

SUBCOMMITTEE NO. 5

Agenda

Senator Maria Elena Durazo, Chair
Senator Shannon Grove
Senator Dave Cortese
Senator Josh Newman



Wednesday, May 18, 2022
9:00 AM
1021 O Street - Room 1200

Part A – Transportation and Public Safety

Consultants: James Hacker and Nora Brackbill

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Issue 1: Overview of Governor's May Revision Proposals in Transportation

Governor's May Revision Proposals for 2022-23

The Governor's May Revision includes the following transportation-related ongoing and one-time proposals. These proposals are in addition to the Governor's January budget and detailed below:

CROSS-OVER ISSUES

Consumer Relief Package. The May Revision reflects the Administration's proposed consumer relief proposal, which includes the following transportation-related proposals:

- \$11.5 billion in gas tax rebates to vehicle owners. This proposal will be discussed in more detail in Subcommittee 4.
- \$750 million to support transit operators who agree to provide at least three months of free transit service.
- An additional \$500 million for the Active Transportation Program.
- A pause in the CPI increase for state diesel taxes beginning in October, with a General Fund backfill to ensure that transportation funding is held harmless. This is estimated to cost the General Fund \$327 million in 2022-23 and \$112 million in 2023-24.
- The May Revision does not reflect the pause in CPI adjustment for the state gas tax originally proposed in January.

CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

- **Caltrans Infrastructure Investment and Jobs Act (IIJA) Implementation.** The May Revision includes 295 positions and \$50 million annually for Caltrans to administer and implement the state and local transportation funding provided by the IIJA.
- **Caltrans Capital Outlay Support (COS) Proposal.** The May Revision includes an additional \$144 million to fund an additional 626 positions, 77 contract positions, and 31 overtime positions, to provide engineering and design support associated with increased project workload.

- **Other Caltrans Proposals.** The May Revision includes several reappropriation and reimbursement proposals at Caltrans. Specifically:
 - Liberty Canyon Wildlife Crossing—Reappropriation of the unencumbered balance of item 2660-003-0001, Budget Act of 2021 to provide funding that may be used for support, capital outlay, or local assistance. This will allow for continued support of the Liberty Canyon Wallis Annenberg Crossing Project.
 - General Transit Feed Specification (GTFS)—Reappropriation of the unencumbered balance of Item 2660-001-0890, Budget Act of 2021. This will allow Caltrans to continue to oversee the implementation and expansion of GTFS and contactless payment standards by providing support to medium, small, and rural transit agencies.
 - Reimbursements for Right-of-Way Support—A two-year increase of 14 limited-term positions and a total of \$3,552,000 (\$2,423,000 in personal service (PS), \$129,000 in operating expense (OE), and an additional \$1,000,000 for litigation costs (OE)) in State Highway Account Reimbursement authority for legal services rendered on behalf of the California High Speed Rail Authority.
- **Caltrans Trailer Bill Proposals.** The May Revision includes several trailer bill proposals to grant Caltrans increased flexibility as it implements new federal and state infrastructure spending. These include:
 - Advanced Payments for Transit. The proposed language would expand and clarify the authority for Caltrans to advance funds to public agencies for transit and passenger rail projects funded by the State Transportation Improvement Program or the Transit and Intercity Rail Capital Improvement Program. This proposal would expand advance payment authority for these projects programmed in the Regional Transportation Improvement Program to phases beyond planning and environmental analysis.
 - Interregional Rail Projects Funding Eligibility. The proposed language would expand project eligibility for the Solutions for Congested Corridors Program and the Trade Corridor Enhancement Program to rail and transit projects included in the State Rail Plan that are not currently included in regional transportation plans, making them ineligible under state law.
 - Design-Build Procurement Authority. The proposed language would remove the existing limit on the number of projects on which Caltrans is authorized to use its design build procurement authority through 1/1/34.
 - Job Order Contracting. The proposed language would authorize Caltrans to use a contracting method known as job order contracting, which allows a public agency to contract for and complete routine transportation projects and maintenance work more quickly.

- Best Value Contract Procurement. The proposed language would reinstate, revise, and make permanent Caltrans' authority to use the best-value procurement method to procure heavy mobile fleet vehicles and special equipment.
- State Highway System Right of Way Permits. The proposed language would update Caltrans' authority to issue permits for ROW along state roads owned or controlled by Caltrans, and would allow installation of the Broadband Network and other advanced communication and information services.

CALIFORNIA HIGHWAY PATROL (CHP)

- **California Public Records Statutory Requirements.** The May Revision includes a permanent augmentation of \$3.628 million from the Motor Vehicle Account (MVA) for 22 permanent positions and procurement of a records management system (RMS) and redaction software to support the CHP's increased workload resulting from approved legislation related to the California Public Records Act (CPRA).
- **Workers' Compensation Augmentation.** The May Revision includes \$43.556 million ongoing from the Motor Vehicle Account to cover additional costs resulting from increased State Compensation Insurance Fund fees and workers' compensation and medical costs.
- **Capital Outlay Proposals.** The May Revision includes several proposals related to capital outlay projects, including:
 - An additional \$322,000 General Fund for the California Highway Patrol Enhanced Radio System: Tower and Vault Replacement project at Leviathan Peak.
 - The reversion of existing authority (\$151,741,000 General Fund [GF], and \$2,635,000 Motor Vehicle Account [MVA]) and a new appropriation for the Design-Build phase of the Quincy, Baldwin Park, and Santa Fe Springs Area Office replacement projects (\$184,320,000 GF), and the construction phase of the Keller Peak Tower Replacement (\$3,231,000 MVA).

DEPARTMENT OF MOTOR VEHICLES (DMV)

- **DMV IT Project Reappropriations.** The May Revision proposes to reappropriate \$35,582,000 Motor Vehicle Account in 2022-23 with a two year encumbrance and liquidation period for the Digital eXperience Platform (DXP) Project, and \$8.5 million General Fund in 2022-23 for the Mobile Driver License (mDL) Pilot Project in previously approved 2021 Budget Act funding.

- **Various Projects: Revert Existing Authority and Fund New.** The May Revision includes reversions and new appropriations for the construction phase of the Santa Maria, Inglewood, and Reedley Field Office Replacement, and the Oxnard Field Office renovation to address inflationary pressures. These changes include:
 - Santa Maria: Field Office Replacement - \$20,592,000 (\$2,465,000 increase over existing appropriation).
 - Inglewood: Field Office Replacement - \$20,928,000 (\$2,114,000 increase over existing appropriation).
 - Oxnard: Field Office Reconfiguration - \$14,254,000 (\$2,058,000 increase over existing appropriation).
 - Reedley: Field Office Replacement - \$21,398,000 (\$2,963,000 increase over existing appropriation).

Staff Recommendation. Hold open all May Revision proposals

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7870 CALIFORNIA VICTIM COMPENSATION BOARD

Issue 2: Overview of Governor’s May Revision Proposals in Public Safety

Governor’s May Revision Proposals and Adjustments for 2022-23

The Governor’s May Revision includes the following ongoing and one-time proposals. These proposals are in addition to the Governor’s January budget and detailed below:

JUDICIAL BRANCH

- **Community Assistance, Recovery, and Empowerment (CARE) Court.** The May Revision includes \$39.5 million General Fund in 2022-23 and \$37.7 million ongoing for the Judicial Branch to conduct CARE court hearings and provide resources for self-help centers.
- **Trial Court Facilities.** The May Revision provides an additional \$24.3 million one-time General Fund to modify existing court facilities and \$29.6 million one-time General Fund for the construction of new courtrooms to accommodate the additional superior court judgeships. The May Revision also includes \$15.7 million one-time General Fund to address fire, life, and safety issues in three trial court facilities: San Diego County Superior Court Hall of Justice, San Diego County Superior Court East County Regional Center, and Orange County Superior Court Central Justice Center.
- **Environmental Issue Judicial Training.** The May Revision includes \$1.2 million ongoing General Fund to establish a unit within the Judicial Council to provide training, technical assistance, and legal support to judicial officers and court personnel on water law, climate change, and environmental issues.
- **Trial Court Trust Fund Backfill.** The May Revision includes \$33.7 million ongoing General Fund to continue backfilling the expected revenue decline in the Trial Court Trust Fund in 2022-23. This brings the total amount available for the backfill in 2022-23 to \$151.5 million.
- **AB 177 Trial Court Backfill.** The May Revision includes an ongoing reduction of \$3.1 million General Fund to backfill trial courts for revenue losses from the repeal of fees by Chapter 257, Statutes of 2021 (AB 177). The associated revenue loss for all courts is lower than expected, totaling \$10.3 million instead of the \$13.4 million estimated in the Governor’s January Budget.

- **Trial Court Employee Benefit Adjustment.** The May Revision includes a \$7.9 million ongoing General Fund reduction to reflect updated health benefit and retirement rate changes for trial court employees. This brings the total additional amount available for trial court employee benefits in 2022-23 to \$20.9 million.
- **State Court Facilities Construction Fund (SCFCF) Backfill.** The May Revision removes the \$40 million one-time General Fund backfill of the SCFCF that was included in the Governor's Budget because the backfill is no longer necessary as there is a sufficient fund balance to maintain current service levels.

CORRECTIONS

CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION (CDCR)

The May Revision includes total funding of \$13.9 billion (\$13.3 billion General Fund and \$603.2 million other funds) for CDCR in 2022-23.

- **Adult Institution Population.** The average daily adult incarcerated population for 2021-22 is projected to be 99,590, a decrease of five percent since the Governor's January Budget. The population is projected to decline in the long term, reaching 95,655 in 2024-25. Accordingly, the Administration is considering closing three additional prisons by 2024-25, assuming no significant changes to the long-term population projections.
- **Parolee Population.** The Governor's January Budget projected an overall parolee average daily population of 42,963 in 2022-23. The average daily parolee population is now projected to increase by 628 to 43,591 in 2022-23, an increase of 1.5 percent from the Governor's January Budget projections. The parolee population is projected to decline to 37,818 by June 30, 2026.
- **Division of Juvenile Justice Population.** The May Revision reflects an estimated average daily population of 641 youth in 2021-22 and 430 youth in 2022-23, which represents a decrease of 16 and 114 youth in 2021-22 and 2022-23, respectively, compared to the Governor's January Budget estimates. This results in a decrease of \$6 million General Fund and 32.5 positions in 2021-22, and a decrease of \$15.7 million and 95 positions in 2022-23, as compared to Governor's January Budget estimates. Additionally, the May Revision reflects a decrease of \$87.8 million and 554.7 positions in 2023-24 and ongoing in recognition of DJJ's closure at the end of 2022-23.
- **COVID-19 Response.** The May Revision reduces the amount of funding needed for CDCR's COVID-19 response from \$424.7 million to \$240.1 million one-time General Fund, reflecting a significant decline in active cases since January.
- **Health Care Facility Improvement Program (HCFIP) Supplemental Appropriation.** The May Revision includes \$67.6 million in additional funding to finish 11 outstanding HCFIP projects.

- **Medication Distribution Improvements.** The May Revision includes \$18.4 million to improve medication preparation and distribution spaces at five facilities.
- **Data Collection and Evaluation.** The May Revision includes \$6 million one-time General Fund for data collection and evaluation regarding the outcomes of formerly incarcerated individuals.

OFFICE OF THE INSPECTOR GENERAL (OIG)

- **Staff Misconduct and Disciplinary Process.** The May Revision includes \$5.6 million General Fund in 2022-23 and \$11.4 million ongoing for the OIG to monitor staff complaints that are handled by institutions and to reflect refinements to the staffing levels for the OIG to monitor CDCR's centralized screening process and investigations conducted by the Office of Internal Affairs. This augmentation would provide the OIG with a total of \$7.9 million General Fund in 2022-23 and \$15.1 million ongoing to monitor CDCR's staff misconduct process.

BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC)

- **Transitional Housing.** The May Revision includes \$3 million one-time General Fund to provide transitional housing to youth discharged by the Board of Juvenile Hearings and at risk of homelessness.
- **Mobile Probation Centers.** The May Revision includes \$20 million one-time General Fund to establish a competitive grant program for counties to create mobile probation centers, which can help facilitate court appearances and connect individuals to other resources such as housing.
- **Post Release Community Supervision.** The Governor's January Budget estimated \$23.2 million one-time General Fund for county probation departments to supervise the temporary increase in the average daily population of individuals on Post Release Community Supervision (PRCS) as a result of the implementation of Proposition 57. Based on updated estimates, the May Revision includes \$20.9 million one-time General Fund, or a decrease of \$2.3 million from Governor's January Budget projections, corresponding with fewer releases of incarcerated individuals than had been projected in Fall 2021.
- **Proposition 47.** The Department of Finance estimates net General Fund savings of \$161.1 million in the 2022-23 May Revision. This is an increase of \$13.8 million over the 2022-23 Governor's January Budget projection, due to updated diversion impact estimates. These funds will be allocated according to the formula outlined in the initiative, which requires 65 percent be allocated for grants to public agencies to support various recidivism reduction programs (such as mental health and substance use services), 25 percent for grants to support truancy and dropout prevention programs, and 10 percent for grants for victims' services.

- **Officer Wellness Grants.** The May Revision includes \$50 million one-time General Fund to fund grants to local entities to improve officer health and well-being, build resiliency, decrease stress and trauma, and improve community trust and relations. This is in addition to the \$5 million one-time General Fund included in the Governor’s January Budget for the Commission on Peace Officer Standards and Training to develop a Law Enforcement Wellness Program to support officers’ overall health.
- **Missing and Murdered Indigenous Persons Grants.** The May Revision includes \$12 million General Fund over three years to establish a competitive grant program to help California tribes locate and identify missing Indigenous persons.

PUBLIC SAFETY

OFFICE OF EMERGENCY SERVICES (OES)

The May Revision includes an additional \$263.4 million (\$233.9 million General Fund) for OES, bringing the total funding for OES to \$2.3 billion (\$807.6 million General Fund) and 1,777 positions for Cal OES.

- **State Warning Center.** The May Revision includes \$8.1 million General Fund (\$5.2 million ongoing) and 19 positions for the California State Warning Center to monitor and coordinate responses during critical emergency incidents and disasters.
- **Securing Emergency Supplies and Commodities.** The May Revision includes \$114.3 million General Fund one-time to provide warehouse space, purchase new and replace expiring personal protective equipment, increase commodity supply for an all-hazard event, and secure logistic support equipment. This proposal would support California’s ability to act quickly and help ensure appropriate resources are available across the state for all emergencies.
- **Data Analytics.** The May Revision includes \$19 million General Fund (\$10.5 million ongoing) and eight positions to modernize Cal OES’s technology and data capabilities through new technology and updating outdated systems.
- **Pandemic Response.** The May Revision includes \$29.5 million General Fund one-time to continue COVID-19 testing efforts and provide resources to activate the state’s mutual aid system in the event of future outbreaks. For additional information, please see the Pandemic Response and Federal Assistance chapter.
- **Emergency Training.** The May Revision includes \$7.2 million General Fund (\$5.8 million ongoing) and 23 positions to provide more courses for emergency management professionals and emergency responders at the California Specialized Training Institute.
- **Southern California Response.** The May Revision includes \$5.4 million General Fund one-time for design of a permanent Southern Regional Emergency Operations Center at the former Fairview Developmental Center in Costa Mesa. This new facility would provide

coordination response efforts between federal, state, and local partners in the Southern California region.

- **Local Law Enforcement Mutual Aid Deployment Resources.** The May Revision includes \$25 million General Fund ongoing and five positions to provide local law enforcement support during disasters and emergencies.
- **Nonprofit Security Grant Program.** The May Revision includes \$50 million General Fund one-time to provide security assistance to nonprofit organizations at risk of hate-motivated violence, which includes members of the Asian American Pacific Islander, LGBTQ+, Black, and Jewish communities. Security enhancement projects include reinforced doors and gates, high-intensity lighting and alarms, and other security-related improvements.
- **Internet Crimes Against Children Task Force.** The May Revision includes \$5 million General Fund one-time to support the Internet Crimes Against Children Task Force Program, which helps state and local law enforcement agencies develop an effective response to technology-facilitated child sexual exploitation and combatting underground child pornography rings. This investment maintains the level of state resources provided to this effort in each of the last three years.

DEPARTMENT OF JUSTICE (DOJ)

The May Revision includes total funding of approximately \$1.2 billion, including \$443.5 million General Fund, to support DOJ.

- **Fentanyl Enforcement.** The May Revision includes \$7.9 million in 2022-23 and \$6.7 million ongoing to establish the Fentanyl Enforcement Program to target statewide fentanyl-trafficking criminal networks.
- **Medi-Cal Fraud and Elder Abuse: Medicaid Patient Abuse Prevention Act.** The May Revision includes \$7.8 million (\$6.1 million Federal Trust Fund, \$1.2 million False Claims Act, and \$474,000 General Fund) in 2022-23, and \$7.1 million in 2023-24 and ongoing to maximize DOJ's federal grant award to support increased Medicaid fraud and elder abuse investigation and enforcement pursuant to changes in federal law.
- **Reparations Task Force.** The May Revision includes \$1.5 million one-time General Fund for external consultants to develop and finalize task force recommendations and cover travel and per diem costs for task force members pursuant to Chapter 319, Statutes of 2020 (AB 121). This investment is in addition to \$2.2 million General Fund over two years for the task force provided in the 2021 Budget Act.

CALIFORNIA VICTIM COMPENSATION BOARD (CALVCB)

- **Innovative Pilot Program for Victim Services.** The May Revision includes \$30 million one-time General Fund to establish an innovative pilot program to provide victim services across the state, such as operating satellite offices for trauma recovery centers or other victim services providers in hard-to-reach and/or rural areas.
- **Media Outreach to Victims of Violent Crime.** The May Revision includes \$3 million one-time Restitution Fund to conduct an outreach campaign to raise awareness of statewide victim support services, while targeting hard-to-reach populations.

Staff Recommendation. Hold open all May Revision proposals.