial Transactions Concerning Community Redevelopment Agencies of California.

(h) In the event that revised reports have been accepted by the Controller on or before January 1, 1994, the Director of Finance shall use appropriate data that has been certified by the Controller for the purpose of making the determinations required by subdivision (a). If this subdivision requires the Director of Finance to revise the determinations for the 1993–94 and 1994–95 fiscal years, the director shall not make those changes for the 1993–94 fiscal year, but instead shall apply the revised determinations for both fiscal years to the 1994–95 fiscal year.

(i) This section shall be operative only until July 1, 2004. This section shall remain in effect only until January 1, 2005, and as of that date is repealed.

SEC. 15.

Section 33681.7 is added to the Health and Safety Code, to read:
33681.7.

(a) (1) During the 2002–03 fiscal year, a redevelopment agency shall, prior to May 10, remit an amount equal to the amount determined for that agency pursuant to subparagraph (I) of paragraph (2) to the county auditor for deposit in the county's Educational Revenue Augmentation Fund created pursuant to Article 3 (commencing with Section 97) of Chapter 6 of Part 0.5 of Division 1 of the Revenue and Taxation Code.

(2) For the 2002–03 fiscal year, on or before October 1, the Director of Finance shall do all of the following:

(A) Determine the net tax increment apportioned to each agency pursuant to Section 33670, excluding any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 2000–01 fiscal year.

- (B) Determine the net tax increment apportioned to all agencies pursuant to Section 33670, excluding any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 2000–01 fiscal year.
- (C) Determine a percentage factor by dividing thirty-seven million five hundred thousand dollars (\$37,500,000) by the amount determined pursuant to subparagraph (B).
- (D) Determine an amount for each agency by multiplying the amount determined pursuant to subparagraph (A) by the percentage factor determined pursuant to subparagraph (C).
- (E) Determine the total amount of property tax revenue apportioned to each agency pursuant to Section 33670, including any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 2000–01 fiscal year.
- (F) Determine the total amount of property tax revenue apportioned to all agencies pursuant to Section 33670, including any amounts apportioned to affected taxing agencies pursuant to Section 33401 or 33676, in the 2000–01 fiscal year.
- (G) Determine a percentage factor by dividing thirty-seven million five hundred thousand dollars (\$37,500,000) by the amount determined pursuant to subparagraph (F).
- (H) Determine an amount for each agency by multiplying the amount determined pursuant to subparagraph (E) by the percentage factor determined pursuant to subparagraph (G).
- (I) Add the amount determined pursuant to subparagraph (D) to the amount determined pursuant to subparagraph (H).
- (J) Notify each agency and each legislative body of the amount determined pursuant to subparagraph (I).
- (K) Notify each county auditor of the amounts determined pursuant to subparagraph (I) for each agency in his or her county.
- (b) (1) Notwithstanding Sections 33334.2, 33334.3, and 33334.6, and any other provision of law, in order to make the full allocation required by this section, an agency may borrow up to 50 percent of the amount required to be allocated to the Low and Moderate Income Housing Fund pursuant to Sections 33334.2, 33334.3, and 33334.6 during the 2002–03 fiscal year, unless executed contracts exist that would be impaired if the agency reduced the amount allocated to the Low and Moderate Income Housing Fund pursuant to the authority of this subdivision.
- (2) As a condition of borrowing pursuant to this subdivision, an agency shall make a finding that there are insufficient other moneys to meet the requirements of subdivision (a). Funds borrowed pursuant to this subdivision shall be repaid in full within 10 years following the date on which moneys were borrowed.
- (c) In order to make the allocation required by this section, an agency may use any funds that are legally available and not legally obligated for other uses, including, but not limited to, reserve funds, proceeds of land sales, proceeds of bonds or other indebtedness, lease revenues, interest, and other earned income. No moneys held in a low- and moderate-income fund as of July 1 of that fiscal year may be used for this purpose.
- (d) The legislative body shall by March 1 report to the county auditor as to how the agency intends to fund the allocation required by this section.
- (e) The allocation obligations imposed by this section, including amounts owed, if any, created under this section, are hereby declared to be an indebtedness of the redevelopment project to which they relate, payable from taxes allocated to the agency pursuant to Section 33670, and shall constitute an indebtedness of the agency with respect to the redevelopment project until paid in full.

(f) It is the intent of the Legislature, in enacting this section, that these allocations directly or indirectly assist in the financing or refinancing, in whole or in part, of the community's redevelopment projects pursuant to Section 16 of Article XVI of the California Constitution.

(g) In making the determinations required by subdivision (a), the Director of Finance shall use those amounts reported as the "Tax Increment Retained by Agency" for all agencies and for each agency in Table 7 of the 2000–01 fiscal year Controller's State of California Community Redevelopment Agencies Annual Report.

(h) If revised reports have been accepted by the Controller on or before January 1, 2003, the Director of Finance shall use appropriate data that has been certified by the Controller for the purpose of making the determinations required by subdivision (a).

SEC. 16.

Section 33681.8 is added to the Health and Safety Code, to read:
33681.8.

(a) (1) For the purposes of this section, "existing indebtedness" means one or more of the following obligations incurred by a redevelopment agency prior to the effective date of this section, the payment of which is to be made in whole or in part, directly or indirectly, out of taxes allocated to the agency pursuant to Section 33670, and that is required by law or provision of the existing indebtedness to be made during the fiscal year of the relevant allocation required by Section 33681.7:

(A) Bonds, notes, interim certificates, debentures, or other obligations issued by the agency, whether funded, refunded, assumed, or otherwise, pursuant to Article 5 (commencing with Section 33640).

(B) Loans or moneys advanced to the agency, including, but not limited to, loans from federal, state, or local agencies, or a private entity.

(C) A contractual obligation that, if breached, could subject the agency to damages or other liabilities or remedies.

(D) An obligation incurred pursuant to Section 33445.

(E) Indebtedness incurred pursuant to Section 33334.2.

(F) An amount, to be expended for the operation and administration of the agency, that may not exceed 90 percent of the amount spent for those purposes in the 2000–01 fiscal year.

(G) Obligations imposed by law with respect to activities that occurred prior to the effective date of the act that adds this section.

(2) Existing indebtedness incurred prior to the effective date of this section may be refinanced, refunded, or restructured after that date, and shall remain existing indebtedness for the purposes of this section, if the annual debt service during that fiscal year does not increase over the prior fiscal year and the refinancing does not reduce the ability of the agency to make the payment required by subdivision (a) of Section 33681.7.

(3) For the purposes of this section, indebtedness shall be deemed to be incurred prior to the effective date of this section if the agency has entered into a binding contract subject to normal marketing conditions, to deliver the indebtedness, or if the redevelopment agency has received bids for the sale of the indebtedness prior to that date and the indebtedness is issued for value and evidence thereof is delivered to the initial purchaser no later than 30 days after the date of the contract or sale.

(b) During the 2002–03 fiscal year, an agency that has adopted a resolution pursuant to subdivision (c) may, pursuant to subdivision (a) of Section 33681.7, allocate to the auditor less

than the amount required by subdivision (a) of Section 33681.7, if the agency finds that either of the following has occurred:

(1) That the difference between the amount allocated to the agency and the amount required by subdivision (a) of Section 33681.7 is necessary to make payments on existing indebtedness that are due or required to be committed, set aside, or reserved by the agency during the applicable fiscal year and that are used by the agency for that purpose, and the agency has no other funds that can be used to pay this existing indebtedness, and no other feasible method to reduce or avoid this indebtedness.

(2) The agency has no other funds to make the allocation required by subdivision (a) of Section 33681.7.

(c) (1) Any agency that, pursuant to subdivision (b), allocates to the auditor less than the amount required by subdivision (a) of Section 33681.7 shall adopt, prior to December 31, 2002, after a noticed public hearing, a resolution that lists all of the following:

(A) Each existing indebtedness incurred prior to the effective date of this section.

(B) Each indebtedness on which a payment is required to be made during the 2002–03 fiscal year.

(C) The amount of each payment, the time when it is required to be paid, and the total of the payments required to be made during the 2002–03 fiscal year. For indebtedness that bears interest at a variable rate, or for short-term indebtedness that is maturing during the fiscal year and that is expected to be refinanced, the amount of payments during the fiscal year shall be estimated by the agency.

(2) The information contained in the resolution required by this subdivision shall be reviewed for accuracy by the chief fiscal officer of the agency.

(3) The legislative body shall additionally adopt the resolution required by this section.

(d) (1) Any agency that, pursuant to subdivision (b), determines that it will be unable in the 2002–03 fiscal year, to allocate the full amount required by subdivision (a) of Section 33681.7 shall, subject to paragraph (3), enter into an agreement with the legislative body by February 15, 2003, to fund the payment of the difference between the full amount required to be paid pursuant to subdivision (a) of Section 33681.7 and the amount available for allocation by the agency.

(2) The obligations imposed by paragraph (1) are hereby declared to be indebtedness incurred by the redevelopment agency to finance a portion of a redevelopment project within the meaning of Section 16 of Article XVI of the California Constitution. This indebtedness shall be payable from tax revenues allocated to the agency pursuant to Section 33670, and any other funds received by the agency. The obligations imposed by paragraph (1) shall remain an indebtedness of the agency to the legislative body until paid in full, or until the agency and the legislative body otherwise agree.

(3) The agreement described in paragraph (1) shall be subject to these terms and conditions specified in a written agreement between the legislative body and the agency.

(e) If the agency fails, under either Section 33681.7 or subdivision (d), to transmit the full amount of funds required by Section 33681.7, is precluded by court order from transmitting that amount, or is otherwise unable to meet its full obligation pursuant to Section 33681.7, the county auditor, by no later than May 15, 2003, shall transfer any amount necessary to meet the obligation determined for that agency in subparagraph (D) of paragraph (2) of subdivision (a) of Section 33681.7 from the legislative body's property tax allocation pursuant to Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

SEC. 18.

Section 19521 of the Revenue and Taxation Code is amended to read:
19521.

(a) The rate established under this section (referred to in other code sections as “the adjusted annual rate”) shall be determined in accordance with Section 6621 of the Internal Revenue Code, except that:

(1) (A) For taxpayers other than corporations, the overpayment rate specified in Section 6621(a)(1) of the Internal Revenue Code shall be modified to be equal to the underpayment rate determined under Section 6621(a)(2) of the Internal Revenue Code.

(B) In the case of any corporation, for purposes of determining interest on overpayments for periods beginning before July 1, 2002, the overpayment rate specified in Section 6621(a)(1) of the Internal Revenue Code shall be modified to be equal to the underpayment rate determined under Section 6621(a)(2) of the Internal Revenue Code.

(C) In the case of any corporation, for purposes of determining interest on overpayments for periods beginning on or after July 1, 2002, the overpayment rate specified in Section 6621(a)(1) of the Internal Revenue Code shall be modified to be the lesser of 5 percent or the bond equivalent rate of 13-week United States Treasury bills, determined as follows:

(i) The bond equivalent rate of 13-week United States Treasury bills established at the first auction held during the month of January shall be utilized in determining the appropriate rate for the following July 1 to December 31, inclusive. Any such rate shall be rounded to the nearest full percent (or, if a multiple of one-half of 1 percent, that rate shall be increased to the next highest full percent).

(ii) The bond equivalent rate of 13-week United States Treasury bills established at the first auction held during the month of July shall be utilized in determining the appropriate rate for the following January 1 to June 30, inclusive. Any such rate shall be rounded to the nearest full percent (or, if a multiple of one-half of 1 percent, that rate shall be increased to the next highest full percent).

(2) The determination specified in Section 6621(b) of the Internal Revenue Code shall be modified to be determined semiannually as follows:

(A) The rate for January shall apply during the following July through December, and

(B) The rate for July shall apply during the following January through June.

(b) (1) For purposes of this part, Part 10 (commencing with Section 17001), Part 11 (commencing with Section 23001), and any other provision of law referencing this method of computation, in computing the amount of any interest required to be paid by the state or by the taxpayer, or any other amount determined by reference to that amount of interest, that interest and that amount shall be compounded daily.

(2) Paragraph (1) shall not apply for purposes of computing the amount of any addition to tax under Section 19136 or 19142.

(c) Section 6621(c) of the Internal Revenue Code, relating to increase in underpayment rate for large corporate underpayments, is modified as follows:

(1) The applicable date shall be the 30th day after the earlier of either of the following:

(A) The date on which the proposed deficiency assessment is issued.

(B) The date on which the notice and demand is sent.

(2) This subdivision shall apply for purposes of determining interest for periods after December 31, 1991.

(3) Section 6621(c)(2)(B)(iii) of the Internal Revenue Code shall apply for purposes of determining interest for periods after December 31, 1998.

(d) Section 6621(d) of the Internal Revenue Code, relating to the elimination of interest on overlapping periods of tax overpayments and underpayments, shall not apply.

SEC. 20.

Notwithstanding any other provision of law, the Secretary of the Technology, Trade, and Commerce Agency, with the approval of the Director of Finance, may direct the Controller to transfer specified funds of the agency identified by the Secretary to the General Fund for the purposes of implementing the unallocated reduction required by Item 2920-401 of Section 2.00 of the Budget Act of 2002.

SEC. 21.

(a) Notwithstanding any other provision of law, the funds appropriated in Schedule (6) in Item 3790-301-6029 of Section 2.00 of the Budget Act of 2002 shall be available for acquisition, studies, preliminary plans, working drawings, and construction in accordance with Proposition 40. Any project funded from this section shall be subject to the State Public Works Board review and approval, pursuant to Section 13332.11 of the Government Code.

(b) Subdivision (a) shall become operative only if Assembly Bill 716 is enacted and becomes effective on or before January 1, 2003.

SEC. 22.

Notwithstanding any other provision of law, the amount appropriated in Item 8830-001-0001 of Section 2.00 of the Budget Act of 2002 is \$630,000, and the amount appropriated in Schedule (1) of that item is \$645,000.

SEC. 23.

(a) The sum of five million dollars (\$5,000,000) is hereby appropriated from the Public Transportation Account in the State Transportation Fund to the Department of Transportation, for local assistance to the City of Schafter for the Southern San Joaquin Valley Intermodal Facility.

(b) Funds appropriated pursuant to this section shall be available for allocation by the department through June 30, 2005.

SEC. 24.

(a) Funds that are appropriated in subdivision (b) of Section 2 of Assembly Bill 716 shall be available to the Department of Parks and Recreation for opportunity grants pursuant to that subdivision, and for state capital outlay projects. On or before December 15, 2002, and on or before December 15 annually thereafter, the Department of Parks and Recreation shall report to the Joint Legislative Budget Committee on all state capital outlay projects funded from subdivision (b) of Section 2 of Assembly Bill 716. To the extent the funds are used for a state capital outlay project, the project shall be subject to the State Public Works Board review and approval, pursuant to Section 13332.11 of the Government Code.

(b) Subdivision (a) shall become operative only if Assembly Bill 716 is enacted and becomes effective on or before January 1, 2003.

SEC. 25.

Notwithstanding any other provision of law, funds appropriated by Item 3790-102-0001 (84) of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998) and Item 3790-101-0001 (181) of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) to the Western Center Community Foundation: Western Center for Archaeology and Paleontology, and by Item 3790-101-0001 (152) of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999) to the City of San Jacinto: Regional Aquatic Center swimming pool shall be available for liquidation until June 30, 2005.

SEC. 26.

Provision 3 of Item 1760-001-0666 of Section 2.00 of the Budget Act of 2002 is amended to read:

3.It is the intent of the Legislature that the departments that provide e-government services or transactions shall reimburse the Department of General Services (DGS) for the development, implementation, and maintenance of the state's centralized e-government systems. The DGS shall establish rates that departments shall be charged for the ongoing use and maintenance of the systems. Notwithstanding Item 9840-001-0988, Item 9840-001-0494, and Section 27.00 of this act, the Director of General Services may augment this item, by up to an aggregate of one and one-half percent in cases where the Legislature has provided funding in departmental budgets for e-government services. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process. An augmentation shall be approved by the Department of Finance and shall not be made sooner than 30 days after written notification is provided to the Chairperson of the Senate Committee on Budget and Fiscal Review, the Chairperson of the Assembly Budget Committee, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee may determine.

SEC. 27.

Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

SEC. 28.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make the necessary statutory changes to implement the Budget Act of 2002 at the earliest possible time, it is necessary that this act take effect immediately.

COMMENTS/ RECOMMENDATIONS: According to the Department of Parks and Recreation, this reporting requirement was fulfilled in 2002.