

AMENDED IN SENATE JUNE 18, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MARCH 29, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 756

**Introduced by Committee on Public Employees, Retirement and
Social Security (Hernandez (Chair), Mullin, Soto, and Torrico)**

February 22, 2007

An act relating to memoranda of understanding, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 756, as amended, Committee on Public Employees, Retirement and Social Security. Memoranda of understanding: addenda.

Existing law requires the Department of Personnel Administration to provide any side letter, appendix, or other addendum to a properly ratified memorandum of understanding that requires the expenditure of \$250,000 or more related to salary and benefits and that is not already contained in the original memorandum of understanding or the Budget Act to the Joint Legislative Budget Committee. Existing law requires the Joint Legislative Budget Committee, within 30 days after receiving the side letter, appendix, or other addendum, to determine if the addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding and thereby requires legislative action to ratify the addendum.

This bill would approve an addendum to ~~memoranda~~ *memorandum* of understanding entered into by the state employer and State Bargaining Unit 20 that ~~require~~ *requires* the expenditure of funds. The bill would

approve provisions of the ~~addenda~~ *addendum* that require the expenditure of funds. The bill would provide that those provisions shall not take effect unless the funds are specifically appropriated by the Legislature or already exist within available appropriations, and would allow the reopening of negotiations if the Legislature does not approve or fully fund ~~any the addendum included in the bill.~~

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

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares that the
 2 purpose of this act is to approve addenda to memoranda of
 3 understanding entered into by the state employer and the state
 4 bargaining units that require the expenditure of funds.

5 SEC. 2. The provisions of the addenda to memoranda of
 6 understanding entered into by the state employer and the state
 7 bargaining units that require the expenditure of funds are hereby
 8 approved for the purposes of Section 3517.63 of the Government
 9 Code.

10 SEC. 3. The addendum to ~~memoranda~~ *memorandum* of
 11 understanding entered into by the state employer and State
 12 Bargaining Unit 20, dated May 10, 2007, effective April 1, 2007,
 13 is hereby approved.

14 SEC. 4. The provisions of the addenda to memoranda of
 15 understanding approved by Sections 2 and 3 of this act and that
 16 require the expenditure of funds shall not take effect unless funds
 17 for these provisions are specifically appropriated by the Legislature
 18 or already exist within available appropriations. If the Legislature
 19 does not approve or fully fund any addendum included in this act,
 20 either party may reopen negotiations on all or part of the addendum.

21 SEC. 5. *This act is an urgency statute necessary for the*
 22 *immediate preservation of the public peace, health, or safety within*
 23 *the meaning of Article IV of the Constitution and shall go into*
 24 *immediate effect. The facts constituting the necessity are:*

25 *In order for the provisions of this act to be applicable as soon*
 26 *as possible in the 2007–08 fiscal year, and thereby facilitate the*

- 1 *orderly administration of state government at the earliest possible*
- 2 *time, it is necessary that this act take effect immediately.*

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