

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2222

Introduced by Assembly Member Galgiani

February 18, 2010

~~An act to amend Section 578 of the Food and Agricultural Code, relating to agricultural pests. An act to amend Section 15819.41 of the Government Code, relating to prison health care.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2222, as amended, Galgiani. ~~Agricultural pests: University of California research center. Prisons: telemedicine.~~

Existing law, the Public Safety and Offender Rehabilitation Services Act of 2007, authorizes the Department of Corrections and Rehabilitation, in 2 phases, to design, construct, or renovate prison facilities to provide medical, dental, and mental health treatment or housing for inmates. Existing law allows the State Public Works Board to issue revenue bonds, negotiable notes, or negotiable bond anticipation notes to finance the design, construction, and the costs of interim financing of the projects authorized by the act.

This bill would authorize the department to install telemedicine fixtures and broadband infrastructure in new or existing buildings in the second phase in order to reduce prison health care delivery costs.

~~Existing law states legislative findings and declarations regarding the need to develop and apply ecologically based pest management alternatives to prevent, control, and eradicate pests. Under existing law, the Legislature requests the Regents of the University of California establish a pest research center to conduct those activities.~~

~~This bill would make a technical nonsubstantive change to this law.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-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 the following:*

2 *(a) Efforts to expand telemedicine technology in the state’s*
3 *prison system prior to 2010 have been funded through the*
4 *Consolidated Information Technology Infrastructure Project,*
5 *awarded in 2007, to improve the performance and*
6 *cost-effectiveness of infrastructure in prison health care.*

7 *(b) It is the intent of the Legislature to allow the Department of*
8 *Corrections and Rehabilitation to continue to reduce prison health*
9 *care delivery costs by maximizing the benefits that come with the*
10 *use of telemedicine.*

11 *SEC. 2. Section 15819.41 of the Government Code is amended*
12 *to read:*

13 15819.41. (a) The Department of Corrections and
14 Rehabilitation shall complete site assessments at facilities where
15 it intends to construct or renovate additional housing units, support
16 buildings, and programming space in order to add up to 4,000 beds
17 at facilities under its jurisdiction. The department may use the
18 funding provided in Section 28 of Chapter 7 of the Statutes of 2007
19 to complete the site assessments. After completing these site
20 assessments the department shall define the scope and costs of
21 each project pursuant to subdivision (d). This authorization is in
22 addition to the authorization in subdivision (a) of Section 15819.40.
23 Any new beds constructed shall be supported by rehabilitative
24 programming for inmates, including, but not limited to, education,
25 vocational programs, substance abuse treatment programs,
26 employment programs, and prerelease planning. The Department
27 of Corrections and Rehabilitation is authorized to design, construct,
28 or renovate housing units, support buildings, and programming
29 space in order to add up to 4,000 beds at facilities under its
30 jurisdiction. This authorization is in addition to the authorization
31 in subdivision (a) of Section 15819.40. Any new beds constructed
32 shall be supported by rehabilitative programming for inmates,
33 including, but not limited to, education, vocational programs,
34 substance abuse treatment programs, employment programs, and
35 prerelease planning. The authority contained in this subdivision

1 together with the funds appropriated in Section 15819.413 for this
2 purpose, shall constitute the scope and cost of a single capital
3 outlay project for purposes of calculating augmentations pursuant
4 to Section 13332.11 as described in Section 15819.411.

5 (b) The Department of Corrections and Rehabilitation is
6 authorized to design and construct new, or renovate existing,
7 buildings at facilities under the jurisdiction of the department to
8 provide medical, dental, and mental health treatment or housing
9 for up to 2,000 inmates. This authorization is in addition to the
10 authorization in subdivision (c) of Section 15819.40. The authority
11 contained in this subdivision together with the funds appropriated
12 in Section 15819.413 for this purpose, shall constitute the scope
13 and cost of a single capital outlay project for purposes of
14 calculating augmentations pursuant to Section 13332.11 as
15 described in Section 15819.411.

16 (c) The Department of Corrections and Rehabilitation is
17 authorized to construct, establish, and operate reentry program
18 facilities throughout the state that will house up to 10,000 inmates
19 pursuant to Section 6271.1 of the Penal Code, and together with
20 the funds appropriated in Section 15819.413 for this purpose, this
21 shall constitute the scope and cost of a single capital outlay project
22 for purposes of calculating augmentations pursuant to Section
23 13332.11 as described in Section 15819.411.

24 (d) *The Department of Corrections and Rehabilitation is*
25 *authorized to install telemedicine fixtures and broadband*
26 *infrastructure in new or existing buildings as authorized in*
27 *subdivisions (a), (b), and (c) in order to reduce prison health care*
28 *delivery costs.*

29 ~~(e)~~

30 (e) (1) The reporting requirements set forth in Sections 7000
31 to 7003.5, inclusive, of the Penal Code, shall apply separately to
32 each institution or facility. The scope and cost of the project for
33 each institution or facility shall be established by the State Public
34 Works Board individually. The amount of the total appropriations
35 in Section 15819.413 that is necessary for each project shall be
36 allocated to each institution or facility project. The appropriations
37 may be allocated based on current estimates. These initial
38 allocations may be adjusted commensurate to changes that occur
39 during the progression of the projects. As allocations are made or
40 adjusted, the anticipated deficit or savings shall be continuously

1 traced and reported. Once the total appropriation has been allocated,
2 any augmentation necessary to fund an anticipated deficit shall be
3 based on the total applicable capital outlay appropriation in Section
4 15819.413 and applied to each project allocation as necessary.

5 (2) For each institution, the department shall report to the Joint
6 Legislative Budget Committee, identifying those projects that the
7 department proposes to undertake, and any support buildings, and
8 programming space to support up to 4,000 new beds. For each
9 institution, the department shall describe the scope, budget,
10 schedule, number of beds by security level, along with approximate
11 square footage of support buildings, and programming space to
12 be constructed or renovated. If after providing these reports, the
13 committee fails to take any action with respect to each report within
14 30 days after submittal, this inaction shall be deemed to be approval
15 for purposes of this section, and the department is authorized to
16 proceed to design, construct, or renovate housing units, support
17 buildings, and programming space for each institution for which
18 a report has been approved.

19 (3) The Department of Corrections and Rehabilitation shall
20 notify the Joint Legislative Budget Committee 45 days prior to
21 the submission of preliminary plans to the board for each project
22 authorized in this section. If after providing these notifications,
23 the committee fails to take any action with respect to each report
24 within 45 days after submittal, this inaction shall be deemed to be
25 approval for purposes of this section, and the department is
26 authorized to design, construct, or renovate housing units, support
27 buildings, and programming space for each institution for which
28 a report has been approved.

29 (4) The Department of Corrections and Rehabilitation shall
30 report quarterly to the Joint Legislative Budget Committee on the
31 allocations from the appropriations in Section 15819.413 and the
32 anticipated deficit or savings. Each reentry program facility
33 authorized under subdivision (c) shall be considered to be a
34 separate project. Each medical, mental health, or dental building
35 improvement authorized under subdivision (b) shall be considered
36 to be a separate project, except that building improvements that
37 have a related purpose and that are located at the same institution
38 may be considered one project, for reporting purposes pursuant to
39 Sections 7000 and 7003.5 of the Penal Code.

1 SECTION 1. ~~Section 578 of the Food and Agricultural Code~~
2 ~~is amended to read:~~

3 ~~578. Unless the context otherwise requires, the definitions in~~
4 ~~this section govern the construction of this article.~~

5 ~~(a) "Center" means the University of California Center for Pest~~
6 ~~Research.~~

7 ~~(b) "Pest" means any of the following pests that are, or are likely~~
8 ~~to become, dangerous or detrimental to the agricultural or~~
9 ~~nonagricultural environment of the state:~~

10 ~~(1) Any insect, nematode, or weed.~~

11 ~~(2) Any form of terrestrial, aquatic, or aerial plant, virus, fungus,~~
12 ~~bacteria, or other microorganism, except viruses, fungi, bacteria,~~
13 ~~or other microorganisms in, or on, a living human or any other~~
14 ~~living animal.~~