

Assembly Budget Committee

2024 Trailer Bill Analyses

August 26, 2024

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SUMMARY

This bill amends the 2024 Budget Act to reflect changes necessary to implement the budget agreement. Specifically, this bill:

Major Provisions

- 1) Extends the expenditure and encumbrance period for the Judicial Council's firearm relinquishment program to maximize court participation.
- 2) Extends the liquidation period for the construction of the new El Centro Courthouse in Imperial County.
- 3) Includes \$4,861,000 for 19 positions to implement the revised cure process established as part of the Private Attorneys General Act (PAGA) reform established by SB 92 (Umberg, Chapter 45, Statutes of 2024).
- 4) Reappropriates \$2,000,000 originally provided in the 2023 Budget Act to update GO-LUCI's General Plan Guidelines in order to reflect new laws enacted since 2017.
- 5) Makes a technical correction for the California Volunteers Experience Corp to reference a local assistance General Fund item instead of state operations general fund item
- 6) Clarifies that a \$5 million appropriations for California Volunteers is for the Student Success Coach Grant Program.
- 7) Reduces the appropriation to the California Volunteers Youth Corps by \$500,000, from \$83.1 million to \$82.6 million.
- 8) Includes a technical correction to allow the Governor's Office of Land Use and Climate Innovation 5 years to encumber ICARP Extreme Heat and Community Resilience Grant Program funds.
- 9) Provides \$371,000 of US EPA's Solid Waste Infrastructure for Recycling (SWIFR) grant funding to CalRecycle for long-term planning and data collection to meet national recycling, food loss, and waste reduction goals, and support the state-led implementation of plans to advance post-consumer materials management.
- 10) Reduces funding by \$6.046 million to the Department of Pesticide Regulation from the Department of Pesticide Regulation Fund to align with statutory changes a part of AB 2113 (Garcia, 2024), which include delaying position authority to the department and adding 3 positions in FY 24/25 to support requirements for reevaluation of pesticides.
- 11) Authorizes the Energy Commission to spend \$61,419, 000 in federal funds to implement a federal electric vehicle charging reliability grant with Caltrans.

- 12) Fund shifts \$3,606,000 from the Certification and Compliance Fund to the Air Pollution Control Fund for implementation of the California Air Resource's Boards Transport Refrigeration Unit regulations.
- 13) Clarifies that \$10 million General Fund to the Wildlife Conservation Board for Point Reyes is intended for conservation projects that will enhance coastal wetland resilience, restore Tule Elk habitat and native vegetation, and improve public access in Point Reyes National Seashore.
- 14) Specifies that local assistance funding using Greenhouse Gas Reduction Fund (GGRF) moneys for the Little Egbert Multi-Benefit Project and the Salton Sea restoration are not subject to Control Section 15.14(b), which prohibits a department from encumbering or committing more than 75 percent prior to the fourth Cap-and-Trade auction in the 2024-25 fiscal year.
- 15) Appropriates \$1 million to the California Department of Fish and Wildlife for purposes of implementing the California Winter Rice Habitat Incentive Program.
- 16) Appropriates to the Department of Parks and Recreation the following: \$2 million for improvements to Hudson Park in the City of Long Beach, \$1 million for the South Fullerton Community Recreation Center rehabilitation project in the City of Fullerton, and \$4.6 million for the City of Sacramento for a Riverfront Safety and Pedestrian Access Restoration Project.
- 17) Appropriates \$5 million from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Fund to the Sierra Nevada Conservancy for a grant for the 40 Acre Conservation League, as specified.
- 18) Provides \$2 million General Fund to the Funding Agricultural Replacement Measures for Emission Reductions Program at the California Air Resources Board.
- 19) Provides flexibility for reporting of programs receiving Greenhouse Gas Reduction Fund, particularly for programs with greater focus on improving climate change adaptation resiliency, environmental quality, and/or public health.
- 20) Appropriates \$40 million from the Aliso Canyon Recovery Account for the Technology and Equipment for Clean Heating (TECH) initiative at the California Public Utilities Commission.
- 21) Appropriates \$14 million from the Aliso Canyon Recovery Account for the Extreme Heat Resilience program at the Governor's Office of Land Use and Climate Innovation.
- 22) Appropriates \$15 million from the Aliso Canyon Recovery Account for Green Schoolyards at the California Department of Forestry and Fire Protection.
- 23) Appropriates \$2 million from the Aliso Canyon Recovery Account for Equity and Access Program at the California Public Utilities Commission.

- 24) Increases Emergency Medical Services Authority by \$8,200,000 and decreases reimbursements of the Emergency Medical Services Authority by -\$8,200,000 for a net zero change.
- 25) Reflects additional reimbursement authority for the Emergency Medical Services Authority.
- 26) Deletes provisional language that incorrectly allocated funds for the Workforce for a Healthy California Program at the Department of Health Care Access and Information.
- 27) Updates the list of prior year fund reversions at the Department of Health Care Access and Information to include savings assumed in the budget act but not previously included in the bill.
- 28) Allocates \$25 million to the Martin Luther King Jr. Community Hospital in 2024-25 and deletes provisional language relating to the expenditure that was included in the June budget package.
- 29) Updates the budget bill to reflect the additional Managed Care Enrollment Fund revenue from the June Budget Managed Care Organization tax agreement will be used to fund Department of Health Care Services benefit costs and reduces the amount of this revenue transferred to the Medi-Cal Provider Payment Reserve Account.
- 30) Corrects a typographical errors in the Department of Health Care Services Provider Payment Reserve Fund and Federal Trust Fund section of the budget.
- 31) Reappropriates and additional \$132.4 million of funding provided to the Department of Health Care Services in the 2021 budget act.
- 32) Allocates the reduction of unspent prior year funding for CDPH that previously supported the Future of Public Health to the appropriate fiscal year, consistent with the reduction approved in the 2024 Budget Act.
- 33) Appropriates \$5 million to support the development of an interim housing project at Metropolitan State Hospital by the Los Angeles County Department of Mental Health.
- 34) Appropriates \$500,000 to support the Mad River Behavioral Health Crisis Triage Center in Humboldt County.
- 35) Allocates a combined \$5,500,000 to support three local projects that create an affordable housing development, a homeless shelter, and some associated job training, as specified.
- 36) Appropriates additional reimbursement authority for Department of Public Health health emergency preparedness.
- 37) Corrects reversions amounts of public health funds to reflect the actual amount scored in the budget agreement.

- 38) Appropriates \$275,000 General Fund to allow the Department of Social Services to conduct a cost analysis of higher level needs placement types for foster youth given the July 1, 2027 implementation date for the recently-enacted foster care rate reform effort (see Welfare and Institutions Code 16567(c)). The cost analysis is due January 10, 2026 and the resources were not included due to timing in the 2024 Budget Act adopted in June.
- 39) Moves \$9 million General Fund for diaper banks that was included in the 2024 Budget Act to the appropriate and correct schedule within item 5180-101-0001.
- 40) Permits the Department of Finance to authorize the transfer of funds from the \$10 million General Fund that is included in the 2024 Budget Act to continue the California Fruit and Vegetable EBT Pilot Project to a different item to support associated costs to restart the automation. These potential costs are unknown at this time, but would be necessary to continue the pilot effort.
- 41) Moves authorizing language related to the possible selection of the State of California for participation in the Pilot Projects for Promoting Accountability by Measuring Work Outcomes program pursuant to federal law, removing this language from 5180-141-0001 and adding it to 5180-101-0001.
- 42) Corrects the amount of federal funds authority for the CalWORKs program, as the 2024 Budget Act inadvertently included an amount that excluded of almost \$419 million.
- 43) Appropriates an additional \$34.8 million General Fund for increased costs related to the reimbursement of stolen food and cash benefits, as the transition rollout to chip and tap technology is delayed and pending.
- 44) Changes a reporting date from January 1, 2025 to January 1, 2027 for the use of funds in preparation for the implementation of the expansion of the California Food Assistance Program.
- 45) Corrects a dollar amount regarding the Community Care Expansion Program and Capitalized Operating Reserves Subsidy, conforming to the schedule allocations approved in the 2024 Budget Act.
- 46) Appropriates an additional \$3.43 million in federal funds available for the Tribally Approved Homes Program, administered by the California Department of Social Services.
- 47) Reappropriates prior year funds of \$10 million General Fund for the Temporary Protected Status program, making these funds available for encumbrance or expenditure until June 30, 2027.
- 48) Reappropriates specific prior year funds for the Rapid Response programs, making these funds available for encumbrance or expenditure until June 30, 2026.
- 49) Provides augmentation authority to pay for litigation related costs incurred by the Department of Corrections and Rehabilitation for *Stoetzl v. State of California*, Department of Human Resources, which pertains to additional compensation for “duty integrated-walk time” for certain correctional officers.

- 50) Adjusts the Department of Education's funding for the English Language Learners assessment for state reversion and federal fund availability.
- 51) Adjusts the federal fund authority for Title 1 local assistance, Individuals with Disabilities Education Act local assistance, and Early Head Start Partnership grant state administration for federal fund availability.
- 52) Reverts approximately \$292,000 in general fund from the 2023 Budget Act for the Adults in Correctional Facilities program.
- 53) Provides funding for the State Library that was incorrectly added to the 2023 Budget Act. The funding will be removed from the 2023 Budget Act in another action.
- 54) Re-appropriates funding from the 2022 Budget Act from the California State Library to support the California iteration of the Imagination Library for the same purpose.
- 55) Adjusts University of California funding to reflect a 5 percent increase to the UC Division of Agriculture and Natural Resources.
- 56) Clarifies University of California enrollment targets for the 2025-26 and 2026-27 academic years.
- 57) Reappropriates funding from the 2022 Budget Act for California State University retired annuitants health benefits.
- 58) Delays reporting of health staffing registry expenditures by CalVet from January 2025 to January 2026 in order to capture complete expenditure data for the 2024-25 fiscal year.
- 59) Provides \$500,000 to replenish the media campaign fund for the Building and Reinforcing Inclusive, Diverse, Gender-Supportive Equity (BRIDGE) Project, which promotes social equity, civil rights, and antidiscrimination through marketing and advertising.
- 60) Provides an additional \$2 million one-time General Fund for California Earned Income Tax Credit outreach efforts, bringing the total ongoing funding for state outreach grants to \$12 million in the 2024-25 fiscal year.
- 61) Appropriates \$2.5 million from redirected General Fund for purposes of the California College for the Arts.
- 62) Provides a cost of living adjustment for the California Community Colleges CalWORKS and EOPS categorical programs which was inadvertently left out of the June budget.
- 63) Allocates California Department of Tax and Fee Administration (CDTFA) administrative costs between the Air Pollution Control Fund and the California Tire Recycling Management Fund consistent with the change in the 2024 Budget Act to fund the Tire Recycling Fund as a budget appropriation instead of on a reimbursement basis.
- 64) Provides an additional \$2 million one-time General Fund for California Earned Income Tax Credit outreach efforts, bringing the total ongoing funding for state outreach grants to \$12 million in the 2024-25 fiscal year.

- 65) Updates provisional language to reflect the correct rental payment on the California Environmental Protection Agency building.
- 66) Delays reporting of health staffing registry expenditures by CalVet from January 2025 to January 2026 in order to capture complete expenditure data for the 2024-25 fiscal year.
- 67) Authorizes Department of Transportation to provide funding as an advanced lump sum payment, and for the funding to be used for costs incurred prior to the passage of the 2024 Budget Act, for specified appropriations.
- 68) Provides \$3.75 million General Fund to Sonoma County for the Geyserville ADA Street Safety project.
- 69) Provides \$4 million General Fund to Sonoma Marin Area Rail Transit (SMART) District for freight rail operations and capital, and deferred maintenance.
- 70) Reduces \$2 million from the amount appropriated to the Secretary of Workforce Development for the Advanced Industry Workforce Development Tool.
- 71) Provides \$1.8 million to the Department of Corrections and Rehabilitation to provide clothing and transportation for incarcerated individuals being released from prison.
- 72) Appropriates \$2.2 million to support in-prison programming through the Rehabilitative Investment Grants for Healing and Transformation 2.0 program.
- 73) Appropriates \$3 million to the Office of Emergency Services for emergency response equipment in Trinity County and to upgrade the fire station in the City of Hayward.
- 74) Reappropriates \$1.831 million in funding for construction of the El Centro Courthouse in Imperial County.
- 75) Reappropriates remaining funding for the Integrated Substance Use Disorder Treatment Program from 2023-24 to 2024-25 to cover anticipated settlement costs.
- 76) Clarifies that the Department of Finance may direct a state agency to reimburse costs incurred for that agency's portion of employer reporting penalties under the federal Patient Protection and Affordable Care Act.
- 77) Includes provisional language to facilitate the expedited claiming and use of federal stimulus funding that will expire in the near future.

COMMENTS

This bill amends AB 107 (Gabriel, Chapter 22, Statutes of 2024), the 2024 Budget Act, as amended by SB 108 (Wiener, Chapter 35, Statutes of 2024), to reflect adjustments made to the Budget Act in August of 2024. In addition, this bill contains technical changes, corrections and updates identified after the budget was adopted.

According to the Author

This bill adopts technical changes to the 2024 budget act in order to fully and correctly implement the June 2024 Budget Agreement.

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

While this bill makes many changes to various appropriations in the budget act, overall this bill has no change to the overall level of state expenditures reflected in the June budget agreement.

VOTES

SENATE FLOOR: 29-8-3

YES: Allen, Alvarado-Gil, Archuleta, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Skinner, Smallwood-Cuevas, Umberg, Wahab, Wiener

NO: Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto, Wilk

ABS, ABST OR NV: Ashby, Rubio, Stern

UPDATED

VERSION: August 24, 2024

CONSULTANT: Christian Griffith / BUDGET / (916) 319-2099

FN:

SUMMARY

This bill amends the 2023 and 2022 Budget Act to reflect changes necessary to implement the 2024 budget agreement.

Specifically, this bill:

Major Provisions

- 1) Includes technical adjustments that provide a net-zero intra-fund shift of \$1,148,000 to the California Geologic Energy Management Division (CalGEM) to reflect the full baseline funding of \$5 million for plugging and abandoning hazardous or idle-deserted wells.
- 2) Reduces the amount of Managed Care Organizational Tax revenue used to offset state Medi-Cal benefit in 2023-24 to match the amount assumed in the June 2024 budget package for that specific fiscal year.
- 3) Includes a conforming change related to the reappropriation of prior year funding for the Rapid Response program, as addressed in changes to the 2024 Budget Act.
- 4) Allows the Department of Finance to utilize savings from the Integrated Substance Use Disorder Treatment Program to pay off settlement costs related to a California Public Employment Relations Board matter filed against the Department of Corrections and Rehabilitation and requires notification of the final settlement costs to the Joint Legislative Budget Committee.
- 5) Eliminates funding for the State Library that was incorrectly added to the 2023 Budget Act in the June budget. This funding will be added to the 2024 Budget Act in another action.
- 6) Adjusts the funding needed to cover debt service costs for California Community College student housing projects.
- 7) Extends the encumbrance and expenditure period of the Healthy Economies Adapting to Last (HEAL) initiative, which provides workforce development funding to local governments where immigration detention centers are closing or set to close, from 2025 to 2030. Expands the type of entities eligible to receive funding.
- 8) Makes technical clarifications to 2022 and 2023 Legislative Priorities.

COMMENTS

This bill makes minor technical changes and corrections to both the 2023 and 2022 budget acts that were identified after the 2024 budget agreement was completed.

According to the Author

The bill makes technical changes to prior year budget acts to fully and correctly implement the 2024 budget agreement.

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill makes technical changes to achieve the revenue and expenditures levels projected in the 2024 budget package.

VOTES

SENATE FLOOR: 29-8-3

YES: Allen, Alvarado-Gil, Archuleta, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Skinner, Smallwood-Cuevas, Umberg, Wahab, Wiener

NO: Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto, Wilk

ABS, ABST OR NV: Ashby, Rubio, Stern

UPDATED

VERSION: August 24, 2024

CONSULTANT: Christian Griffith / BUDGET / (916) 319-2099

FN:

SUMMARY

SB 176 is an Education Omnibus Trailer Bill, which contains statutory revisions and appropriations necessary to further the 2024-25 Budget Act's provisions in preschool, TK-12, and higher education.

Major Provisions

This Bill:

- 1) Amends a reporting requirement for the Legislative Analyst's Office regarding California Community College nursing programs, based on new funding for the programs included in the 2024 Budget Act. The report evaluating the efficacy of nursing partnership programs between the community colleges and the University of California or California State University will be due on Jan. 1, 2031.
- 2) Requires, until January 1, 2027, the State Fire Marshal and local fire enforcing agencies assigning occupancy and use or change of use classifications and issuing fire clearance approvals to day care centers to apply the provisions of Chapter 3 of Title 24 of the California Building Code as those provisions read on December 31, 2022.
- 3) *California State Preschool clarifications.* Clarifies priority order of enrollment for age-eligible children for the California State Preschool Program, and requires state guidance protocols for programs electing to serve two-year old children; clarifies Universal Preschool Planning Grant award qualifications and existing contractor applications process.
- 4) *Instruction Continuity Plans and School Safety Plans.* Extends sunrise dates for when new Instructional Continuity Plans (as authorized by SB 153 (Education Omnibus of 2024)) shall be added to existing LEA School Safety Plans, for funding J13A hold harmless provisions, to July 1, 2026; clarifies temporary assignment of pupils in emergency situations.
- 5) *Attendance Recovery programs.* For the new Attendance Recovery program (as authorized by SB 153 (Education Omnibus of 2024)), replaces requirement to apply attendance recovery to the pupil day of absence, with cap on maximum days of weekly attendance recovery, and clarifies staff to pupil ratios, teacher and course standards; clarifies attendance calculation methodology; clarifies eligible local education agencies.
- 6) *Local Control Funding Formula data collection.* Clarifies free or reduced price meal form collection allowances for the Local Control Funding Formula base year determination.

- 7) *Expanded Learning Opportunity program and Attendance Recovery blended programs.* For the Expanded Learning Opportunities Program (ELOP), clarifies the staffing ratios for Attendance Recovery program co-mingled classes, clarifies state process for collection of unexpended ELOP funds; and extends the Transitional Kindergarten ELOP provider licensing sunset to July 1, 2026.
- 8) *Juvenile Court School accountability.* Clarifies California Department of Education (CDE) data reporting for pupils enrolled in juvenile court schools.
- 9) *Public School System Stabilization Account payments.* Clarifies the Public School System Stabilization Account funding processes for TK-12 deferral repayment authority for two programs.
- 10) *Independent Study.* Clarifies the documentation standard for independent study pupil work product and asynchronous activities that do not produce a pupil work product; conforms independent study changes to standards for duration and program agreements.
- 11) *Golden State Teachers Program.* For purposes of the Golden State Teachers Program existing appropriations, clarifies that California Student Aid Commission awards follow a means test that includes household income and assets, consistent with the Student Aid Index.
- 12) *California Community Colleges (CCC) Reporting Changes.* Makes changes to several reporting requirements for the California Community Colleges Chancellor's Office, including moving the deadline for some reports to March 1 and requiring some reports to be submitted to the Legislature biennially. Changes impact reporting for nursing programs, the Strong Workforce and Economic and Workforce Development programs, the Adult Education program and the Student Equity and Achievement program. These changes also eliminate the reporting requirement for the Public Utilities program, which no longer exists.
- 13) *Rising Scholars Program Changes.* Increases the number of programs that can be funded to 65, from the current cap of 50. Also allows the Chancellor's Office to prioritize funding for programs that show improvement in achieving the student outcome goals of the program.
- 14) *Extends Sunset on Chancellor's Office Contracts Online and Hybrid Education Review and Recommendations.* Extends by two years a statute that allows the California Community College Chancellor's Office to directly contract with community college districts to administer programs for the community college system. The program will not sunset in 2027.
- 15) *Allows Prioritization of Certain Capital Outlay Projects.* Allows the California Community College Board of Governors to prioritize funding for capital outlay projects in 2025-26 that address campus facility safety concerns regarding the use of concrete "lift slab" construction as identified by the State Architect.
- 16) *Liquidation Extensions.* Extends Budget Acts of 2021 and 2022 liquidation dates for Special Education and Adults in Correctional Facilities, as specified.

COMMENTS

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

- 1) Extends Budget Act of 2021 liquidation dates for Special Education and Adults in Correctional Facilities to July 31, 2024, and Budget Act of 2022 liquidation dates for these programs to July 31, 2025.
- 2) This bill is a budget trailer bill within the overall 2024-25 budget package to implement actions related to preschool, TK-12, and higher education, and makes various appropriations.

VOTES

SENATE FLOOR: 29-8-3

YES: Allen, Alvarado-Gil, Archuleta, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Skinner, Smallwood-Cuevas, Umberg, Wahab, Wiener

NO: Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto, Wilk

ABS, ABST OR NV: Ashby, Rubio, Stern

UPDATED

VERSION: August 24, 2024

CONSULTANT: Erin Gabel and Mark Martin / BUDGET / (916) 319-2099

FN:

SUMMARY

This bill is the August Budget Resources Omnibus trailer bill that includes statutory provisions necessary to implement the Budget Act of 2024.

Major Provisions

1. *California Tire Recycling Act*. Restores language recently repealed that authorizes CalRecycle to work with other state agencies on implementing the program.
2. *Protect Our Coast and Oceans Voluntary Tax Contribution Fund*. Lowers the minimum contribution amount for the Protect Our Coast and Oceans Voluntary Tax Contribution Fund that funds the Whale Tail program at the California Coastal Commission from \$250,000 to \$200,000 annually.
3. *Municipal Utility District (MUD) Act*. Authorizes a municipal utility district to grant a longer period of time, longer than the 12 months in existing law, for a customer to provide payment for light, water, power, or heat if the district finds a longer period of time is necessary to avoid undue hardship to the customer based on the individual circumstances of the case.
4. *Will Rogers State Beach Concession Contracts*. Exempts concession agreements between the County of Los Angeles and a private entity at state-owned Will Rogers State Beach from any municipal permits required by state law, municipal building and zoning codes, or approvals by municipal agencies and instead requires concession agreements to be subject only to approval by the County of Los Angeles and a coastal development permit or amendment from the California Coastal Commission.
5. *Toxic Clean Up Greenhouse Gas Fund Reporting*. Allows funds appropriated to the Department of Toxic Substances Control from the Greenhouse Gas Reduction Fund for toxic clean ups to comply with Greenhouse Gas Reduction Fund reporting requirements using metrics related to climate change adaptation and resiliency, environmental quality, or public health.
6. *Salton Sea*. Appropriates \$3,098,000 from the Salton Sea Restoration Fund to the Department of Fish and Wildlife to support projects at Salton Sea.

COMMENTS

According to the Author

This bill is the August Budget Resources Omnibus trailer bill that includes statutory provisions necessary to implement the Budget Act of 2024.

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill appropriates \$3,098,000 from the Salton Sea Restoration Fund to the Department of Fish and Wildlife to support projects at Salton Sea.

VOTES

SENATE FLOOR: 29-8-3

YES: Allen, Alvarado-Gil, Archuleta, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Skinner, Smallwood-Cuevas, Umberg, Wahab, Wiener

NO: Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto, Wilk

ABS, ABST OR NV: Ashby, Rubio, Stern

UPDATED

VERSION: August 24, 2024

CONSULTANT: Shy Forbes / BUDGET / (916) 319-2099

FN:

SUMMARY

This general government trailer bill contains the necessary changes to implement provisions adopted as part of the Budget Act of 2024.

Major Provisions

This bill makes various statutory changes to implement the general state government provisions of the Budget Act of 2024. Specifically, this bill does the following:

- 1) *Background Checks and Fingerprinting.* The United States Federal Bureau of Investigation (FBI) has determined that specific state departments and agencies have insufficient statutory authority to obtain federal background check information. As an example, these background checks are used to conduct criminal background verification on prospective employees and contractors. This bill makes statutory adjustments to continue enabling the Department of Cannabis Control, the Department of Financial Protection and Innovation, the Department of Consumer Affairs, the State Department of Developmental Services, the Department of General Services, the Department of Health Care Access and Information, the Public Employees' Retirement System, the State Department of Public Health, the State Department of Social Services, and the California Horse Racing Board to conduct federal background checks.
- 2) *Flexible Assistance for Survivors (FAS).* The FAS program, administered by the Office of Emergency Services, provides grants to qualifying community-based organizations with the goal of improving safety, healing, and financial stability for survivors of those violently injured or killed. This bill extends the FAS program timeline by one year; clarifies how cash assistance may be distributed to survivors; clarifies how the California Victim Compensation Board should account for assistance provided under the FAS program.
- 3) *Projected Surplus Temporary Holding Account.* Until December 31, 2030, establishes the Projected Surplus Temporary Holding Account in the State Treasury as a General Fund reserve to hold a portion of General Fund surplus moneys temporarily for use in future fiscal years. Requires, in a year that a transfer is made to the Projected Surplus Temporary Holding Account, that such a transfer be provided for in the annual Budget Act. The bill would require funds transferred to the Projected Surplus Temporary Holding Account to remain in that account for no more than one year from the date of deposit, after which time these funds would be transferred to the General Fund, except as specified.
- 4) *Equitable Payroll Fund.* Requires the Office of Small Business Advocate to adopt guidelines instead of regulations to implement the Performing Arts Equitable Payroll Fund (SB 1116, Chapter 731, Statutes of 2022) and would exempt the adoption of the guidelines from the rulemaking provisions of the Administrative Procedure Act. The Equitable Payroll Fund was established under SB 1116, and the Budget of 2024 included \$12 million to implement the program.

- 5) *Government Efficiencies*. Makes various changes to state procurement and contracting practices. Specifically:
- a. Authorizes the Department of General Services (DGS), upon request from the state agency concerned, to delegate a public works project, or a class of projects, to the state agency if the department finds that the state agency is capable of successfully undertaking the project or projects. Requires Department of Finance approval for any project delegation where the total project costs exceed \$3 million.
 - b. Authorizes DGS to engage in job order contracting as an alternative procurement procedure for public works. Imposes a maximum contract amount of \$10,000,000 in the first term of the contract and authorizes DGS to issue up to 4 one-year extensions to each job order contract, up to an additional \$5,000,000 per year. Prohibits any single job order from exceeding \$1,000,000, as prescribed. Requires a job order contract to comply with prevailing wage requirements.
 - c. Revises the approval exemption provision for contracts under \$150,000 to instead require a state agency to conduct the audit every 3 years of the contracting program.
 - d. Removes the DGS notification and approval requirement for consulting services contracts that exceed \$12,500. Continues to require DGS review for consulting services contracts of \$50,000 or more, unless the department has been approved for a higher exemption.
- 6) *Forced or Involuntary Sterilization Compensation Program (FISCP)*. The FISCP, administered by the California Victim Compensation Board, provides victim compensation to survivors of specified state-sponsored or coercive sterilization. This bill extends the appeals deadline to January 1, 2025 for any individual whose application to the FISCP was denied; authorizes the California Victim Compensation Board to review previously denied claims or appeals upon request of the claimant with a showing of good cause; requires the Board to provide specified reporting by January 1, 2025; extends the program until January 1, 2026 and repeals the statute on July 1, 2026.
- 7) *Jointing Technical Language*. Incorporates changes proposed by Senate Bill 1064 (Laird) to be operative only if this bill and SB 1064 are enacted and this bill is enacted last.

COMMENTS

This general government trailer bill contains the necessary changes to implement provisions adopted as part of the Budget Act of 2024.

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill would, for the 2024–2025 fiscal year, appropriate the sum of \$10,000 to the Department of Justice for purposes of administering the fingerprint requirements described above.

VOTES

SENATE FLOOR: 29-8-3

YES: Allen, Alvarado-Gil, Archuleta, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Skinner, Smallwood-Cuevas, Umberg, Wahab, Wiener

NO: Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto, Wilk

ABS, ABST OR NV: Ashby, Rubio, Stern

UPDATED

VERSION: August 24, 2024

CONSULTANT: Patrick Le / BUDGET / (916) 319-2099

FN:

SUMMARY

Makes the necessary statutory changes to ratify and implement memoranda of understanding (MOUs) between Bargaining Units (BUs) 5, 8 and 10 and the state, as well as General Salary Increase (GSI) adjustments for Judges and the California Association of Highway Patrolmen. The agreement cover state employees represented by three exclusive employee representatives, as follows:

- BU 5: Highway Patrol, represented by the California Association of Highway Patrolmen (CAHP)
- BU 8: Firefighters, represented by CAL FIRE Local 2881
- BU 10: Professional Scientists, represented by the California Association of Professional Scientists (CAPS-UAW)

Major Provisions

- 1) *Memorandum of Understanding with BU 5 (Highway Patrolmen)*. This bill ratifies an MOU entered into on August 20, 2024 between the state and BU 5, which is represented by the California Association of Highway Patrolmen (CAHP). The MOU agreement is as follows:

Compensation

General Salary Increase (GSI), Government Code (GC) Section 19827 Salary Survey

- Effective July 1, 2024, the GSI required by GC Section 19827 shall be provided.

Bilingual Pay

- Effective the first day of the pay period following ratification by both parties, the Bilingual Pay shall increase from \$100 per month to \$125 per month.

Canine Care and Maintenance Pay

- Effective the first day of the pay period following ratification by both parties, pay for canine handlers shall increase from \$156.55 per month to 4 percent of base salary per month for the care and maintenance of their assigned canine.

Field Training Officer Pay

- Effective the first day of the pay period following ratification by both parties, the Field Training Officer Pay shall increase from 5 to 7 percent of base salary per month.

Investigator Pay

- Effective the first day of the pay period following ratification by both parties, the Investigator Pay shall increase from \$50 per month to \$250 per month.

Motorcycle Pay

- Effective the first day of the pay period following ratification by both parties, the Motorcycle Pay shall increase from 4 to 5 percent of base salary per month.

Paramedic Pay

- Effective the first day of the pay period following ratification by both parties, the Paramedic Pay shall increase from \$50 per month to \$200 per month.

Officer in Charge Pay

- Effective the first day of the pay period following ratification by both parties, the Officer in Charge Pay shall increase from 5 to 7 percent of base salary per month.

Senior Officer Pay

- Effective July 1, 2024, the Senior Officer Pay shall be increased to add new steps for 27 years as a CHP Officer (10 percent of base salary) and 28 years as a CHP Officer (12 percent of base salary).

Detective Incentive Pay

- Effective the first day of the pay period following ratification by both parties and for the term of the Agreement, qualifying employees shall receive a Detective Incentive Pay of \$500 per month.

Resident Post Pay

- Effective the first day of the pay period following ratification by both parties, an employee assigned full-time to a Resident Post assignment shall receive an additional compensation of \$600 per month.

Drug Recognition Evaluators (DRE) Incentive Pay

- Effective the first day of the pay period following ratification by both parties and for the term of this Agreement, qualifying employees shall receive a \$1,500 one-time payment for DRE certification.

Miscellaneous

External Vest Carrier Partial Reimbursement

- For the term of the Agreement, one-time reimbursement of \$200 upon proof of purchase of an approved external vest carrier approved by the Department.

Travel and Lodging

- During the term of this contract the state shall implement a business and travel expense reimbursement program that includes adopting the federal standard meal and incidental expense rate and lodging rates established by the federal General Services Administration (GSA). This shall include:
 - a) Adopting the federal standard meal and incidental expense (M&IE) rate established by the GSA at the time of travel for in-state and out-of-state travel;
 - b) Adopting federal standard and non-standard reimbursement rates at the time of travel for in-state, out-of-state, and out-of-country lodging;
 - c) Simplifying current reimbursement policy and administration, and providing up to 75 percent of the federal standard rate established by the GSA for M&IE on the first and last day of travel; and,
 - d) Eliminating the state's long-term travel reimbursement rates and adopting the federal standard M&IE reimbursement rates for long-term meals, and receipted lodging shall be reimbursed up to the maximum federal standard and non-standard reimbursement rates.

Duration

- July 1, 2024, through June 30, 2027

Fiscal

- Fiscal Year 2024-25 Cost: \$83.4 million (\$0 million General Fund)

2) *Memorandum of Understanding with BU 8.* This bill ratifies an MOU entered into on July 30, 2024, between the state and BU 8, which is represented by CAL FIRE, Local 2881. The MOU agreement is, as follows:

Compensation

Extended Duty Week Compensation

- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, the minimum and maximum salary for each range of Fire Protection Employee classifications shall be increased by the equivalent value of six hours of Extended Duty Week Compensation to account for the reduced work week.

Special Salary Adjustments

- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, specified specialty classifications receive an 8.5 percent Special Salary Adjustment.
- Effective January 1, 2026, Fire Fighter I and Fire Lookout classifications shall receive a 4.25 percent Special Salary Adjustment.

General Salary Increase

- Effective July 1, 2025, all Bargaining Unit 8 employees shall receive a general salary increase of 2.5 percent.

Fire Mission Pay

- CAL FIRE employees in specified specialty classifications who earn a Fire Mission Pay differential shall be eligible for the differential during peak staffing in their unit.

Peace Officer Recruitment and Retention Incentives

- Effective the first day of the pay period following ratification by both parties, or November 1, 2024, whichever is later, CAL FIRE Peace Officers appointed under Penal Code 830.2(g), and who remain in good standing shall receive a pay differential of 2.5 percent of base salary.
- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, CAL FIRE Peace Officers assigned to a designated Peace Officer position requiring the performance of Peace Officer duties shall receive a pay differential of 5 percent of base salary.
- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, CAL FIRE Peace Officers serving as a Field Training Officer and who are assigned a trainee shall receive a weekly stipend of \$350 for each week assigned as a Field Training Officer.

Pilot Qualifications Incentive

- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, Forestry Fire Pilots, Aviation Officers II (Flight Operations), Aviation Officers II (Maintenance), Aviation Officers III (Flight Operations), and Aviation Officers III (Maintenance) shall receive the following incentives based on their helicopter pilot qualifications and/or CAL FIRE helicopter program responsibilities:
 - S-70i Firehawk Helicopter and Night Flying Qualified – 10 percent
 - Unit Instructor Pilot – 2.5 percent
 - Flight Examiner – 2.5 percent
 - Helicopter Instructor Pilot – 2.5 percent

- Maintenance Test Pilot – 2.5 percent
- Chief Pilot – 2.5 percent

These incentives shall be cumulative, depending on the qualifications and program responsibilities of the employee, the total of which shall not exceed 15 percent of base pay.

Paramedic Daily Rate

- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, employees who are not in a designated Paramedic position but maintain an Emergency Medical Technician – Paramedic license in good standing shall receive \$50 for each day they work voluntary overtime behind a designated Paramedic position vacancy.

Miscellaneous

Reducing the 72-Hour Duty Week

- The state and the Union have made the necessary changes in this agreement to reduce the 72-hour duty week to a 66-hour duty week, a 24-hour reduction per work period, effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later.
- The Joint Labor Management Committee shall continue discussing the implementation of the 66-hour duty week and the industry standard duty week. Topics of discussion shall include but not be limited to: hours of work, shift patterns, work schedules, retention and recruitment, classifications, and leave accrual/usage.

Travel and Lodging

- During the term of this contract the state shall implement a business and travel expense reimbursement program that includes adopting the federal standard meal and incidental expense rate and lodging rates established by the federal General Services Administration (GSA). This shall include:
 - a) Adopting the federal standard meal and incidental expense (M&IE) rate established by the GSA at time of travel for in-state and out-of-state travel;
 - b) Adopting federal standard and non-standard reimbursement rates at time of travel for in-state, out-of-state, and out-of-country lodging;
 - c) Simplifying current reimbursement policy and administration and providing up to 75 percent of the federal standard rate established by the GSA for M&IE on the first and last day of travel;
 - d) Eliminating the state's long-term travel reimbursement rates and adopting the federal standard M&IE reimbursement rates for long-term meals, and receipted lodging shall be reimbursed up to the maximum federal standard and non-standard reimbursement rates.

Duration

- July 1, 2024 through June 30, 2026.

Fiscal

- Fiscal Year 2024-25 Cost: \$13.5 million (\$8.9 million General Fund).

3) *Memorandum of Understanding with BU 10*. This bill ratifies an MOU entered into on August 2, 2024, between the state and BU 10, which is represented by the California Association of Professional Scientists (CAPS-UAW). The MOU agreement is, as follows:

Compensation

Special Salary Adjustments

- Group A: Employees in the Pest Prevention classification series will receive a Special Salary Adjustment as outlined below.
 - a) Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 6 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
 - b) Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
 - c) Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
- Group B: Employees in the Energy Commission Specialist, Research Scientist, Research Specialist, Energy Resources Specialist, Energy Specialist, Energy Analyst, Toxicologist, and Spectroscopist classification series will receive a Special Salary Adjustment as outlined below.
 - a) Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 6 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the

classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.

- b) Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
- c) Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.

- Group C: Employees in the Health Physicist, Ergonomic Specialist (State Compensation Insurance Fund), Industrial Hygienist, Public Health Biologists, Wildlife Forensic Specialist, Industrial Hygienist (State Compensation Insurance Fund), Ergonomic Specialist (State Compensation Insurance Fund), Economic Entomologist, Microbiologist Intern, Public Health Microbiologist, Examiner Laboratory Field Services, Cytotechnologist, Hazardous Materials Specialist, Cytotechnologist and Agricultural Biologist classification series will receive a Special Salary Adjustment as outlined below.

- a) Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 10 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
- b) Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
- c) Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.

- Group D: Employees in the Veterinarian and Plant Sciences, Seismologist, Fish and Wildlife Interpreter, Archeologist, Environmental Scientist, Integrated Waste Management, Senior Geologist, Chemist, Senior Meteorologist Water Resources and Oceanographer classification series will receive a Special Salary Adjustment as outlined below.
 - a) Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 12 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
 - b) Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
 - c) Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.

Night Shift Differential

- Effective the first day of the pay period following ratification by both parties, the night shift pay differential shall increase from .50 cents per hour to \$1.50 per hour.

Licensure and Certification – Continuing Education – Licensed Veterinarians (includes Licensed Veterinarian Specialist)

- Effective the first day of the pay period following ratification, the state will reimburse from \$1,000 to \$1,500 per year to cover continuing education costs. Employees working less than full-time shall receive a pro-rated amount of \$1,500.

Bilingual Differential Pay

- Effective the first day of the pay period following ratification, the bilingual pay differential will increase from \$100 per month to \$200 per month.

Alternate Range Criteria 40 (AR 40)

- Effective the first day of the pay period following ratification, the state agrees to eliminate the AR 40 provision for BU 10 employees who work at an

institution for the California Department of Corrections and Rehabilitation in the classes of Associate Hazardous Materials Specialist, and Senior Hazardous Material Specialist (Technical). These employees will be placed in Range B and will continue to be expected to supervise inmate/ward workers.

Educational Pay Differential

- Effective the first day of the pay period following ratification by both parties, employees in various classifications who possess a master's degree shall receive a 2 percent pay differential.
- Effective the first day of the pay period following ratification by both parties, employees in various classifications who possess a doctoral degree or degree of Doctor of Medicine shall receive a 3 percent pay differential.
- The non-cumulative differential shall not be considered compensation for the purposes of retirement.

Geographic Pay Differential

- Effective July 1, 2024, BU 10 employees whose worksite is located in the counties of Alameda, Contra Costa, Marin, San Mateo, San Francisco or Santa Clara County shall receive a monthly \$250 differential.
- The differential shall not be considered compensation for the purposes of retirement.

Longevity Pay Differential

- Effective July 1, 2024, BU 10 employees will be eligible to receive the corresponding monthly longevity payment differential on the following schedule:
 - 17 years of state service – 2 percent of base pay.
 - 18 years of state service – 3 percent of base pay.
 - Effective July 1, 2025, 19 years or more of state service – 4 percent of base pay.
 - Effective July 1, 2026, 20 years or more of state service – 5.5 percent of base pay.
- All time spent in state service shall count as long as the employee is in the BU 10 classification at the time of eligibility.
- The percentages are non-cumulative.
- The pay differential shall be considered compensation for retirement purposes.

Fire Mission Pay Differential

- Effective the first day of the pay period following ratification, BU 10 classifications who are employed by the Department of Forestry and Fire Protection and are Fireline qualified shall receive a Fire Mission Pay differential of a one-step increase when summer preparedness has been declared for the employee's unit. Fire Mission pay shall be effective upon the first day of the pay period for which summer preparedness is implemented in the employee's unit and shall be discontinued upon the first day of the pay period for which winter preparedness is declared in the employee's unit.
- This pay differential is not considered compensation for retirement purposes.

Department of Industrial Relations (DIR) Certification Credential Differential

- Effective the first day of the pay period following ratification by both parties, BU 10 employees in the Industrial Hygienist classification series who achieve and maintain a Certified Associate Industrial Hygienist Credential issued by the Board for Global Environment, Health, and Safety Credentialing (formerly the American Board of Industrial Hygiene) shall receive a monthly differential of 2 percent of base pay.
- Effective the pay period following ratification by both parties, BU 10 employees in the Industrial Hygienist classification series who achieve and maintain a Certified Industrial Hygienist credential issued by the Board for Global Environment, Health, and Safety Credentialing (formerly the American Board of Industrial Hygiene) shall receive a monthly pay differential of 3 percent of base pay.
- The differential shall not be considered compensation for retirement purposes.

Bereavement Leave

- Incorporates statutory requirements expanding bereavement leave to five unpaid days.
- Clarifies a workday is eight hours.

Safety Footwear

- Effective the first day of the pay period following ratification, employees employed by the Department of Forestry and Fire Protection and who are Fireline qualified or are employees in the Assistant State Archeologist, Associate State Archeologist, Environmental Scientist, Senior Environmental Scientist (Specialist) classification employed by the Department of Parks and Recreation and are who Fireline qualified shall be reimbursed up to \$480.00 every year for the purchase or refurbishment of National Fire Protection Association (NFPA) Wildland Fire Boots.

Miscellaneous

Classification and Consolidation Joint Labor Management Committee

- The parties agree to establish a Joint Labor Management Committee (JLMC) to consider and discuss potential consolidation of Bargaining Unit 10 classifications that may be necessary, appropriate, and mutually advantageous to the state and CAPS-UAW.
 - a) The committee shall complete work necessary to present a mutually supported Research Scientist consolidation proposal package to the State Personnel Board (SPB) within 6 months prior to the expiration of this MOU. Nothing in this section shall be interpreted to guarantee the SPB's consideration or approval of the proposed package.
 - b) CalHR shall initiate a management workgroup which includes the Energy Commission and any other departments employing the Energy Resource Specialist, Energy Commission Specialist or Energy Analyst classifications to determine feasibility of consolidation. During the term of this MOU, the workgroup shall provide updates on this effort to the JLMC.
 - c) The JLMC meetings shall be scheduled at least quarterly, beginning no later than 120 calendar days after full ratification of this MOU.

Promotional Review Joint Labor Management Committee

- The parties agree to form a Joint Labor Management Committee (JLMC) to review promotional pathways, including the Minimum Qualifications, for the following classification series: Examiner, Lab Field Services, Fish and Wildlife Interpreter, Health Physicist, Insect Biosystematist, Pest Prevention Assistant, Plant Nematologist, Plant Pathologist Diagnostician, Seed Botanist and State Archeologist.
- The first meeting will occur no later than 90 days after full ratification of the MOU and bi-monthly thereafter. The parties will endeavor to complete the list and work through the classifications in a timely manner to meet the recommendation deadline.
- The JLMC shall be completed no later than three months before expiration of the MOU.
- The JLMC will submit its recommendations to CalHR and CAPS-UAW.
- If CalHR and CAPS-UAW mutually agree, as a result of the committee's recommendations, that there is a critical issue that warrants immediate action, the parties will agree to meet and confer to address the identified issue.

Classification Review

- During the term of the agreement, CalHR will initiate an audit of work performed by BU 10 classifications to ensure that the work performed meets

the classification specifications according to the classification plan. Each classification is distinguished by the official State Personnel Board (SPB) classification specification, which describes the duties, responsibilities, typical tasks, and minimum qualification standards for each state classification. A misallocation is defined as duties of a position that are not consistent with the scope of duties and responsibilities listed in the SPB classification specification. The following allocation factors will be used to determine if audited positions are consistent with the classification specifications: nature of the work itself; work being performed; purpose of position (i.e. why the position exists); job requirements, typical tasks, minimum qualifications; knowledge and abilities; variety and scope of responsibility; complexity of work, decision-making authority and level of independence; consequence of error; sensitivity; and supervision exercised or received.

- The main objective of this audit will include the following: Identifying the duties, responsibilities, and requirements of the position, and assess the nature, level, and scope of work currently performed by incumbents as compared with the classification specification and incumbents in the same department doing similar work. This will include desk audits, interviews, and job shadowing, as well as a review of the official duty statements against the classification specifications.
- The parties will mutually agree upon five classifications to be audited across two to four user departments that are mutually agreed upon for each classification. The state will endeavor to have the audits completed in order to meet the recommendations deadline.
- CalHR will provide CAPS-UAW with a copy of the audit recommendations upon receipt, but no later than six months prior to the expiration of the MOU, and the parties will meet to discuss the next steps.
- The parties will mutually agree, in a timely manner, on the solicitation language of the Requests for Proposal (RFPs), if an RFP is issued.

Union Leave

- CAPS-UAW agrees to increase union reimbursement to rates payable to the state for authorized Union Leave to reach actual expenses related to the employee's salary and benefits as follows:
 - July 1, 2024, increase from 31 percent to 39 percent.
 - July 1, 2025, increase from 39 percent to 47 percent.
 - July 1, 2026, increase from 47 percent to 54.62 percent (current rate related to benefits) and thereafter the actual expenses related to the employee's salary and benefits.

Non-Industrial Disability Insurance

- BU 10 employees will be eligible for Non-Industrial Disability Insurance (NDI) until the Unit has transitioned to State Disability Insurance (SDI) to ensure that

disability insurance coverage is available during the transition period. The transition period is defined as completed once BU 10 has contributed to the SDI program for six months. After the six-month transition period, NDI will no longer be the Disability Insurance Program for BU 10 employees except otherwise specified.

Enhanced Non-Industrial Disability

- BU 10 employees will be eligible for Enhanced Non-Industrial Disability Insurance (ENDI) until the Unit has transitioned to State Disability Insurance (SDI) to ensure that disability insurance coverage is available during the transition period. The transition period is defined as completed once BU 10 has contributed to the SDI program for six months. After the six-month transition period, NDI will no longer be the Disability Insurance Program for BU 10 employees except as otherwise specified.

State Disability Insurance

- At the earliest possible date within six months from ratification, implementation of the SDI program for BU 10 shall be completed. The completion of implementation will signify the beginning of SDI deductions and the beginning of the transition period.
- The six-month transition period will allow BU 10 employees to continue to be covered under NDI or ENDI and will provide them with six months of payment into SDI.
- For a period of three months, after the transition of BU 10 employees to SDI is complete, employees may elect to switch between either program: the Vacation and Sick Leave Program or the Annual Leave Program.

Employee Donated Release Time Bank

- The state and CAPS-UAW shall meet regarding the establishment of a BU 10 Employee Donated Release Time Bank whereby BU 10 employees would be permitted to voluntarily contribute identified leave credits for use by BU 10 employees identified by CAPS-UAW. The first meeting shall occur no later than five months following ratification of the agreement.

Business and Travel Expenses

- During the term of this contract the state shall implement a business and travel expense reimbursement program that includes adopting the federal standard Meal and Incidental Expense (M&IE) rate and lodging rates established by the federal General Services Administration (GSA). This shall include:
 - a) Adopting the M&IE rate established by the GSA at the time of travel for in-state and out-of- state travel;
 - b) Adopting federal standard and non-standard reimbursement rates at the time of travel for in-state, out-of-state, and out-of-country lodging;

- c) Simplifying current reimbursement policy and administration and providing up to 75 percent of the federal standard rate established by the GSA for M&IE for the first and last day of travel; and
- d) Adopting the federal standard M&IE reimbursement rates for long-term travel meals. Receipted lodging shall be reimbursed up to the maximum federal standard and non-standard reimbursement rates.

Moving Expenses

- Whenever an employee is reasonably required by the state to change their place of residence, the state shall reimburse the employee per the requirements, timeframes, and administrative rules and regulations for reimbursement of relocation expenses that apply to excluded employees.

Ergonomic Evaluations

- Upon written request of the employee, the state shall provide, based on departmental policy and within a reasonable time frame, an ergonomic evaluation of the employee's primary workstation by a trained evaluator. As a result of the evaluation, the state, as necessary, shall make appropriate ergonomic equipment available.

Transportation Incentives

- Effective the first day of the pay period following ratification by both parties, employees working in areas served by mass transit will be eligible for a 100 percent discount on public transit passes up to the exclusion amount provided by the Internal Revenue Service.
- Effective the first day of the pay period following ratification by both parties, employees riding in vanpools or driving vanpools will be eligible for a 100 percent reimbursement of the monthly fee up to the exclusion amount provided by the Internal Revenue Service.

California State Payroll System Project

- The parties shall, upon notice, reopen applicable contract sections needed to implement changes required by the California State Payroll System Project.

Electronic Monitoring

- The state shall not use log on/off times on the computer or electric access card entry/exit times of the employee as the sole source of attendance reporting or as the sole reason for discipline.
- Electronic location tracking will primarily be used for operational efficiency, safety, and security. The data shall not be the sole basis for disciplinary action unless driving behavior or vehicle use constitutes cause for disciplinary action.

Side Letter

- The parties agree as part of the total tentative agreement that, should the agreement be ratified by both parties, CalHR shall withdraw PERB Case No. SA-CO-526-S and CAPS-UAW SA-CE-2260-S. Upon reaching a tentative agreement, the parties shall ask PERB to stay and/or abey the cases pending ratification results.

Duration

- July 1, 2024, through July 1, 2027.

Fiscal

- Fiscal Year 2024-25 Cost: \$40.9 million (\$11.8 million General Fund).
- 4) *Augmentation for GSI for Judges.* This bill appropriates \$15,335,000 General Fund to account for the General Salary Increases (GSI) for Judges.
 - 5) *Augmentation for GSI for BU 5.* This bill appropriates \$2,421,000 in Special Funds for CAHP because the statutorily-driven GSI is anticipated to be 4.1 percent, instead of the 4 percent that was appropriated in the June budget.

COMMENTS

This bill makes the necessary statutory changes to ratify and implement memoranda of understanding between Bargaining Units 5, 8 and 10 and the state, as well as General Salary Increase adjustments for Judges and the California Association of Highway Patrolmen.

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill appropriates \$89,035,000 (\$40,676,000 General Fund) to implement the MOUs and the GSIs as described above.

VOTES

SENATE FLOOR: 29-8-3

YES: Allen, Alvarado-Gil, Archuleta, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Skinner, Smallwood-Cuevas, Umberg, Wahab, Wiener

NO: Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto, Wilk

ABS, ABST OR NV: Ashby, Rubio, Stern

UPDATED

VERSION: August 24, 2024

CONSULTANT: Patrick Le / BUDGET / (916) 319-2099

FN: