

Assembly Budget Committee Hearing

Wednesday, August 30, 2023

September 2023 Budget Package

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SUMMARY

This bill amends the 2023 Budget Act to reflect September 2023 budget actions.

Major Provisions

- a) Makes technical changes to provisional language in the Judicial Branch's budget related to legal training and technical assistance and administrative costs related to Court Appointed Special Advocates;
- b) Reappropriates up to \$1.25 million provided to the Judicial Branch in 2022;
- c) Clarifies provisional language related to the use of \$5 million provided to the Governor's Office of Business and Economic Development in the 2023 budget for media campaigns;
- d) Corrects provisional data reporting language in the Health and Human Services Agency budget related the realignment of the Division of Juvenile Justice;
- e) Makes technical changes to provisional language in the Office of Planning and Research related to the CalVolunteers program and the Zero Emission Roadmap, including adjusting the Office's budget to reflect the likely use of funds provided in the 2023 budget;
- f) Provides \$5.4 million reimbursement authority for the Office of Emergency Services to support an operational observer from February 1, 2024, to January 31, 2025 to monitor the wildfire mitigation efforts of covered utilities;
- g) Clarifies the \$2.3 million provided to the Office of Emergency Services in the 2023 budget act is for grants for sexual and domestic violence prevention;
- h) Extends the encumbrance period for the California State Nonprofit Security Grant program, operated by the Office of Emergency Services, until 2026;
- i) Clarifies the ability of the Department of Justice to use state operating funds to purchase non-military vehicles;
- j) Provides authority for the Department of Finance to fund for the Department of Insurance for consulting services related to the review of property and casualty insurance premium rate filings;
- k) Shifts funding for the Public Health Nurses Certification Fee Waivers Program from the Department of Health Care Access and Information (HCAI) to the Department of Consumer Affairs (DCA) – Reduces HCAI's \$3.33 million General Fund in 2022-23; Appropriates \$6.66 million General Fund to DCA in 2023-24; and the remaining \$3.34 million General Fund planned in the 2024 Budget Act to be appropriated to DCA;
- l) Corrects provisional language in the Civil Rights Department;
- m) Adjusts required reporting language related to the Department of Housing and Community Development Financial Assistance Program expenditures;
- n) Reverts \$50 million provided to the Department of Housing and Community Development from the Accessory Dwelling Unit program;
- o) Allocates \$25 million additional for the Multifamily Housing Program and \$20 million for the California Dream for All;
- p) Includes \$803,000 General Fund to the Department of Motor Vehicles for settlement costs related to the Rosa and Lorenzo Pantoja V. Eva Marie Estrada, et al;

- q) Appropriates \$1,461,000 to fund CalPERS obligations attributed to the Los Angeles Coliseum Commission;
- r) Provides Exposition Park with expenditure authority for \$57,000 of expected federal funds;
- s) Reappropriates funding from 2022 for the Office of Energy Infrastructure Safety at the Public Utilities Commission;
- t) Appropriates \$12.2 million General Fund to CalFIRE for the construction costs of the Pine Mountain Forest Fire Station;
- u) Includes provisional language related to expenditure or existing budgeted funding for improvements to the Lake Nacimiento and Lake Antonio in Monterey and San Luis Obispo counties;
- v) Makes technical changes to Parks and Recreation funding language to align with the intended purpose of the funding;
- w) Clarifies administrative funding levels for funding provided to the Coachella Valley Mountains Conservancy;
- x) Provides \$3.7 million General Fund to the Department of Water Resources for the Central Valley Flood Protection Board to cover administrative costs;
- y) Authorizes the Director of the Department of Finance to provide loans to the State Water Rights Fund from the following three funds: Underground Tank Storage Fund for up to \$75 million, the Water Discharge Permit Fund for up to \$17 million, and the Safe Drinking Water Account for up to \$15 million;
- z) Clarifies provisional language stipulating the expenditure of funds for the CalRX Naloxone Initiative at the Department of Health Care Access and Information;
- aa) Authorizes the Department of Health Care Services to increase licensing and certification fees for residential and outpatient substance use disorder treatment facilities by up to 20 percent per year through 2026-27 to reach a cumulative fee increase of 75 percent;
- bb) Provide authority for the Department of Health Care Services to accept \$39.7 million in additional federal funds;
- cc) Makes technical corrections to provisional language for a Department of Developmental Services budget item;
- dd) Allows funds allocated by the Department of Social Services to hire a consultant for the development of an analysis of the costs and benefits of approaches that transition collective bargaining with In-Home Supportive Services (IHSS) providers, from a current model to a statewide and/or regional model, to be exempt from the Public Contract Code and review or approval of the Department of General Services.
- ee) Includes \$1 million for the Department of Social Services to administer adjustments to reimbursement rates for all child care programs, pursuant to the agreement entered into by the Governor and Child Care Providers United California (CCPU);
- ff) Allows the state to designate another agency or agencies to distribute funds designated to adjust reimbursement rates for all child care providers, pursuant to the agreement entered into by the Governor and CCPU;
- gg) Allows the Department of Finance to increase the amount of the CCPU Workers Health Care Fund by up to \$100 million to restore the balance of the fund within 90 days of receiving the Annual Report from CCPU detailing the distribution of funds from the prior year and any remaining balance, pursuant to the agreement entered into by the Governor and CCPU;
- hh) Makes technical changes to the Department of Social Services budget items;

- ii) Adds provisional language to the Department of Education budget item related to infrastructure issues at Diagnostic Centers;
- jj) Increases the Department of Education's federal trust fund authority by \$1.985 million;
- kk) Adjusts the Department of Education budget item preschool amount to restore \$162.66 million of funding provided in the 2022 budget for the Inclusive Early Education Expansion Program;
- ll) Increases expenditure authority for the Commission for Teacher Credentialing to reflect the anticipated award of \$708,000 from federal preschool development grants and \$506,000 from the Bill and Melinda Gates Foundation;
- mm) Shifts \$17.2 million additional for ongoing General Fund support for the Higher Education Student Housing Grant Program from the Community Colleges to the University of California to facilitate the issuance of revenue bonds by the University of California for three intersegmental UC-CCC projects;
- nn) Enables UC to count any enrollment above the 2023-24 target of 7,800 towards its 2024-25 enrollment target;
- oo) Includes provisional language and appropriations adjustments to the California Community College budget to conform with the changes to the Higher Education Student Housing Grant Program made in the 2023 budget package;
- pp) Makes technical changes to Community College provisional language related to local assistance;
- qq) Extends the deadline for reporting for the California Aid Commission on the Cash for College program and shifts funding between budget items to align with the intended purpose of the funds;
- rr) Corrects provisional language relating to the Employment Development Department budget item;
- ss) Changes the effective date for eligible local governments for the Healthy Economies Adapting to Last (HEAL) program at the California Workforce Investment Board;
- tt) Expands reporting provided by the California Department of Technology on state Middle mile investments to include a description of how last-mile projects are connected to Middle Mile service;
- uu) Authorizes the Department of Technology to receive a \$73 million federal grant for the Middle Mile Broadband initiative;
- vv) Moves funding provided in the 2023 budget act between items for the Office of the State Public Defender to align with the intended uses of the funds;
- ww) Adds \$300,000 in additional federal funding authority and modifies provisional language in the California Art's Council budget item;
- xx) Makes technical changes to provisional language in the Department of Food and Agriculture;
- yy) Adjusts the Military Department budget line items to reflect additional reimbursements and federal funds allowing for \$1.56 million in additional expenditures for Youth and Community programs;
- zz) Corrects provisional language related to local government financing;
- aaa) Appropriates the remaining balance of the Forced Sterilization Program funds and allocates those funds for a final payment to victims identified in the current program, with \$1 million set aside to consider future legislation in 2024, which will be informed by an Alliance for Better Community study of victims sterilized by Los Angeles General Hospital between 1968 and 1974;

- bbb) Updates provisions in the 2022 budget act that memorialize bills that amend the budget bill;
- ccc) Extends encumbrances for expenditures at the Governor's Office of Business and Economic Development, California Tahoe Conservancy, California Energy Commission, Department of Conservation, Department of Fish and Wildlife, Department of Parks and Recreation, Natural Resource Agency, Air Resources Board, State Water Resources Control Board, Department of Health Care Access and Information, Board of State and Community Corrections, University of California; and
- ddd) Makes technical and administrative changes to legislative budget priorities included in the 2022-23 budget act.

COMMENTS

This bill amends SB 101, Chapter 12, Statutes of 2023 (Skinner), the 2023 Budget Act, as amended by AB 102, Chapter 38, Statutes of 2023 (Ting), to reflect adjustments made to the Budget Act in August of 2023. These changes include appropriating funding set aside in the Budget Act in June of 2023 to allow for further discussions and negotiations. In addition, this bill contains technical changes, corrections and updates identified after the budget was adopted.

According to the Author

This bill is necessary to amend the budget package to reflect changes agreed to as part of the September 2023 budget package.

Arguments in Support / Opposition

None on file.

FISCAL COMMENTS

Staff estimates that this bill has a net total cost of \$18.2 million above the amount assumed in the 2023 June budget package. These additional costs are associated with unanticipated, but non-discretionary, expenditures that are expected to be incurred by the State. However, most provisions in this bill reflects the 2023 budget agreement framework and makes adjustments, refinements, and updates within that budget framework which assumed total expenditures of \$225.9 billion and total reserves of \$37.8 billion.

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 28, 2023

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

FN:

SUMMARY

This is the Public Safety trailer bill that enacts statutory changes necessary to implement the 2023 Budget Act.

Major Provisions

This bill:

1. Extends the sunset for remote court related provisions to criminal proceedings from January 1, 2024 to January 1, 2025;
2. Provides the Department of Justice (DOJ) with necessary authority to search background check applicant fingerprints against latent fingerprint files in order to meet a federal requirement to receive subsequent arrest and disposition information. This authority permits the DOJ to provide this information to authorized entities in California. Also allows the DOJ to collect and remit fees to the Federal Bureau of Investigations for services rendered and specifies a process allowing authorized youth organizations to receive background check information;
3. Includes changes to contracting provisions for community correctional reentry centers, including 1) allowing the California Department of Corrections and Rehabilitation (CDCR) to utilize a request-for-information (RFI) process, 2) articulating various factors for CDCR to prioritize in the selection of community correctional reentry centers, including those that can provide appropriate rehabilitative programming and identified facilities with approved land use, and 3) allowing CDCR to enter into long-term contracts of up to ten years for the operation of these centers;
4. Provides the Department of Justice with the authority to adjust the ammunition purchase fee through the regulatory process and requires that the fee may not exceed what is required to cover the reasonable regulatory and enforcement costs to support the Ammunition Purchase Authorization Program;
5. Clarifies the jurisdiction of the juvenile court when an individual has committed a specified offense as a minor, but is now over 25 years of age, which may arise in resentencing proceedings; and
6. Clarifies that the provisions of Chapter 75, statutes of 2023 (SB 652) only apply in general civil cases. This provision takes effect January 1, 2024.

COMMENTS

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill is a budget trailer bill of the 2023 Budget Act to implement statutory changes related to public safety. Specifically, this bill increases the amount deposited in a continuously appropriated fund.

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 28, 2023

CONSULTANT: Jennifer Kim / BUDGET / (916) 319-2099

FN:

SUMMARY

This is a budget bill which is necessary to implement various provisions of the Budget Act of 2023.

Major Provisions

This budget trailer bill implements various provisions included in the 2023 Budget Act, affecting the budgets of the Emergency Medical Services Authority and the Departments of Health Care Access and Information, Health Care Services, and Public Health. Specifically, this bill:

Extension of Moratorium on New Hospice Providers

- 1) Extends the deadline for the Department of Public Health to adopt emergency regulations on implementing recommendations from the California State Auditor related to oversight of hospice providers from January 1, 2024 to January 1, 2025.
- 2) Requires the moratorium on new hospice providers to end on the date the emergency regulations are adopted.

Residential and Outpatient Substance Abuse Treatment Program Licensing Fee Increase

- 3) Requires any excess fees remaining in the Residential and Outpatient Program Licensing Fund, at the end of each fiscal year, to be carried forward and taken into consideration in setting the fee amount to be imposed in the subsequent fiscal year.
- 4) Authorizes the Department of Health Care Services, no sooner than July 1, 2027, to approve a fee increase, up to and including 5 percent, on an annual basis.
- 5) Requires the Department to submit any proposed new fees or fee increases in excess of 5 percent to the Legislature for approval, and prohibits implementation of any fee increases over 5 percent without Legislative approval.
- 6) Requires the Department to develop a process for substance abuse treatment programs and facilities to apply for a hardship fee waiver and issue a provider bulletin detailing the application process, including eligibility requirements, by July 1, 2024.
- 7) Requires the Department to consult with interested parties and appropriate stakeholders regarding the hardship fee waiver process.
- 8) Exempts the Department from the Administrative Procedures Act for purposes of implementing fee increases for this program.

Senate Confirmation of Emergency Medical Services Authority Director and Chief Medical Officer

- 9) Requires the appointment of the director and the chief medical officer of the Emergency Medical Services Authority to be subject to confirmation by the Senate.
- 10) Specifies that the offices of the director and the chief medical officer are held at the pleasure of the Governor.

Amendments to SB 1076 (Archuleta, Chapter 507, Statutes of 2022)

- 11) Clarifies the authority of the Department of Public Health or any local law enforcement agency to enter, inspect, and photograph any premises where lead abatement, a lead hazard evaluation, or lead-related construction work is being conducted or has been ordered, and to enter the place of business of any person who conducts lead abatement, lead hazard evaluations or lead-related construction work, and inspect and copy any business record to determine whether the person is complying with lead-abatement certification requirements.
- 12) Delays the requirement that a firm and at least one person onsite and employed by the firm, doing renovation, repair, or painting work that will disturb lead-based paint, have a certificate from January 1, 2024 to July 1, 2027.
- 13) Delays the requirement on the Department to develop and implement an education and outreach program for every person and firm that is required to have a certificate from July 1, 2023 to July 1, 2026.

Amendments to AB 2317 (Ramos, Chapter 589, Statutes of 2022)

- 14) Revises the required membership of the interdisciplinary team serving individuals under 21 years of age in licensed residential psychiatric treatment facilities, by removing the nurse practitioner, replacing the mental health professional with a psychologist who has a master's degree in clinical psychology or who has been certified, as specified, and requiring the social worker to be a psychiatric social worker.
- 15) Authorizes, if the patient is a dependent or ward of the juvenile court who has been removed from the physical custody of their parents, legal guardian, or Indian custodian, and who is not under a conservatorship, disclosure of mental health and developmental services information or records without the consent of the patient or their guardian or conservator to the dependent's or ward's social worker or probation officer for the purposes of ensuring the dependent or ward receives all necessary services or referrals for transition out of a facility to a lower level of care.
- 16) Authorizes the disclosure of mental health and developmental services information and records to the Department of Health Care Services for the purposes of licensing and establishing regulations for psychiatric residential treatment facilities

CalRx Over-the-Counter Naloxone

- 17) Authorizes the Department of Health Care Access and Information to enter into partnerships to allow the development, manufacturing, or distribution of *over-the-counter* naloxone products.

Appropriation

- 18) Appropriates \$56,239,000 from the Federal Trust Fund to the Department of Health Care Services to expend Substance Abuse Prevention and Treatment Block Grant funds.

Budget Trailer Bill

- 19) Declares that this bill provides for appropriations related to the Budget Bill and has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

COMMENTS

This bill is a budget trailer bill that implements provisions of the 2023-24 budget package affecting health-related departments. Specifically, this bill extends the moratorium on new hospice provider licenses, establishes a new fee setting process for residential and outpatient substance abuse treatment providers, requires Senate confirmation of the director and chief medical officer appointments at the Emergency Medical Services Authority, delays implementation deadlines contained in SB 1076 (Archuleta, Statutes of 2022), clarifies treatment team membership and information sharing related to AB 2317 (Ramos, Statutes of 2022), authorizes CalRx to develop *over-the-counter* naloxone products, and appropriates \$56.2 million in federal block grant funds for substance abuse prevention and treatment.

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill implements programs and policies associated with the following appropriations in the 2023-24 budget:

- 1) \$56.239 million in increased federal Substance Abuse Prevention and Treatment Block Grant funds to the Department of Health Care Services for substance abuse prevention and treatment activities.
- 2) \$3.9 million (General Fund) in 2023-24 and \$1.9 million (Residential and Outpatient Program Licensing Fund) in 2024-25 and ongoing to strengthen compliance oversight of residential and outpatient substance abuse prevention providers and facilities.
- 3) \$2.6 million in 2023-24 and ongoing to implement AB 2317 (Ramos, Statutes of 2022).
- 4) \$1.2 million General Fund in 2023-24, \$621,000 General Fund in 2024-25, 2025-26, and 2026-27, and \$5.1 million Lead-Related Construction Fund in 2027-28 and ongoing to implement SB 1076 (Archuleta, Statutes of 2022).
- 5) \$30 million to the Department of Health Care Access and Information for the development of naloxone products.

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 28, 2023

CONSULTANT: Andrea Margolis / BUDGET / (916) 319-2099

FN:

SUMMARY

This bill provides for statutory changes necessary to enact developmental services provisions and other provisions related to the Human Services investments included in the Budget Act of 2023.

Major Provisions

As part of the 2023-24 Budget package, this bill makes statutory changes to implement the budget act. This bill includes the following provisions:

Department of Developmental Services (DDS)

- 1) *Complex Needs Residential Program.* Establishes the department's Complex Needs Residential Program. Allows the department to develop a residential program for adolescents and adults with complex needs, consisting of three homes not to exceed five beds per home, and a length of stay not to exceed 18 months. Allows the Department of General Services, with the approval of DDS, to amend the existing Fairview lease to include a portion of the Fairview Developmental Center property for the purpose of developing complex needs homes. Establishes criteria for admission, assessment, individual program planning, transition back to the community, and other program components. Requires the department to work jointly with a regional center to identify or develop alternative services and supports in the event that the department determines that an individual cannot be safely served in a complex needs home. Prohibits the department from establishing a complex needs home in an existing building on the grounds of a developmental center. Prohibits a complex needs home from using any non-emergency restraints or seclusion. Start-up resources of \$10.5 million General Fund was included in the 2023 Budget for this purpose.
- 2) *Stabilization, Training, Assistance and Reintegration (STAR) Homes.* Requires the department to work jointly with a regional center to identify or develop alternative services and supports in the event that the department determines that an individual cannot be safely served in a STAR home. Augments the list of considered community-based services and supports before a determination is made for admittance to a STAR home. Prohibits a STAR home from using any non-emergency restraints or seclusion. On-going resources of \$9.8 million General Fund (\$15.9 million total funds) was included in the 2023 Budget for conversion of two STAR homes to intermediate care facilities licensed through Department of Public Health.
- 3) *Developmental Services Equity and Oversight.* Requires the department to establish common data definitions to promote service access and equity in all regional center services and programs. Requires regional centers to record the race, ethnicity, and preferred language of individuals served at the time of initial intake, assessment, and individual program planning meeting following their 18th birthday. Requires data collection to be integrated with the department's new case management system. Requires the department to establish a standardized process for assessing an individual's need for

respite services. Requires the department to establish a standardized individual program plan template and procedures. Requires the department to establish standard vendorization procedures. Requires the department to establish a standardized intake process. Requires the department to report specified information regarding the definition of generic services, options to improve the coordination of generic services, barriers to accessing generic services, and the feasibility of tracking generic services in its new case management system. Requires the department to evaluate the availability of common services and supports, including inconsistencies in the availability of services by geography and language, and recommendations for addressing inconsistencies. Establishes regional center responsibilities for determining eligibility and conducting intake, and requires regional centers to provide notification on the outcome of an eligibility determination. There was \$6.2 million General Fund in the 2023 Budget to support these responsibilities.

- 4) *Extension of Liquidation Period for Early Start Federal Funds.* Extends the liquidation date from January 28, 2024 to March 31, 2025 of federal funds authorized by the 2021 American Rescue Plan Act (ARPA) – Federal Individuals with Disabilities Education Act (IDEA) Part C, to support early intervention services, consistent with pending approval by the federal Department of Education.

Department of Rehabilitation (DOR)

- 5) *Business Enterprises Program for the Blind (BEP) Workers' Compensation Self-insurance Program.* Authorizes BEP vendors licensed by DOR to operate a facility with workers' compensation insurance provided by the Business Enterprises Program's group policy. Allows DOR to secure payment of compensation through a self-insurance fund or insurance against liability.

Department of Social Services

- 6) *Adoptions Technical Changes.* Makes technical changes to clarify that persons or organizations authorized as adoption services providers under California law are not impacted by the prohibitions against unlicensed adoption agencies as set out in current law. Replaces the term "birth parent" with "legal parent."

Budget Bill and Urgency

- 7) States that this bill is related to the Budget Bill and shall take effect immediately.

COMMENTS

According to the Author

This act is necessary to make corrections to statute and to enact provisions associated with the 2023 Budget Act.

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This act aligns to investments made in the 2023 Budget Act and it includes a reappropriation of funds in the Department of Developmental Services, conforming to a pending federal liquidation extension.

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 28, 2023

CONSULTANT: Nicole Vazquez / BUDGET / (916) 319-2099

FN:

SUMMARY

This bill is a childcare omnibus trailer bill for the 2023-24 Budget Act.

Major Provisions

This bill:

- (1) Ratifies the agreement dated June 30, 2023, between the state and Child Care Providers United – California, and includes necessary appropriation authority and statutory changes to further that agreement. This bill also conforms all early education and care statutory provisions impacted by the agreement, across all Department of Social Services child care programs, and Department of Education preschool programs.
- (2) Changes the definitions for part time care in all early education and child care programs to fewer than twenty five hours of service in a week. The bill changes the definitions for full time care to twenty five or more hours of service in a week.
- (3) Requires the departments of Social Services and Education contractors to provide plans for timely payments to child care and preschool providers, as specified, based on submission of required documentation, including but not limited to daily and monthly documentation.
- (4) Extends enrollment-based funding through June 30, 2025 for all child care and preschool programs.
- (5) Clarifies that preschool family fee rate schedule changes are not cost neutral.
- (6) Requires reporting on committee recommendations regarding child suspension and expulsion policies, as specified.
- (7) Requires reporting on Department of Social Services progress to obtain a federal waiver for all child care and preschool reimbursement rate policies, and implementation of the state federal plan, including an outline of implementation components for the approved single rate structure within 60 days of federal approval of the single rate structure utilizing the alternative methodology in the state plan. The bill also requires that single rate structure to apply to specified subsidized childcare and development programs under the department and state preschool programs under the State Department of Education. The bill also extends departments of Social Services and Education regulatory authority regarding a single rate structure.
- (8) Allocates previously appropriated funds in the Budget Act of 2023 to the State Department of Social Services and State Department of Education to provide specified family childcare providers and childcare centers with a monthly Cost of Care Plus Rate commencing January 1, 2024, and through June 30, 2025, inclusive, and a one-time payment, as specified. The bill authorizes rate and payment amounts, as well as administrative overhead percentages. The bill also allows contract exemptions for the department of Social Services for these provisions.

(9) Appropriates \$80,100,000 in funds to establish a retirement trust administered by Child Care Providers United - California, as specified. The bill also allocates \$15,000,000 for childcare provider training and \$100,100,000 for a childcare provider a health care benefits trust administered by Child Care Providers United - California, as specified

(10) Approves the agreement dated June 30, 2023, entered into by the Governor and Child Care Providers United – California, in its sole capacity as the certified provider organization representing family childcare providers, as specified. This bill also provides that if specified provisions of the bill are in conflict with the provisions of a memorandum of understanding reached between the Governor and a certified provider organization pursuant to a specified provision, the memorandum of understanding shall be controlling without further legislative action, except as specified.

COMMENTS

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

Appropriates \$80.1 million in General Fund for purposes of the agreement dated June 30, 2023, entered into by the Governor and Child Care Providers United – California; Allocates \$1.7 billion Budget Act funding for Cost of Care Plus Rates and one-time provider payments and reimbursement rate policy changes across all child care and preschool programs, and allocates \$115.1 million in Budget Act funding for various agreement terms.

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 28, 2023

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

FN:

SUMMARY

This bill is an omnibus trailer bill for education and preschool issues in the 2023-24 Budget Act.

Major Provisions

This bill:

- (1) Clarifies current state preschool law requiring 5% of funded enrollment to be reserved for children with exceptional needs, requiring at least 7.5% of funded enrollment to be reserved for children with exceptional needs commencing July 1, 2025, to June 30, 2026, inclusive, and requiring at least 10% of funded enrollment to be reserved for children with exceptional needs commencing July 1, 2026. The bill clarifies that any agency that does not meet that 5% requirement be placed on a conditional contract as of July 1, 2026, and any agency that does not meet the 7.5% or 10% requirements, the bill delays their eligibility to be placed on a conditional contract to July 1, 2027, and July 1, 2028, respectively.
- (2) Clarifies state preschool program eligibility criteria to be consistent with current law regarding children identified as dual language learners.
- (3) Extends the encumbrance period for the California Prekindergarten Planning and Implementation Grant Program appropriated in both the 2021–22 fiscal year and the 2022–23 fiscal year for allocation to local educational agencies as base grants, enrollment grants, and supplemental grants, as specified. The bill would require any remaining unexpended funds to revert to the General Fund on June 30, 2028.
- (4) Authorizes the department to collect, from a local educational agency's principal apportionment monthly payment, the difference in the local educational agency's allocation resulting from the reduction in the Learning Recovery Emergency Fund appropriation. The bill requires the department to report any uncollectible amounts to the Department of Finance by January 31, 2024.
- (5) Exempts the Paradise Unified School District from a required reduction in state support for the 2021–22 fiscal year to the 2023–24 fiscal year, inclusive, for exceeding the statutory maximum ratios of administrative employees to each one hundred teachers.
- (5) Clarifies that local educational agencies with existing middle college and early college schools and programs are eligible for College and Career Access Pathways (CCAP) partnerships with the governing board of a school district or a county office of education, or the governing body of a charter school, for the purpose of offering or expanding dual enrollment opportunities for pupils.
- (6) Clarifies the definition of a charter school classified as a nonclassroom-based charter school, to mean as of the prior fiscal year's principal apportionment certification, for purposes of the Local Control Funding Formula Equity Multiplier apportionment.

- (7) Exempts a local educational agency that is temporarily prevented from operating its expanded learning opportunity program because of a school or program site closure due to emergency conditions from that withholding if certain conditions are met, as specified. This bill clarifies department and program reporting requirements.
- (8) Clarifies how the 10-to-1 adult-to-pupil ratio is calculated for purposes of transitional kindergarten early enrollment, and revises the definition of early enrollment child to instead mean a child whose 4th birthday will be between June 3 and September 1, inclusive, preceding the school year during which they are enrolled in a transitional kindergarten classroom.
- (9) Delays required Department of Education annual reporting on pupils in juvenile court schools to commence with the 2024–25 fiscal year.
- (10) Revises the Budget Act of 2023-24 trailer bill definition of long-term English learner to mean a pupil who has not attained English language proficiency within 7 years of initial classification as an English learner, and delete references to federal law.
- (11) Extends the Bilingual Teacher Professional Development Program reporting deadline, administered by the department in consultation with the Commission on Teacher Credentialing, for the final report by one year to January 1, 2030.
- (12) Increases authorized withholding for an evaluation from the \$15,000,000 General Fund previously appropriated to the Superintendent for the department and the California Collaborative for Educational Excellence, to designate a county office of education to identify and curate a repository of high-quality open educational resources for use by local educational agencies, from a 3% to a 4% total of the total appropriation.
- (13) Extends the encumbrance for \$2,402,000 from the General Fund to the Superintendent to support the creation of an online training on schoolsite and community resources focused on strategies to support LGBTQ+ pupils through June 30, 2025.
- (14) Makes clarifying and implementation changes to the Diverse Education Leaders Pipeline Initiative program, as administered by the Commission on Teacher Credentialing, for the purpose of providing grants to local educational agencies, as defined, to train, place, and retain diverse and culturally responsive administrators in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to improve pupil outcomes and meet the needs of California’s education workforce, as provided. The bill requires the commission to submit a report on the program to the Department of Finance and the appropriate policy and fiscal committees of both houses of the Legislature on or before June 30, 2027, as specified. This bill also revises and adds to the list of goals for the initiative, adds regional occupational centers or programs operated by a joint powers authority or a county office of education to the definition of local educational agency for purposes of the initiative, prohibits grant recipients from using more than 5% of a grant award for administrative costs and from charging a sponsored candidate a fee for participating in the initiative, provides 4 years to complete a 2-year service requirement, and includes paying for the costs of an administrative services credential clear induction program to the list of allowable uses of funding.
- (15) Prohibits funds from the Literacy Coaches and Reading Specialists Grant Program appropriation in the 2023-24 Budget Act from being used to support the salaries of existing literacy coaches and reading specialists.

(16) Authorizes allocation of the \$1,000,000 from the General Fund in the 2023-24 Budget Act for the State Board of Education to appoint an independent panel of experts for the purpose of creating an approved list of screening instruments to assess pupils for risk of reading difficulties, to the State Department of Education and provides that those funds shall be available for encumbrance or expenditure through June 30, 2025.

(17) Extends existing law, until July 1, 2024, for the authorization for any holder of a credential or permit issued by the Commission on Teacher Credentialing that authorizes the holder to substitute teach in a general, special, or career technical education assignment to serve in a substitute teaching assignment aligned with their authorization, including for staff vacancies, for up to 60 cumulative days for any one assignment.

(18) Appropriates \$1,500,000 from the General Fund to the Superintendent for allocation to the California Teachers Collaborative for Holocaust and Genocide Education to continue its work to develop and provide curriculum resources related to genocide and Holocaust education and to provide professional development, including educator trainings, on genocide and Holocaust education.

(19) Makes other technical changes.

COMMENTS

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

Appropriates \$1. 5 million from the General Fund for the California Teachers Collaborative for Holocaust and Genocide Education, and extends various Budget Act encumbrance dates.

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 28, 2023

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

FN:

SUMMARY

This bill makes necessary changes to implement the higher education provisions adopted as a part of the Budget Act of 2023.

Major Provisions

Specifically, this bill:

- 1) *California Community Colleges (CCC) Student Housing Support*. Makes the following changes:
 - a. Expresses legislative intent that, no later than the adoption of the 2024 Budget Act, a statewide lease revenue bond, or other statewide financing or fiscal approach will be developed and included within the 2024 Budget Act to support California community college affordable student housing projects that have been approved as part of the Higher Education Student Housing Grant Program.
 - b. Shifts the support of three CCC and University of California (UC) intersegmental projects from CCC to UC. This shift facilitates UC issuance of revenue bonds for the CCC portions of three intersegmental UC-CCC affordable housing projects selected in the Higher Education Student Housing Grant Program.
 - c. States that the three CCC and UC intersegmental projects to be covered through UC issuance of revenue bonds will retain a split in the number of beds for low-income students between the participating campuses that is consistent with the Higher Education Student Housing Grant Program application approved by the state and further defined in the subsequent operating agreements between each UC campus and the CCC district partnership.
 - d. Clarifies that the CCC campuses that received General Fund support for grants in the Budget Act of 2022 shall revert those General Fund resources by June 29, 2024, or upon the enactment of the 2024 Budget Act, whichever is later. States that the grants related to these projects may instead be funded by local financing issued by community college districts for specified projects.
- 2) *Middle Class Scholarship (MCS) Clarification*. Senate Bill 117 (Committee on Budget and Fiscal Review), Chapter 50, Statutes of 2023, exempts commencing with the 2023-24 academic year, emergency housing assistance and emergency basic needs assistance that are only in excess of the student contribution amount of \$7,898 from the MCS award calculation. This trailer bill clarifies that emergency assistance includes emergency assistance awarded by an institution-based foster youth support program.
- 3) *Online and Hybrid Education Review and Recommendations*. Senate Bill 117 (Committee on Budget and Fiscal Review), Chapter 50, Statutes of 2023, provided funding and directed the California Community College Chancellor's Office to contract with a third-party research institution to study the impacts of online courses on student access and outcomes at community colleges. This trailer bill clarifies the types of study that could be conducted and requires nationally-recognized research design standards.

- 4) *CalKIDS College Savings*. Creates a pilot program in which the Scholarshare Board will enter into data-sharing agreements with two local education agencies to improve outreach and participation in the California Kids Investment and Development Savings Program, which provides college savings accounts for California students.
- 5) *Golden State Teacher Grant (GSTG) Program Modifications*. Expands program eligibility to institutions that offers services online to students and are either accredited by the Senior Colleges and Universities Commission of the Western Association of Schools and Colleges or regionally accredited by an agency recognized by the United States Department of Education. Caps the percentage of GSTG appropriated funds that can be allocated to support the \$10,000 award level for students taking teacher preparation coursework at these eligible institutions to eight percent of the total appropriations provided to support the program.
- 6) *CCC Part-Time Faculty Health Insurance*. Allows districts that contract with the California Public Employees' Retirement System (CalPERS) to provide CalPERS health benefits to all faculty that have, two courses or 40 percent of the cumulative equivalent of a minimum full-time teaching assignment.
- 7) *Encumbrance extension*. Extends the expenditure or encumbrance date for a 2021 Budget Act appropriation to UC Riverside to support scientific social survey of Asian American and Pacific Islanders (AAPI) being conducted by the AAPI Data project from June 30, 2024 to June 30, 2027.

COMMENTS

This bill is a budget trailer bill within the overall 2023-24 budget package to implement actions related to higher education, and makes appropriations.

According to the Author

This bill states legislative intent to create a statewide lease revenue bond by June 2024 to support California community college student housing projects and makes other technical changes to the 2023 Budget Act related to higher education.

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill is a budget trailer bill within the overall 2023-24 budget package to implement actions related to higher education, and makes 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 28, 2023

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

FN:

SUMMARY

This general government budget trailer bill contains the necessary changes to implement provisions adopted as part of the Budget Act of 2023.

Major Provisions

This bill makes various statutory changes to implement the general state government provisions of the Budget Act of 2023. Specifically, this bill implements the following provisions:

- 1) *Portability of Professional Licenses for Servicemembers*: Conforms state statutes with recent federal law enabling the portability of professional licenses for servicemembers and spouses if certain requirements are met, as specified.
- 2) *Physician Post-Graduate Training License*: Provides an extension to March 31, 2024 for physician post-graduate training licenses expiring between June 1, 2023 and December 1, 2023. Clarifies that medical school graduates must obtain a post-graduate training license 180 days after beginning a training program. Extends the amount of time from 90 days to 180 days for applicants who have completed 12 months of approved postgraduate training in another state or Canada to obtain a physician and surgeon's license.
- 3) *Goat Herders*: Extends the sunset date, from January 1, 2024 to July 1, 2026, for labor provisions that are applicable to both sheepherders and goat herders. States that the Labor Commissioner shall now issue a report on employment of sheepherders and goat herders in California, including minimum wage and overtime on or before January 1, 2026 instead of on or before January 1, 2024.
- 4) *Women in Construction Priority Unit Clarification*: Clarifies that pre-apprenticeship programs are eligible for resources provided by this unit.
- 5) *State Allocation Board Appointments*: Provides the President Pro Tempore of the Senate appointment authority for Senators to the State Allocation Board.
- 6) *Bagley-Keene Open Meeting Act*: Authorizes state entities to hold public meetings, subject to specified notice and accessibility requirements, through teleconferencing and making public meetings accessible telephonically or otherwise electronically to the public, as specified. The bill sunsets these provisions on December 31, 2023.
- 7) *CalFIRE Public Works*: Provides technical cleanup to address a drafting error in SB 122 (Committee on Budget and Fiscal Review, Chapter 51, Statutes of 2023) that conflicts with existing California Department of Human Resources (CalHR) authority.
- 8) *Microbusinesses*: Extends the gross income exclusion for the California Microbusiness COVID-19 Relief Program grants through the 2024 tax year consistent with the repeal date of the program.

- 9) *Budget Bill Listing*: Updates the Government Code section memorializing bills that amended the budget act to reflect the June budget package.
- 10) *Hazardous Waste Generation and Handling Fee*: Creates an exception for the recently established hazardous waste generation and handling fee (\$49.23 per ton of hazardous waste) for a generator site meeting specified criteria, such as (1) the project will provide at least 2,000 new housing units, (2) the generator of the hazardous waste acquired ownership of the property subject to cleanup prior to July 1, 2022, and (3) cleanup activity commenced activity, as described, began prior to July 1, 2022. The bill sets an alternative fee rate of \$5.72 per ton of hazardous waste generated for projects subject to this exception.
- 11) *Candlestick Point – Hunters Point Shipyard Phase 2*: Exempts the Candlestick Point-Hunters Point Shipyard phase 2 from the limitation of time for establishing loans, advances, and indebtedness, the time for applying for tax increment, the number of tax dollars, and other matters from provisions of the Redevelopment Property Tax Trust Fund established for that agency and Community Redevelopment Law, which imposed specified limitation on redevelopment plans. Requires any changes to establish or change time limits for the Candlestick Point-Hunters Point Shipyard Phase 2 project agreement be approved by the oversight board, and is subject to department approval.
- 12) *Loan Repayment Assistance Program*: Clarifies that providing loan repayment assistance through the program administered by the Access to Justice Commission must be for attorneys doing qualified work, as defined, in order to be a permissible use of the Equal Access Fund.
- 13) *Dream for All*: Directs the California Housing Finance Agency to do both of the following with respect to the Dream for All shared appreciation loan program for first-time homebuyers: (1) make specified program adjustments designed to better target recipients who would otherwise be shut out of homeownership; and (2) develop and report to the Legislature about options for financing an expansion of the available loan pool.
- 14) *Forced Sterilization*: Provides a second payment of \$20,000 to victims of forced sterilization that were already awarded a \$15,000 award from the program established in the 2021 budget package, with victims receiving a total of \$35,000;
- 15) *Various technical fixes*: Enacts minor technical fixes to correct drafting errors and references.

COMMENTS

This general government budget trailer bill contains the necessary changes to implement provisions adopted as part of the Budget Act of 2023.

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill appropriates \$1,000,000 from the Labor and Workforce Development Fund to develop a report on the conditions of sheep and goat herders, including wage violations, minimum wage and overtime, compliance with labor standards, and demographic information, as specified.

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 28, 2023

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

FN:

SENATE THIRD READING

SB 148 (Committee on Budget and Fiscal Review)

As Amended August 28, 2023

SUMMARY

Makes necessary statutory changes to ratify and implement memoranda of understanding (MOUs) between Bargaining Units (BUs) 1, 3, 4, 11, 12, 14, 15, 17, 19, 20, and 21 and the state, and MOU side letter agreements between BUs 1, 3, 4, 5, 11, 13, 14, 15, 17, 19, 20, and 21 and the state. The agreements cover state employees represented by five exclusive employee representatives, as follows:

Service Employees International Union, Local 1000 (SEIU 1000):

- 1) BU 1: Administrative, Financial, and Staff Services
- 2) BU 3: Professional Educators and Librarians
- 3) BU 4: Office and Allied
- 4) BU 11: Engineering and Scientific Technicians
- 5) BU 14: Printing Trades
- 6) BU 15: Allied Services
- 7) BU 17: Registered Nurses
- 8) BU 20: Medical and Social Services
- 9) BU 21: Education Consultants and Library Employees

California Association of Highway Patrolmen (CAHP)

- 10) BU 5: Highway Patrol

International Union of Operating Engineers (IUOE)

- 11) BU 12: Craft and Maintenance

International Union of Operating Engineers (IUOE)

- 12) BU 13: Stationary Engineers

American Federation of State, County and Municipal Employees (AFSCME)

- 13) BU 19: Health and Social Services/Professional

Major Provisions

SEIU 1000:

This bill ratifies an MOU entered into between the state and BUs 1, 3, 4, 11, 14, 15, 17, 20 and 21 on August 19, 2023, represented by the Service Employees International Union, Local 1000 (SEIU). The MOU agreement is, as follows:

Compensation:

General Salary Increase (GSI)

- 1) Effective July 1, 2023, retroactively, all SEIU employees shall receive a three percent (3%) GSI.
- 2) Effective July 1, 2024, all SEIU employees shall receive a three percent (3%) GSI.

- 3) Effective July 1, 2025, all SEIU employees shall receive a three percent (3%) GSI.
 - a. At the time of the May Revision to the 2025-2026 Governor's Budget, if the Department of Finance projects sufficient excess funding, then the General Salary Increase in this MOU shall be four percent (4.0%) on July 1, 2025.
 - b. The determination of sufficient excess funding shall be at the sole discretion of the Director of the Department of Finance based on the specified consideration.

Special Salary Adjustment (SSA)

Wage Equity Adjustment

- 1) Various low paying classifications in BUs 1, 4, 11, 14, 15, and 20 will receive a four percent (4%) SSA on July 1, 2023.

Bargaining Unit 1

- 1) Effective July 1, 2023, employees in the following classifications shall receive an SSA percent increase as listed:
 - a. Driver Safety Hearing Officer (4.0%)
 - b. Conservancy Project Development Analyst II (15.76%)
 - c. Conservancy Project Development Analyst I (15.78%)
 - d. Public Land Management Specialist IV (3.25%)
 - e. Public Land Management Specialist III (15.75%)
 - f. Public Land Management Specialist II (15.80%)
 - g. Public Land Management Specialist I (10.29%)
- 2) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of two and one-half percent (2.5%):
 - a. Workers' Compensation Compliance Officers, Aviation Safety Officer II, Insurance Rate Analysts.
- 3) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of five percent (5.0%):
 - a. Correctional Case Records Analysts, Hearing Reporters, Payroll Specialist, Personnel Specialists, Legal Assistants and Analysts, Health Facilities Evaluator Specialists, Financial Institutions Examiners, Tax Auditors, Business Taxes Specialists, Public Utility Financial Examiner IV, Environmental Planners, Transportation Planners, Conservancy Project Development Specialist, Right of Way Agents, Coastal Program Analysts, Research Data Specialists and Analysts, Health Facilities Evaluators, Insurance Compliance Officers, Employment Program Representatives, Disability Insurance Program Representatives.

Bargaining Unit 3

- 1) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of five percent (5.0%):

- a. Teachers, Substitute Teachers, Teacher Specialists.

Bargaining Unit 4

- 1) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of five percent (5.0%):
 - a. Secretaries, Mailing Machines Operators II, Dispatcher-Clerks, Library Technical Assistants, Health Record Technician II, Senior Motor Vehicle Technician, Tax Technicians, Lottery Ticket Sales Senior Specialist, Control Cashiers, Senior Benefit Program Specialist, Senior Pension Program Representative, Program Technician III, Sr. Word Processing Technician.

Bargaining Unit 11

- 1) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of five percent (5.0%):
 - a. Plant Quarantine Inspector, Agricultural Pest Control Specialist, Water Resources Engineering Associate, Water Resources Technicians, Civil Engineers, Material and Research Engineering Associate, Steel Inspectors, Bridge Architectural Trainee/Assistant/Associate, Construction Supervisors & Inspectors, Seismological Instrument Technicians, Transportation Engineering Technicians.
 - b. Supervising Laboratory Assistant I (5.55%).

Bargaining Unit 14

- 1) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of five percent (5.0%):
 - a. Printing Trades Production Coordinator, Webfed Offset Press Operators, Bookbinders, Printing Plant Machinist, Printing Trades Assistant II.

Bargaining Unit 15

- 1) Effective July 1, 2023, employees in the following general classifications shall receive an SSA percent increase as listed:
 - a. Cook Specialists (5.0%)
 - b. Correctional Supervising Cook (5.0%)
 - c. Custodian II (6.61%)
 - d. Laundry Supervisor (4.0%)

Bargaining Unit 17

- 1) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of five percent (5.0%):
 - a. Health Facilities Evaluator Nurses, Nurse Evaluators, Health Services Specialists, Public Health Nurses, Nurse Practitioners.

Bargaining Unit 20

- 1) Effective July 1, 2023, employees in the following general classifications shall receive an SSA of five percent (5.0%):
 - a. Clinical Laboratory Technologists, Certified Nursing Assistants, Resident Care Specialists, Transportation Coordinators, Readers, Night Attendants, Counselor Orientation Center for the Blind.

Bargaining Unit 21

- 1) Effective July 1, 2023, employees in the following classifications shall receive an SSA of five percent (5.0%):
 - a. Private Postsecondary Education Senior Specialist, Nursing Education Consultant, Transportation Programs Consultant.

Health Benefits

Employer Contribution for Active State Employees

- 1) The state's monthly benefit contribution for BU 3 employees shall continue to be a flat dollar amount equal to 80 percent of the weighted average of the basic health benefit plan premiums of the four largest enrolled basic health plans. For each employee with enrolled family members, the employer shall continue to contribute an additional flat dollar amount equal to 80 percent of the weighted average of the additional premiums. The flat dollar amounts shall be adjusted as appropriate pursuant to the formulas on January 1, 2024, January 1, 2025, and January 1, 2026.

Out-of-State Supplemental Health Care Program

- 1) The current program, \$1,200 per year, will expire on at the end of the November 2023 pay period. Effective with the December 2023 pay period, employees who are headquartered out-of-state and enrolled in a CalPERS sponsored Preferred Provider Organization health plan because they cannot enroll in a CalPERS sponsored HMO plan, will receive a monthly payment based on their health plan party code enrollment.

Supplemental Health Benefits Contribution

- 1) All health benefits-eligible SEIU BU employees will receive an additional monthly amount of up to one-hundred sixty-five dollars (\$165) towards the monthly employer health benefits contribution.

Post-Employment Benefits

Prefunding of Other Post-Employment Benefits (OPEB)

- 1) Effective on the first day of the pay period following ratification, the employees' monthly contributions shall decrease from 3.5 to 3.0 percent to prefund OPEB.

- 2) Effective July 1, 2024, and each July thereafter, the contribution percentages will be adjusted based on the actuarially determined total normal cost. If the total normal costs increase or decrease by more than half a percent from the total normal cost contribution in effect at that time, the employer and employee contribution percentages will be increased or decreased July 1 each fiscal year thereafter, to maintain a 50 percent cost sharing of actuarially determined total normal costs. The increase or decrease to the employer or employee contribution shall not exceed 0.5 percent per year.

Miscellaneous

Electronic Device Access

- 1) CDCR and CCHCS will allow SEIU Local 1000 executive board members and one steward, per watch, per worksite, institution or facility to bring an authorized cellular device within the security areas of worksites, institution or facilities for the purpose of SEIU representation upon written notification and approval of the Appointing Authority.

Bereavement Leave

- 1) Increased the number of days from three to five to incorporate recent statutory changes.

Union Leave

- 1) Increased union reimbursement rates payable to the State for authorized Union Leave. Reimbursement rates shall be increased from the current rate of thirty-five percent (35%) by two percent (2%) each year of the Agreement.

Business and Travel Expenses

- 1) 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 (75%) 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 12 meals, and receipted lodging shall be reimbursed up to the maximum federal standard and non-standard reimbursement rates.

Transportation Incentives

- 1) 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 (100%) discount on public transit passes up to the exclusion amount provided by the Internal Revenue Service (IRS).
- 2) 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 (100%) reimbursement of the monthly fee up to the exclusion amount provided by the IRS.

Uniform Replacement Allowance

- 1) Effective the first pay day of the pay period following ratification by both parties, the uniform replacement allowance increases to six hundred and fifty dollars (\$650) per year for employees who are required to wear a uniform as a condition of employment, when the State does not provide a uniform.
- 2) Increase in the safety footwear allowance from \$100 to \$165.

Duration

- 1) July 1, 2023, through June 30, 2026.

Fiscal

- 1) Fiscal Year 2023-24 Cost: \$635.9 million (\$291.4 million General Fund).

IUOE:

This bill ratifies an MOU entered into between the state and BU 12 on July 13, 2023, represented by the International Union of Operating Engineers (IUOE). The MOU agreement is, as follows:

Compensation

Special Salary Adjustments (SSA)

- 1) Effective July 1, 2023, all BU 12 employees in the following classifications shall receive a SSA of 5 percent (5%):
 - a. Maintenance Aide (Seasonal)
 - b. Maintenance Aide (Seasonal)(Angel Island)
 - c. Foundation Driller
 - d. Foundation Driller Leadworker
 - e. Senior Foundation Driller
- 2) Effective July 1, 2023, all BU 12 employees in the following classifications shall receive a SSA as follows:
 - a. Automotive Pool Attendant III 4.66%

- b. Lead Automobile Mechanic 4.41%
 - c. Lead Motorcycle Mechanic 4.41%
 - d. Telecommunications Facilities Technician II, CHP 4.19%
 - e. Park Landscape Maintenance Technician 6.70%
 - f. Park Maintenance Worker II 4.80%
- 3) Effective July 1, 2023, all BU 12 employees in the following classifications shall receive a SSA of 4 percent (4%):
- a. State Park Equipment Operator
 - b. Military Department Heavy Equipment Operator
 - c. Caltrans Equipment Operator I/II
 - d. Caltrans Highway Maintenance Worker
 - e. Caltrans Highway Maintenance Leadworker
 - f. Caltrans Landscape Maintenance Worker
 - g. Caltrans Landscape Maintenance Leadworker
 - h. Maintenance Worker, California Highway Patrol
 - i. Tractor Operator - Laborer
 - j. Tractor Operator - Laborer (Correctional Facility)
 - k. Commercial Vehicle Inspection Specialist
 - l. Heavy Truck Driver
 - m. Heavy Truck Driver, Correction Facility
 - n. Automobile Mechanic
 - o. Automobile Mechanic (Correctional Facility)
 - p. Automotive Pool Attendant I/II
 - q. Automotive Technician I/II
 - r. Motorcycle Mechanic
 - s. Caltrans Heavy Equipment Mechanic
 - t. Caltrans Heavy Equipment Mechanic Leadworker
 - u. Heavy Equipment Mechanic Apprentice, Caltrans
 - v. Heavy Equipment Mechanic
 - w. Heavy Equipment Mechanic (Correctional Facility)
 - x. Equipment Maintenance Supervisor (Correctional Facility)
 - y. Pest Control Technician
 - z. Pest Control Technician (Correctional Facility)
 - aa. Groundskeeper
 - bb. Lead Groundskeeper
 - cc. Groundskeeper (Correctional Facility)
 - dd. Skilled Laborer
 - ee. Lead Groundskeeper I (Correctional Facility)
 - ff. Supervising Groundskeeper II (Correctional Facility)
 - gg. Supervising Groundskeeper I
 - hh. Lead Groundskeeper (Correctional Facility)
 - ii. Industrial Supervisor, Prison Industries (Bakery)
 - jj. Industrial Supervisor, Prison Industries (Bindery)
 - kk. Industrial Supervisor, Prison Industries (Coffee Roasting and Grinding)
 - ll. Industrial Supervisor, Prison Industries (Crop Farm)
 - mm. Industrial Supervisor, Prison Industries (Dairy)
 - nn. Industrial Supervisor, Prison Industries (Dental Laboratory)
 - oo. Industrial Supervisor, Prison Industries (Detergent Plant)
 - pp. Industrial Supervisor, Prison Industries (Digital Services)

- qq. Industrial Supervisor, Prison Industries (Egg Production)
- rr. Industrial Supervisor, Prison Industries (Fabric Products)
- ss. Industrial Supervisor, Prison Industries (Food and Beverage)
- tt. Industrial Supervisor, Prison Industries (Knitting Mill)
- uu. Industrial Supervisor, Prison Industries (Laundry)
- vv. Industrial Supervisor, Prison Industries (Maintenance + Repair)
- ww. Industrial Supervisor, Prison Industries (Mattress + Bedding)
- xx. Industrial Supervisor, Prison Industries (Meatcutting/Processing)
- yy. Industrial Supervisor, Prison Industries (Metal Fabrication)
- zz. Industrial Supervisor, Prison Industries (Optical Products)
- aaa. Industrial Supervisor, Prison Industries (Poultry Processing)
- bbb. Industrial Supervisor, Prison Industries (Printing)
- ccc. Industrial Supervisor, Prison Industries (Sausage Making/Cured Meats)
- ddd. Industrial Supervisor, Prison Industries (Sewing Machine Repair)
- eee. Industrial Supervisor, Prison Industries (Shoe Manufacturing)
- fff. Industrial Supervisor, Prison Industries (Tool + Die)
- ggg. Industrial Supervisor, Prison Industries (Upholstery)
- hhh. Industrial Supervisor, Prison Industries (Wood Products)
- iii. Industrial Warehouse and Distribution Specialist, Prison Industries
- jjj. Prison Canteen Manager I
- kkk. Materials and Stores Supervisor II (Correctional Facility)
- lll. Plumber Apprentice
- mmm. Plumber I/II
- nnn. Plumber II/III (Correctional Facility)
- ooo. Plumber Supervisor
- ppp. Telecommunications Facilities Technician I, CHP
- qqq. Park Maintenance Assistant
- rrr. Park Maintenance Assistant (Angel Island)
- sss. Park Maintenance Worker I
- ttt. Park Maintenance Worker I (Angel Island)

- 4) Effective July 1, 2023, all BU 12 employees (except classifications identified above) shall receive a SSA of 3 percent (3%).
- 5) Effective July 1, 2023, following the 3 percent (3%) SSA increase, all BU12 employees in the Senior Maintenance Aide (Seasonal) minimum salary step shall be realigned to be five percent (5%) above the maximum salary step of the Maintenance Aide (Seasonal) classification with the establishment of five percent (5%) step differentials between the remaining steps.
- 6) Effective July 1, 2024, all BU 12 employees in the following classifications shall receive a SSA of 5 percent (5%):
 - a. Senior Foundation Driller
 - b. Foundation Driller Leadworker
 - c. Foundation Driller
- 7) Effective July 1, 2024, the maximum salary range for all BU 12 classifications (except driller classifications) shall be increased by 4 percent (4%). Employees who have been at the maximum salary for 12 qualifying pay periods will be moved to the new maximum salary.

- 8) Effective July 1, 2025, all BU 12 classifications shall be adjusted by increasing the maximum of the salary range by 4 percent (4%). Employees who have been at the maximum salary for 12 qualifying pay periods will be moved to the new maximum salary.

Workforce Stability Stipend

- 1) Effective July 1, 2023, BU 12 employees are eligible to accrue a Workforce Stability Stipend up to a maximum of \$3,600. Employees shall accrue \$100 for each qualifying pay period during 6-month eligibility periods. Pay is processed in six payments of up to \$600 in January 2024, August 2024, January 2025, August 2025, January 2026 and August 2026.

Night Shift Pay Differential

- 1) Effective July 1, 2023, increase the night shift pay differential from \$1 per hour to \$1.50 per hour for work shifts that fall between 6 p.m. and 12 midnight.
- 2) Effective July 1, 2023, increase the night shift pay differential from \$2 per hour to \$2.50 per hour for work shifts that fall between 12 midnight and 6 a.m.

Special Duty Pay

- 1) Effective July 1, 2023, certain BU 12 employees at the California Highway Patrol (CHP) who are required to transport, operate, or deploy in a snow caterpillar will be eligible to receive special duty pay of \$10 per hour.

Recruitment and Retention Differential

- 1) Effective July 1, 2023, certain BU 12 classifications in designated work locations within Inyo, Shasta, and San Luis Obispo counties at the California Department of Transportation (Caltrans) and within Butte County at the Department of Water Resources are identified as eligible for recruitment at the top step plus receive an additional monthly retention differential.
- 2) Effective July 1, 2023, driller classifications will be eligible for recruitment at the top step plus receive a monthly differential of \$200.
- 3) Effective July 1, 2023, certain Caltrans designated field mechanics shall be eligible to receive a special duty pay of 2 percent (2%) while so assigned.

Commercial Driver's License Differential

- 1) Effective July 1, 2023, the monthly differential shall be calculated to reflect five percent (5%) of the employee's monthly base pay.
- 2) Effective July 1, 2023, certain BU 12 classifications within the CHP are identified as eligible to receive the Commercial Driver's License differential.

Agricultural Pest Control License Differential

- 1) Effective July 1, 2023, increase the Qualified Applicator's Certificate monthly differential from \$50 to \$100.
- 2) Effective July 1, 2023, increase the Pest Control Advisor Certificate monthly differential from \$75 to \$150.

Well Drilling License Pay Differential

- 1) Effective July 1, 2023, increase the C-57 Well Drilling license monthly pay differential from 5 percent (5%) to 15 percent (15%).

Caltrans Winter Operations Pay Differential

- 1) Effective the first day of the pay period following ratification by both parties, certain BU 12 classifications in designated work locations within Caltrans are identified as eligible to receive a Winter Operations Pay Differential while so assigned. Certain BU 12 classifications may qualify for either a five percent (5%) base pay differential per month or a \$1 per hour differential while so assigned.

Commercial Vehicle Inspection Specialist Pay Differential

- 1) Effective July 1, 2023, certain CHP Commercial Vehicle Inspection Specialists who pass the Cargo Tank Inspection exam shall receive a \$200 pay differential each month.

Footwear Allowance

- 1) Effective July 1, 2023, the footwear reimbursement changes to an annual allowance and is increased to \$175 for BU 12 employees who are required to wear specific footwear. BU 12 classifications in the Department of State Hospitals have been added to the list as eligible to receive the annual footwear allowance. BU 12 classifications in the Department of Parks and Recreation and CalFire shall also be eligible for the annual footwear allowance while maintaining the remaining uniform reimbursement.

Shift Premium for Department of Water Resources (DWR)

- 1) Effective July 1, 2023, employees covered by the DWR Rotating Shift Operations will receive the following increases to their shift pay differential:
 - a. Rotating Shift employees who work evening or night shifts shall receive an increase from \$1 dollar to \$1.50 per hour.
 - b. Employees working the evening shift and working four or more hours between 6 p.m. and midnight shall receive an increase from \$1 dollar to \$1.50 per hour.
 - c. Employees working the night shift and working four or more hours between midnight and 6:00 a.m. shall receive an increase from \$2 dollars to \$2.50 per hour.
 - d. Rotating shift employees who work both the evening and the night shift as identified above, shall only receive the combined rate. This rate has been increased from \$1.90 to \$2.90 per hour.

Health Care Facility Retention and Wildfire Emergency Response

- 1) BU 12 employees who were employed on January 1, 2022, and remain employed on the first day of the pay period following ratification, and who have been working more than fifty percent of the time in a correctional facility, correctional health care facility, Veteran's home, state hospital and/or developmental services, and/or formally deployed and reassigned to work on emergency wildfire response efforts shall receive a one-time payment of \$1,500.

Retirement Formula Employee/Employer Contribution

First Tier A Retirement Formula, First Tier B Retirement Formula and Public Employees' Pension Reform Act Retirement Formula Employee Contribution/Final Compensation

- 1) Effective July 1, 2024, the employee contribution rate for miscellaneous and industrial members shall be reduced by 0.5 percent (0.5%).
- 2) Effective July 1, 2025, the employee contribution rate for miscellaneous members shall be reduced by 0.5 percent (0.5%).
- 3) Effective July 1, 2026, and each year thereafter, if the actuarially determined total normal cost increases or decreases by more than one percent (1%) from the total normal cost contribution in effect at that time, the employee contribution percentage will be increased or decreased, no sooner than July 1, 2026, to reach 50 percent (50%) of the actuarially determined total normal cost, rounded to the nearest quarter of one percent.

Retirement Formula for Safety Members: State Safety A Formula, State Safety B Formula and Public Employees' Pension Reform Act Retirement Formula Employee Contribution/Final Compensation

- 1) Effective July 1, 2026, and each year thereafter, if the actuarially determined total normal cost increases or decreases by more than one percent (1%) from the total normal cost contribution in effect at that time, the employee contribution percentage will be increased or decreased, no sooner than July 1, 2026, to reach 50 percent (50%) of the actuarially determined total normal cost, rounded to the nearest quarter of one percent.

Health and Welfare - Family Care Leave (FCL)

- 1) Effective no later than January 1, 2024, BU 12 employees who are enrolled in the annual leave program will be eligible for the non-industrial disability insurance FCL program. This program provides eligible employees up to six weeks of paid leave (50% of gross salary) within a 12-month period for the care of a seriously ill family member or to bond with a newborn child, adopted child or foster care placement. Employees have the option to use their own leave credits to supplement up to 75 or 100 percent income benefit.

Health Benefits

Health, Dental, Vision

- 1) The state's monthly health benefit contribution for each employee shall continue to be a flat dollar amount equal to 80 percent (80%) of the weighted average of the basic health benefit plan premiums of the four largest enrolled basic health plans. The flat dollar amounts shall be increased or decreased as appropriate pursuant to the formula on January 1, 2024, January 1, 2025 and January 1, 2026.

Miscellaneous Benefits

Union Leave

- 1) Increase union reimbursement rates payable to the State for authorized Union Leave. Reimbursement rates shall reflect the actual expenses related to the affected employee's salary and benefits for all of the time the employee is out on Union Leave.

Business and Travel Expenses

- 1) 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 (75%) 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.

Transportation Incentives

- 1) 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 (IRS).
- 2) 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 (100%) reimbursement of the monthly fee up to the exclusion amount provided by the IRS.

Classification Consolidation - Trades

- 1) With over 300 trades classifications within BU 12, the parties agree it will be advantageous to consolidate, simplify and reallocate a number of state job classifications to better align with current and projected workforce needs. The parties agree to meet for purposes of considering and discussing potential consolidation of classifications necessary and appropriate.

Duration

- 1) July 1, 2023, through June 30, 2026

Fiscal

- 1) Fiscal Year 2023-24: \$68.2 million (\$27.2 million General Fund)

AFSCME:

This bill ratifies an MOU entered into between the state and BU 19 on June 9, 2023, represented by the American Federation of State, County and Municipal Employees (AFSCME). The MOU agreement is, as follows:

Compensation

General Salary Increases (GSI)

- 1) Effective July 1, 2023, all BU 19 employees shall receive a 3 percent (3%) GSI.
- 2) Effective July 1, 2024, all BU 19 employees shall receive a 2.5 percent (2.5%) GSI.

Special Salary Adjustments (SSA)

- 1) Effective July 1, 2023, or August 2, 2023, BU 19 employees in the various specified classifications shall receive a SSA ranging from 2.5 percent (2.5%) to 9.63 percent (9.63%).
- 2) Effective July 1, 2023, the maximum of the salary range for BU 19 employees in Clinical Social Worker classes shall be increased in the range of 2.65 percent (2.65%) to 3 percent (3%).
- 3) Effective July 1, 2023, the maximum of the salary range for BU 19 employees in Psychology classes shall be increased by 10 percent (10%).

Hours of Work and Overtime

- 1) Increases the amount of time credited for overtime from 10 minutes to 15 minutes.
- 2) Increases the amount of compensating time off used from 10 minutes to 15 minutes.

On-Call/Call Back Assignment for CDCR/CCHCS Exempt Employees

- 1) Changes Compensating Time Off (CTO) for on-call employees from 8 hours per seven (7) days to \$10 per hour while on-call.

Psychologist Additional Workload Pay

- 1) Effective the first pay period following ratification by both parties, salaried Psychologists at California Department of Corrections and Rehabilitation/Correctional Health Care Services are eligible for straight-time compensation for working additional caseload.

Clinical Supervision Differential

- 1) Effective the first pay period following ratification by both parties, the differential for providing clinical supervision to unlicensed individuals increases from \$100 to \$500.

Retention Bonus Psychologists and Clinical Social Workers

- 1) Effective the first pay period following ratification by both parties, Psychologists and Clinical Social Workers newly hired into the classifications will be eligible for bonus payments annually through 84 months. Employees currently performing the duties eligible for the bonus, employed over 84 months, and not receiving the bonus under the previous differential are eligible for a onetime payment of \$10,000.

Optometrist Special Salary Adjustment

- 1) Effective the first pay period following ratification by both parties, the Optometrist classification will be converted from a daily rate of pay to monthly salary pay along with a onetime SSA of 69.46%.

Registered Dietitian – Department of Developmental Services, Porterville Developmental Center Recruitment and Retention Differential

- 1) Effective the first pay period following ratification by both parties, Registered Dietitians at Porterville Developmental Center will receive a monthly differential of \$400.

Audiologist – Department of Developmental Services, Porterville Developmental Center Recruitment and Retention Differential

- 1) Effective the first pay period following ratification by both parties, Audiologists at Porterville Developmental Center will receive a monthly differential of \$1,000.

Psychologist – Department of Developmental Services, Porterville Developmental Center Recruitment and Retention Differential

- 1) Effective the first pay period following ratification by both parties, Psychologists at Porterville Developmental Center will receive a monthly differential of \$1,000 and Unlicensed Psychologists will receive a monthly differential of \$800.

Occupational Therapist – California School for the Deaf, Riverside Recruitment and Retention Differential

- 1) Effective the first pay period following ratification by both parties, Occupational Therapists at California School for the Deaf, Riverside will receive a monthly differential of 10 percent (10%) of base pay.

Retirement Formula Employee/Employer Contribution

First Tier A Retirement Formula, First Tier B Retirement Formula and Public Employees' Pension Reform Act Retirement Formula Employee Contribution/Final Compensation

- 1) Effective July 1, 2024, the employee contribution rate for miscellaneous and industrial members shall be reduced by 0.5 percent (0.5%).
- 2) Effective July 1, 2025, the employee contribution rate for miscellaneous members shall be reduced by 0.5 percent (0.5%).
- 3) Effective July 1, 2026, and each year thereafter, if the actuarially determined total normal cost increases or decreases by more than one percent (1%) from the total normal cost contribution in effect at that time, the employee contribution percentage will be increased or decreased, no sooner than July 1, 2026, to reach 50 percent (50%) of the actuarially determined total normal cost, rounded to the nearest quarter of one percent.

Retirement Formula for Safety Members: State Safety A Formula, State Safety B Formula and Public Employees' Pension Reform Act Retirement Formula Employee Contribution/Final Compensation

- 1) Effective July 1, 2026, and each year thereafter, if the actuarially determined total normal cost increases or decreases by more than one percent (1%) from the total normal cost contribution in effect at that time, the employee contribution percentage will be increased or decreased, no sooner than July 1, 2026, to reach 50 percent (50%) of the actuarially determined total normal cost, rounded to the nearest quarter of one percent.

Miscellaneous Benefits

Union Leave

- 1) Increases union reimbursement rates payable to the State for authorized Union Leave. Reimbursement rates shall reflect the actual expenses related to the affected employee's salary and benefits for all of the time the employee is out on Union Leave.

Business and Travel Expenses

- 1) 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 (75%) 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 longterm meals, and receipted lodging shall be reimbursed up to the maximum federal standard and non-standard reimbursement rates.

Transportation Incentives and Parking Rates

- 1) 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 (100%) discount on public transit passes up to the exclusion amount provided by the Internal Revenue Service (IRS).
- 2) 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 (100%) reimbursement of the monthly fee up to the exclusion amount provided by the IRS.

Chaplains'/Native American Spiritual Leaders' Required Conventions and Professional Education and Training

- 1) Effective the first pay period following ratification by both parties, Chaplains/Native American Spiritual Leaders allotted leave for attending required conventions or gatherings increases from five (5) days to seven (7) days per fiscal year.

Leave for Required Continuing Education

- 1) Adds three (3) classifications to the list of classifications eligible for paid educational leave to obtain continuing education units.
- 2) Changes annual \$500 payment for Required Continuing Education Units from a reimbursement to an annual payment.

Contract Term

- 1) July 2, 2023, through June 30, 2025

Fiscal

- 1) Fiscal Year 2023-24: \$77.6 million (\$71.6 million General Fund)

CAHP: 12-Hour Alternate Work Week Schedule Pilot Program

This bill ratifies an MOU side letter entered into between the state and BU 5 (CAHP) on August 22, 2023, as follows:

- 1) Allows for a pilot project to test a 12-Hour Alternate Work Week schedule for road patrol officers. To participate in the pilot project, a majority of the affected employees in an Area office must vote to approve the Alternate Work Week schedule. If approved, all road patrol officers will be required to participate in the alternate workweek program.

SEIU 1000: Health Care Facility Retention Payment

This bill ratifies an MOU side letter entered into between the state and BUs 1, 3, 4, 11, 14, 15, 17, 20 and 21 (SEIU) on August 24, 2023 as follows:

- 1) SEIU members employed at a correctional facility, correctional health facility, State Hospital, Veteran's home, and/or Developmental Services facility "who have been in-person supporting the delivery of care to the most acute patients during the COVID-19 pandemic" are eligible for a one-time payment of \$1,450.
- 2) SEIU members employed at the California Department of Public Health in one of the following classifications: Nurse Consultant I, II, III; Health Facilities Evaluator Nurse; Public Health Nurse; Laboratory Assistant; Senior Laboratory Assistant; Public Health Laboratory Technician I, "who have been in-person supporting the delivery of care to the most acute patients during the COVID-19 pandemic" are eligible for a one-time payment of \$1000.
- 3) SEIU members employed at the State Special School for the Deaf or Blind "who have been in-person supporting the delivery of care to the most acute patients during the COVID-19 pandemic" are eligible for a one-time payment of \$625.
- 4) To be eligible, employees must have been employed by the state on January 1, 2022, and remained employed by the state upon the first day of the pay period following ratification.
- 5) Eligible employees must have provided services in-person and onsite 50% or more of the time during the pandemic.
- 6) This measure appropriates \$5,122,000 (\$4,956,000 General Fund) one-time for expenditure in the 2023-24 fiscal year for the cost of the one-time payments.

IUOE: Health Care Facility and Public Safety Retention Payment

This bill ratifies an MOU side letter entered into between the state and BU 13 (IUOE) on August 11, 2023, as follows:

- 1) BU 13 members employed at a correctional facility, correctional health facility, State Hospital, Veteran's home, Developmental Services facility, and/or were formally deployed and reassigned to work on emergency wildfire response efforts are eligible for a one-time payment of \$1,500.
- 2) Eligible employees must have been employed by the state on January 1, 2022, and remained employed by the state upon the first day of the pay period following ratification.
- 3) Eligible employees must have provided services in-person and onsite 50% or more of the time during the pandemic.
- 4) This measure appropriates \$878,000 (\$585,000 General Fund) one-time for expenditure in the 2023-24 fiscal year for the cost of the one-time payments.

AFSCME: Health Care Facility Retention Payment

This bill ratifies an MOU side letter entered into between the state and BU 19 (AFSCME) on June 9, 2023, as follows:

- 1) BU 19 members employed at a correctional facility, correctional health facility, State Hospital, Veteran's home, and/or Developmental Services facility "who have been in-person supporting the delivery of care to the most acute patients during the COVID-19 pandemic" are eligible for a one-time payment of \$1,450.
- 2) BU 19 members employed by the Department of Rehabilitation "who have been in-person supporting the delivery of care to the most acute patients during the COVID-19 pandemic" are eligible for a one-time payment of \$750.
- 3) Eligible employees must have been employed by the state on January 1, 2022, and remained employed by the state upon the first day of the pay period following ratification and provided services onsite 50% or more of the time during the pandemic.
- 4) This measure appropriates \$5,845,000 (\$5,389,000 General Fund) one-time for expenditure in the 2023-24 fiscal year for the cost of the retention payments.

This measure includes a notwithstanding clause from Government Code Section 19829.5, which requires the Legislative Analyst to prepare a fiscal analysis within ten days of receiving any tentative agreement from the Department of Human Resources, prior to the final legislative ratification of an MOU.

This measure includes chaptering out amendments to ensure that if AB 148 and AB 151 are both signed, both measures will take effect immediately.

COMMENTS

Makes necessary statutory changes to ratify and implement memoranda of understanding (MOUs) between Bargaining Units (BUs) 1, 3, 4, 11, 12, 14, 15, 17, 19, 20, and 21 and the state, and MOU side letter agreements between BUs 1, 3, 4, 5, 11, 13, 14, 15, 17, 19, 20, and 21 and the state.

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill appropriates \$1,158,179,000 (\$596,214,000 General Fund) to implement the MOUs and all of the side letter agreements 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 28, 2023

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

FN:

SUMMARY

Makes necessary statutory changes to ratify and implement a memorandum of understanding (MOU) between the state and Bargaining Unit (BU) 6 – Correctional Peace Officers. The agreement covers state employees represented by the California Correctional Peace Officers Association (CCPOA).

Major Provisions

This bill ratifies an MOU entered into on August 19, 2023 between the state and BU 6, represented by the California Correctional Peace Officers Association. Includes provisions to take effect immediately. The MOU agreement is as follows:

Compensation

General Salary Increases (GSI)

- 1) Effective July 1, 2023, retroactively, all BU 6 classifications shall receive a GSI of 3 percent (3%).
- 2) Effective July 1, 2024, all BU 6 classifications shall receive a GSI of 3 percent (3%).

Retention Differential for Hard-to-Keep/Fill Institutions

- 1) Effective the first day of the pay period following ratification by both parties, new and current BU 6 employees who work at Salinas Valley State Prison, California State Prison, Sacramento, or R.J. Donovan will be eligible to accrue a \$10,000 retention differential, payable in two (2) payments during the term of the MOU. For the first payment, BU 6 employees shall receive \$416.66 for each qualifying pay period worked between July 2023 and June 2024, to be paid in a single lump sum on July 1, 2024. For the second payment, BU 6 employees shall receive \$416.66 for each qualifying pay period worked between July 2024 through June 2025, to be paid in a single lump sum on July 1, 2025.

Employer Contributions to Savings Plus

- 1) Effective with the November 2024 pay period, the state shall make a one-time contribution in the amount of \$475 to a Savings Plus 401(k) plan on behalf of all permanent full-time employees in the bargaining unit who are active as of November 1, 2024. Effective with the January 2025 pay period, the state shall make a monthly contribution equivalent to one percent (1%) of the employee's monthly base salary to a Savings Plus 401(k) plan on behalf of all permanent full-time employees in the bargaining unit.

Mental Health and Wellness Differential

- 1) Effective the first day of the pay period following ratification by both parties, BU 6 employees will receive two (2) one-time payments of \$1,200 to be paid once in November 2023 and once in November 2024 for employees to support their health and well-being. To be eligible for this mental health and wellness differential, employees must be on pay status as of November 1, 2023, and November 1, 2024.

Location Incentive Bonus

- 1) Effective the first day of the pay period following ratification by both parties, cadets who accept/choose to work at one of the 13 eligible institutions listed below will be eligible to receive a \$5,000 location incentive bonus, payable in two (2) payments, upon graduation from the academy and reporting to the institution if the following applies:
 - a) The institution they accept/choose is 50 or more miles away from their current home address; and,
 - b) They are required to move their home address.

The first payment of \$2,500 will be provided upon graduation from the academy and the second payment of \$2,500 will be provided within thirty (30) calendar days upon reporting to the institution.

Eligible Institutions include:

Salinas Valley State Prison (SVSP)
California State Prison, Sacramento (SAC)
R.J. Donovan Correctional Facility (RJD)
Kern Valley State Prison (KVSP)
California Health Care Facility (CHCF)
Pelican Bay State Prison (PBSB)
High Desert State Prison (HDSP)
San Quentin State Prison (SQ)
Substance Abuse Treatment Facility and State Prison, Corcoran (SATF) California State Prison, Los Angeles County (LAC)
California State Prison, Corcoran (COR)
Correctional Training Facility (CTF)
California Medical Facility (CMF)

Class B Driver's License

- 1) Effective the first day of the pay period following ratification by both parties, an employee who is required by their Hiring Authority to obtain, maintain, and utilize a Commercial Driver's License (CDL) as part of their duties shall receive a \$200 per month CDL pay differential.

Cash Out of Vacation/Annual Leave

- 1) All BU 6 employees shall be eligible for a one-time cash out of up to eighty (80) hours of compensable leave (compensable leave does not include sick leave) in 2023.

Commute Program

- 1) 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 (100%) discount on public transit passes up to the exclusion amount provided by the Internal Revenue Service.
- 2) 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 (100%) reimbursement of the monthly fee up to the exclusion amount provided by the Internal Revenue Service.

Bilingual Differential Pay

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

Night Shift/Weekend Differential

- 1) Effective the first day of the pay period following ratification by both parties, the night shift pay differential shall increase from \$1.50 per hour to \$2.50 per hour for work shifts that fall between 1800 and 0600.
- 2) Effective the first day of the pay period following ratification by both parties, the weekend pay differential shall increase from \$1.50 per hour to \$2.50 per hour.

Education Incentive Pay

- 1) Effective the first day of the pay period following ratification by both parties, Parole Services Associates (PSA) who have attained either an Associate of Arts degree from an accredited college or university, sixty (60) semester units from an accredited college or university or the equivalent quarter units, or a Bachelor's Degree or higher from an accredited college or university, will receive an additional \$100, or the equivalent of two point two percent (2.2%) of the top step of their salary range, per qualifying pay period.

Health Benefits

Health, Dental, Vision

- 1) The State's monthly health benefit contribution for each employee shall continue to be a flat dollar amount equal to 80 percent (80%) of the weighted average of the basic health benefit plan premiums of the four largest enrolled basic health plans. The flat dollar amounts shall be increased or decreased as appropriate pursuant to the formula on January 1, 2024, and January 1, 2025.

Miscellaneous Benefits

California State Payroll System Project

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

Video Recordings

- 1) Language is added to allow employees to view body worn camera recordings before investigative interviews are conducted.

Bereavement Leave

- 1) Language added to incorporate statutory requirements expanding bereavement leave to five (5) unpaid days.
- 2) Clarified a workday is eight (8) hours.

Union Leave

- 1) Increases union reimbursement rates payable to the State for authorized Union Leave as follows:
 - a) January 1, 2024, increase from 132% to 153% of base pay.
 - b) January 1, 2025, increase from 153% to the actual total expenses related to the affected employee's salary and benefits, equal to 174.25% of base salary.

Holidays

- 1) Language added to include four (4) recognized unpaid holidays.

Duration

- 1) July 3, 2023, through July 2, 2025.

Fiscal

- 1) Fiscal Year 2023-24: \$230.8 million General Fund.

This measure includes a notwithstanding clause from Government Code Section 19829.5, which requires, prior to final legislative ratification, the Legislative Analyst to prepare a fiscal analysis within ten days of receiving any tentative agreement from the Department of Human Resources.

This measure includes chaptering out amendments to ensure that if AB 148 and AB 151 are both signed, both measures will take effect.

COMMENTS

This bill ratifies an MOU entered into on August 19, 2023 between the state and BU 6, represented by the California Correctional Peace Officers Association. Includes provisions to take effect immediately.

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill appropriates \$296,891,000 General Fund to implement the MOU 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 28, 2023

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

FN:

SUMMARY

This general government budget trailer bill implements the Budget Act of 2023 and includes technical changes to implement federal criminal history background check provisions for state employees and license applicants.

Major Provisions

This bill implements the Budget Act of 2023 and includes technical changes to implement federal criminal history background check provisions for state employees and license applicants.

Specifically, this bill requires the Department of Toxic Substances Control, the California Horse Racing Board, the Department of Cannabis Control, the Department of Financial Protection and Innovation, the Department of Real Estate, the Department of Public Health Food and Drug Branch, the Office of Youth and Community Restoration, the Department of State Hospitals, the Department of Housing and Community Development, and Fi\$Cal to submit to the Department of Justice fingerprint images and related information required by the Department of Justice for employees, prospective employees, contractors, and subcontractors, as specified.

COMMENTS

The California Department of Justice (DOJ) notified certain state departments that the U.S. Federal Bureau of Investigation (FBI) has determined these state entities have insufficient statutory authority to obtain federal background check information. In some instances, the FBI has offered a grace period of 12 months for impacted entities to correct these deficiencies, after which it will revoke their access. Without further legislative changes, impacted departments will be ineligible to access federal level criminal history information (background checks) beginning December 31, 2023.

In addition, departments are notified on a case-by-case basis by the DOJ when the FBI informs them that a given licensing act does not contain sufficient clarity and specificity to justify access to federal criminal history information for applicants for licensure under that particular statute. The Department is typically given a 12-month grace period in which to correct the deficiencies. For some departments, the FBI has flagged a single statute impacting just one area of licensing, whereas for others the entire licensing regime has been identified as insufficient.

This bill provides necessary statutory changes to continue allowing several departments to perform criminal background checks for state employees and license applicants in line with their respective regulatory duties.

Because this bill amends background check statutes for the Department of Cannabis Control, originally enacted through a 2016 voter initiative, this bill is subject to a 2/3 vote.

According to the Author

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill appropriates \$10,000 from the General Fund to the Department of Justice for the purposes of implementing the bill's provisions.

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 28, 2023

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

FN: