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## CALIFORNIA STATE SENATE

COMMITTEE ON BUDGET AND FISCAL REVIEW

LEGISLATIVE OFFICE BUILDING – ROOM 502  
SACRAMENTO, CA 95814



*Scott D. Wiener, Chair*

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COMMITTEE ASSISTANT  
SAMUEL LANCHESTER  
(916) 651-4103  
FAX (916) 668-7004

## Agenda

**August 26, 2024**

**9:30 a.m. – 1021 O Street, Room 1200**

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<b><u>BILL</u></b>	<b><u>AUTHOR</u></b>	<b><u>SUBJECT</u></b>
1. AB 157	Gabriel	Budget Act of 2024
2. AB 158	Gabriel	Budget Acts of 2022 and 2023
3. AB 176	Committee on Budget	Education
4. AB 177	Committee on Budget	Health
5. AB 178	Committee on Budget	Resources
6. AB 179	Committee on Budget	State Government
7. AB 181	Committee on Budget	State Employment: Bargaining Units

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# SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair

2023 - 2024 Regular

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<b>Bill No:</b>	AB 157	<b>Hearing Date:</b>	August 26, 2024
<b>Author:</b>	Gabriel		
<b>Version:</b>	August 23, 2024 amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	No
<b>Consultant:</b>	Elisa Wynne		

**Subject:** Budget Act of 2024

**Summary:** This is a Budget Bill Junior associated with the Budget Act of 2024. This bill makes technical and substantive changes to the Budget Act.

**Background:** On June 26, 2024, the Governor signed AB 107 (Gabriel), which represented the Legislature's budget, and on June 29<sup>th</sup>, the Governor signed SB 108 (Wiener), a Budget Bill Junior which made changes to AB 107. This bill makes changes to the 2024-25 budget represented in AB 107 and AB 108. This bill adjusts and adds a variety of appropriations across various items, however these appropriations do not change the overall level of state General Fund expenditures reflected in the June budget agreement.

**Proposed Law:** Specifically, this bill:

## Education

### K-12 Education

- 1) Re-appropriates \$292,000 Proposition 98 General Fund for purposes of the English Language Development Assessment, and adjusts available federal funds accordingly.
- 2) Makes various federal fund adjustments.
- 3) Provides expenditure authority for \$6 million in available carryover federal funds for purposes of special education.
- 4) Extends the encumbrance deadline for the Dyslexia Grant administered through the Commission on Teacher Credentialing.

### Higher Education

- 5) Corrects the year of appropriation for Lesbian, Gay, Bisexual, Transgender, and Queer Archives.
- 6) Makes technical and clarifying corrections to the enrollment targets in 2025-26 and 2026-27 for the University of California.

- 7) Appropriates \$2.5 million from redirected General Fund for purposes of the California College for the Arts.
- 8) Makes technical adjustments for student services for CalWORKs recipients and opportunity programs and services under the California Community Colleges.
- 9) Makes a technical fund shift to reflect an operational increase for the University of California Agriculture and Natural Resources.
- 10) Provides funding for the State Library that was incorrectly added to the 2023 Budget Act. The funding will be removed from the 2023 Budget Act in another action.
- 11) Re-appropriates funding from the 2022 Budget Act from the California State Library to support the California iteration of the Imagination Library for the same purpose.

## Resources

- 12) Clarifies that \$10 million General Fund to the Wildlife Conservation Board for Point Reyes is intended for conservation projects that will enhance coastal wetland resilience, restore Tule Elk habitat and native vegetation, and improve public access in Point Reyes National Seashore.
- 13) Specifies that local assistance funding using Greenhouse Gas Reduction Fund (GGRF) moneys for the Little Egbert Multi-Benefit Project and the Salton Sea restoration are not subject to Control Section 15.14(b), which prohibits a department from encumbering or committing more than 75 percent prior to the fourth Cap-and-Trade auction in the 2024-25 fiscal year.
- 14) Provides \$371,000 of US Environmental Protection Agency's Solid Waste Infrastructure for Recycling (SWIFR) grant funding to the Department of Resources Recycling and Recovery (CalRecycle) for long-term planning and data collection to meet federal recycling, food loss, and waste reduction goals, and support the state-led implementation of plans to advance post-consumer materials management.
- 15) Reduces \$6.05 million from the Department of Pesticide Regulation (DPR) Fund intended for DPR in order to align funding with statutory changes in AB 2113 (Garcia), Chapter 60, Statutes of 2024, which includes delaying position authority for DPR and adding three positions in 2024-25 to support reevaluation of pesticides requirements.
- 16) Makes conforming changes by allocating California Department of Tax and Fee Administration (CDTFA) administrative costs between the Air Pollution Control Fund and the California Tire Recycling Management Fund consistent with the

change in the 2024 Budget Act to fund the Tire Recycling Fund as a budget appropriation instead of on a reimbursement basis.

- 17) Appropriates \$1 million to the California Department of Fish and Wildlife for purposes of implementing the California Winter Rice Habitat Incentive Program.
- 18) Appropriates to the Department of Parks and Recreation the following: \$2 million for improvements to Hudson Park in the City of Long Beach, \$1 million for the South Fullerton Community Recreation Center rehabilitation project in the City of Fullerton, and \$4.6 million for the City of Sacramento for a Riverfront Safety and Pedestrian Access Restoration Project.
- 19) Appropriates \$5 million from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Fund to the Sierra Nevada Conservancy for a grant for the 40 Acre Conservation League, as specified.

### **Energy, Utilities, and Air Quality**

- 20) Shifts \$3,606,000 from the Certification and Compliance Fund to the Air Pollution Control Fund for the Transportation Refrigeration Unit Program at the California Air Resources Board.
- 21) Provides \$2 million General Fund to the Funding Agricultural Replacement Measures for Emission Reductions Program at the California Air Resources Board.
- 22) Provides flexibility for reporting of programs receiving Greenhouse Gas Reduction Fund, particularly for programs with greater focus on improving climate change adaptation resiliency, environmental quality, and/or public health.
- 23) Appropriates \$40 million from the Aliso Canyon Recovery Account for the Technology and Equipment for Clean Heating (TECH) initiative at the California Public Utilities Commission.
- 24) Appropriates \$14 million from the Aliso Canyon Recovery Account for the Extreme Heat Resilience program at the Governor's Office of Land Use and Climate Innovation.
- 25) Appropriates \$15 million from the Aliso Canyon Recovery Account for Green Schoolyards at the California Department of Forestry and Fire Protection.
- 26) Appropriates \$2 million from the Aliso Canyon Recovery Account for Equity and Access Program at the California Public Utilities Commission.

### **Health**

- 27) Appropriates additional reimbursement authority for the Emergency Medical Services Authority (EMSA) and the California Department of Public Health

(CDPH) to allow these two entities to collect payments from health care facilities for medical surge staffing support provided during the COVID-19 pandemic.

- 28) Makes technical corrections to budget provisions and reversion of prior year funding for the Department of Health Care Access and Information (HCAI), consistent with the reduction of one-time funding for health care workforce programs approved in the 2024 Budget Act.
- 29) Makes technical adjustments to special fund appropriations for the Department of Health Care Services (DHCS) to reflect the flow of funds for the tax on managed care organizations (MCO Tax), consistent with the adjustments to the tax and associated expenditures approved in the 2024 Budget Act.
- 30) Extends the liquidation period for DHCS to expend resources provided in the 2021 Budget Act to support CalHOPE.
- 31) Corrects a coding error in a DHCS federal fund appropriation.
- 32) Allocates the reduction of unspent prior year funding for CDPH that previously supported the Future of Public Health to the appropriate fiscal year, consistent with the reduction approved in the 2024 Budget Act.
- 33) Appropriates \$5 million to support the development of an interim housing project at Metropolitan State Hospital by the Los Angeles County Department of Mental Health.
- 34) Appropriates \$500,000 to support the Mad River Behavioral Health Crisis Triage Center in Humboldt County.

### **Housing & Homelessness**

- 35) Allocates a combined \$5,500,000 to support three local projects that create an affordable housing development, a homeless shelter, and some associated job training, as specified.

### **Human Services**

- 36) Authorizes \$275,000 for the California Department of Social Services (CDSS) to conduct an analysis of services for children in foster care, pursuant to Welfare and Institutions Code 16567. Exempts contracts entered into or amended for this analysis from personal services contracting requirements and Department of General Services approval.
- 37) Authorizes the Department of Finance to use funds for the California Fruit and Vegetable EBT Pilot Project to support costs to restart project automation.
- 38) Authorizes the Department of Finance to increase expenditure authority for increased costs related to the reimbursement of stolen food and cash benefits.

- 39) Extends the date by which CDSS must provide a written update to the Legislature on the automation activities for the California Food Assistance Program expansion from January 1, 2025 to January 1, 2027.
- 40) Extends the spending period for up to \$10 million from the 2023 Budget Act for legal services for unaccompanied undocumented minors and other minors in removal proceedings, and current or past beneficiaries of federal temporary protected status, to June 30, 2027.
- 41) Extends the spending period for up to \$62 million from the 2022 Budget and remaining funding from the 2023 Budget Act for the Rapid Response Program to June 30, 2026.
- 42) Increases federal fund authority for the Tribally Approved Homes Program to reflect receipt of federal funding.
- 43) Makes other technical and conforming changes.

**General Government**

- 44) Extends the encumbrance and liquidation deadlines for the Extreme Heat and Community Resilience grant program within the Integrated Climate Adaptation and Resiliency Program (ICARP) at the Governor's Office of Land Use and Climate Innovation (GO-LUCI, formerly known as the Governor's Office of Planning and Research) by one year (from June 30, 2028 to June 30, 2029 and from June 30, 2030 to June 30, 2031, respectively) to conform with the original, five-year appropriation.
- 45) Extends the encumbrance and liquidation deadlines for GO-LUCI to update its General Plan Guidelines in light of contracting delays resulting from the temporary expenditure freeze put in place last fiscal year as a result of the projected budget shortfall.
- 46) Makes explicit that a \$5 million allocation to the Governor's Office of Service and Community Engagement (GO-Serve, formerly known as California Volunteers) is for the California Student Success Coach Grant Program, as previously designated.
- 47) Makes a technical correction related to the budget code associated with reversion of money previously allocated to the Experience Corps program at GO-Serve.
- 48) Appropriates \$50,000 to the Department of General Services for a small associated monument in Capitol Park to acknowledge the victims and survivors of California's wildfires.

- 49) Appropriates \$500,000 to the Department of General Services for ventilation repair at the state's central plant mushroom vent adjacent to the Employment Development Department Office Building.
- 50) Delays reporting of health staffing registry expenditures by CalVet from January 2025 to January 2026 in order to capture complete expenditure data for the 2024-25 fiscal year.
- 51) Provides \$500,000 to replenish the media campaign fund for the Building and Reinforcing Inclusive, Diverse, Gender-Supportive Equity (BRIDGE) Project, which promotes social equity, civil rights, and antidiscrimination through marketing and advertising.
- 52) Provides an additional \$2 million one-time General Fund for California Earned Income Tax Credit outreach efforts, bringing the total ongoing funding for state outreach grants to \$12 million in the 2024-25 fiscal year.
- 53) Reduces the appropriation to the California Volunteers Youth Corps by \$500,000, from \$83.1 million to \$82.6 million.
- 54) Makes technical changes to the provision for recapitalization of the Infrastructure State Revolving Fund to facilitate the intended action.

**Transportation**

- 55) Authorizes Department of Transportation to provide funding as an advanced lump sum payment, and for the funding to be used for costs incurred prior to the passage of the 2024 Budget Act, for specified appropriations.
- 56) Provides \$3.75 million General Fund to Sonoma County for the Geyserville ADA Street Safety project.
- 57) Provides \$4 million General Fund to Sonoma Marin Area Rail Transit (SMART) District for freight rail operations and capital, and deferred maintenance.

**Labor and Workforce**

- 58) Reduces \$2 million from the amount appropriated to the Secretary of Workforce Development for the Advanced Industry Workforce Development Tool.
- 59) Includes \$4.9 million for 19 positions to implement the revised cure process established as part of the Private Attorneys General Act (PAGA) reform established by SB 92 (Umberg), Chapter 45, Statutes of 2024.
- 60) Clarifies that the Department of Finance may direct a state agency to reimburse costs incurred for that agency's portion of employer reporting penalties under the federal Patient Protection and Affordable Care Act.

**Public Safety**

- 61) Provides \$1.8 million to the Department of Corrections and Rehabilitation to provide clothing and transportation for incarcerated individuals being released from prison.
- 62) Appropriates \$2.2 million to support in-prison programming through the Rehabilitative Investment Grants for Healing and Transformation 2.0 program.
- 63) Appropriates \$3 million to the Office of Emergency Services for emergency response equipment in Trinity County and to upgrade the fire station in the City of Hayward.
- 64) Extends the encumbrance of the court-based firearm relinquishment funding until December 31, 2026, and delays the program evaluation until September 30, 2026.
- 65) Reappropriates \$1.831 million in funding for construction of the El Centro Courthouse in Imperial County.
- 66) Reappropriates remaining funding for the Integrated Substance Use Disorder Treatment Program from 2023-24 to 2024-25 to cover anticipated settlement costs.
- 67) Makes a variety of other technical changes.

**Fiscal Effect:** This bill adjusts and adds a variety of appropriations across various items, however these appropriations do not change the overall level of state General Fund expenditures reflected in the June budget agreement.

**Support:** None on file.

**Opposed:** None on file.

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# SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair

2023 - 2024 Regular

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<b>Bill No:</b>	AB 158	<b>Hearing Date:</b>	August 26, 2024
<b>Author:</b>	Gabriel		
<b>Version:</b>	August 23, 2024 amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	No
<b>Consultant:</b>	Elisa Wynne		

**Subject:** Budget Acts of 2022 and 2023

**Background:** This bill is a Budget Bill Junior associated with the Budget Acts of 2022-23 and 2023-24. This bill makes technical and substantive changes to the Budget Acts.

**Proposed Law:** This bill makes changes to the Budget Acts of 2022-23 and 2023-24. Specifically, this bill:

- 1) Includes technical adjustments that provide a net-zero intra-fund shift of \$1.15 million to the California Geologic Energy Management Division (CalGEM) to reflect the full baseline funding of \$5 million for plugging and abandoning hazardous or idle-deserted wells.
- 2) Authorizes the Department of Finance to provide up to \$3 million Greenhouse Gas Reduction Fund to the California Energy Commission to administer programs related to zero-emission school bus charging or refueling infrastructure.
- 3) Makes technical adjustments to special fund appropriations for the Department of Health Care Services (DHCS) to reflect the flow of funds for the tax on managed care organizations (MCO Tax), consistent with the adjustments to the tax and associated expenditures approved in the 2024 Budget Act.
- 4) Makes a technical change to extend the spending period for the Rapid Response program to June 30, 2026.
- 5) Allows the Department of Finance to utilize savings from the Integrated Substance Use Disorder Treatment Program to pay off settlement costs related to a California Public Employment Relations Board matter filed against the Department of Corrections and Rehabilitation and requires notification of the final settlement costs to the Joint Legislative Budget Committee.
- 6) Adjusts the funding needed to cover debt service costs for California Community College student housing projects.
- 7) Extends the encumbrance and expenditure period from 2025 to 2030 for the Healthy Economies Adapting to Last (HEAL) initiative, which provides workforce development funding to local governments where immigration detention centers are closing or set to close. Expands the type of entities eligible to receive funding.

- 8) Makes various changes to legislative priorities.
- 9) Makes a variety of other technical changes.

**Fiscal Effect:** This bill makes technical changes to achieve the revenue and expenditure levels projected in the Budget Act of 2024.

**Support:** None on File

**Opposed:** None on File

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# SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair

2023 - 2024 Regular

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<b>Bill No:</b>	AB 176	<b>Hearing Date:</b>	August 26, 2024
<b>Author:</b>	Committee on Budget		
<b>Version:</b>	August 23, 2024 amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	No
<b>Consultant:</b>	Yong Salas		

**Subject:** Education

**Summary:** This bill provides for statutory changes necessary to enact the TK-12 related statutory provisions of the Budget Act of 2024.

**Proposed Law:** This bill, as part of the 2024-25 Budget Package, makes statutory changes to implement the 2024-25 Budget Act. Specifically, this bill:

- 1) Clarifies the priority order of enrollment for age-eligible children for the California State Preschool Program, and requires the Department of Education to consult with the Department of Social Services to develop guidance protocols for programs electing to serve two-year old children, including safe, age-appropriate diapering and toilet training.
- 2) Clarifies the Universal Preschool Planning Grant award qualifications and the existing contractor applications process.
- 3) Includes the Department of Education in collaboration with the Department of Social Services to provide a report to the Legislature and the Legislative Analyst's Office on the federally approved single rate structure using the alternative methodology.
- 4) Clarifies the definition of temporary assignment of pupils in emergency situations, and aligns the effective date of the new requirements for J-13A emergency attendance applications with the effective date for when instructional continuity plans are to be included in school safety plans.
- 5) Replaces requirement to apply attendance recovery to the pupil day of absence with cap on maximum days of weekly attendance recovery, clarifies staff to pupil ratios, teacher and course standards. For the new Attendance Recovery program (as authorized by SB 153 (Committee on Budget and Fiscal Review), Chapter 38, Statutes of 2024.
- 6) Clarifies free and reduced price meal eligibility for purposes of the Local Control Funding Formula based on alternative income form collection collected in non-base years.
- 7) For the Expanded Learning Opportunities Program (ELOP), clarifies the state process for collection of unexpended ELOP funds; and extends the Transitional Kindergarten ELOP provider licensing sunset to July 1, 2025.

- 8) Clarifies California Department of Education (CDE) data reporting for pupils enrolled in juvenile court schools.
- 9) Corrects accounting references with regard to the withdrawals from the Public School System Stabilization Account for the 2023-24 fiscal year.
- 10) Clarifies the documentation requirements for independent study pupil work product and asynchronous activities that do not produce a pupil work product; and consolidates the requirements for written agreements for course-based independent study program.
- 11) Clarifies that the California Student Aid Commission prioritizes applicants for purposes of the Golden State Teachers Grant Program based on the federal Student Aid Index.
- 12) Makes changes to several reporting requirements for the California Community Colleges Chancellor's Office, including moving the deadline for some reports to March 1 and requiring some reports to be submitted to the Legislature biennially. Changes impact reporting for nursing programs, the Strong Workforce and Economic and Workforce Development programs, the Adult Education program and the Student Equity and Achievement program. These changes also eliminate the reporting requirement for the Public Utilities program, which no longer exists.
- 13) Increases the number of Rising Scholars programs that can be funded to 65, from the current cap of 50. Also allows the Chancellor's Office to prioritize funding for programs that show improvement in achieving the student outcome goals of the program.
- 14) Extends by two years a statute that allows the California Community College Chancellor's Office to directly contract with community college districts to administer programs for the community college system. The program will not sunset in 2027.
- 15) Extends the due date for the Legislative Analyst to conduct an assessment on nursing partnerships jointly offered between the California Community Colleges, California State University, and the University of California from January 1, 2025 to January 1, 2031.
- 16) Allows the California Community College Board of Governors to prioritize funding for capital outlay projects in 2025-26 that address campus facility safety concerns regarding the use of concrete "lift slab" construction as identified by the State Architect.
- 17) Extends Budget Acts of 2021 and 2022 liquidation dates for Special Education and Adults in Correctional Facilities, as specified.
- 18) Requires, until January 1, 2027, the State Fire Marshal and local fire enforcing agencies assigning occupancy and use or change of use classifications and issuing fire clearance approvals to day care centers to apply the provisions of Chapter 3 of

Title 24 of the California Building Code as those provisions read on December 31, 2022.

19) Appropriates \$1.5 million General Fund for an all-weather track to the Trinity Alps Unified School District.

**Fiscal Effect:** Extends Budget Act of 2021 liquidation dates for Special Education and Adults in Correctional Facilities to July 31, 2024, and Budget Act of 2022 liquidation dates for these programs to July 31, 2025.

**Support:** None on file.

**Opposed:** None on file.

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# SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair

2023 - 2024 Regular

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<b>Bill No:</b>	AB 177	<b>Hearing Date:</b>	August 26, 2024
<b>Author:</b>	Committee on Budget		
<b>Version:</b>	August 23, 2024 amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Scott Ogus		

**Subject:** Health

**Summary:** This bill is an omnibus health trailer bill, and contains changes to implement the 2024-25 budget.

**Proposed Law:** This bill makes technical and clarifying statutory revisions affecting health programs necessary to implement the Budget Act of 2024. Specifically, this bill:

- 1) Authorizes the Department of Health Care Services (DHCS) and the California Department of Public Health (CDPH) to develop and implement a Hospital, Emergency Medical Services, and Behavioral Health Facilities Bed Capacity Data Solution to provide electronic information about the availability of beds in health and behavioral health care facilities.
- 2) Requires general acute care hospitals, emergency departments, and behavioral health facilities to submit information on the availability of beds for inclusion in the data solution. Behavioral health facilities would include, but not be limited to, acute psychiatric hospitals, general acute care hospitals with psychiatric units, psychiatric health facilities, crisis stabilization units certified by DHCS or a mental health plan, or psychiatric residential treatment facilities.
- 3) Authorizes CDPH to determine additional health care facilities and DHCS to determine additional behavioral health facilities that would be required to submit information for inclusion in the data solution.
- 4) Authorizes DHCS to impose a plan of correction or assess civil money penalties on health or behavioral health facilities that fail to submit data accurately or timely, and establishes a grievance process for facilities to challenge the imposition of a plan of correction or any penalties.
- 5) Clarifies authority for the California Department of Insurance to issue guidance to require disability insurers to comply with provisions governing the reimbursement of behavioral health services provided to youth as part of the Children and Youth Behavioral Health Initiative statewide fee schedule.
- 6) Requires DHCS to establish a Medi-Cal managed care directed payment reimbursement methodology for the Martin Luther King Jr. Community Hospital, for dates of service commencing no later than January 1, 2026.

- 7) Extends the existing moratorium that prohibits CDPH from issuing new licenses for hospice agencies until January 1, 2027, or one year after the adoption of emergency regulations implementing quality and access standards for hospice agencies, as recommended by the California State Auditor.
- 8) Extends the deadline for CDPH to adopt emergency regulations implementing quality and access standards for hospice agencies, as recommended by the California State Auditor, from January 1, 2025, until January 1, 2026.
- 9) Authorizes the Department of State Hospitals (DSH) to adopt emergency regulations related to the management, inspection, and disposition of contraband items. The authority for DSH to adopt emergency regulations for this purpose would expire on June 30, 2026.
- 10) Extends until June 30, 2025, the encumbrance and expenditure period for General Fund expenditure authority of \$45 million originally authorized in the 2021 Budget Act, to support the CalHOPE Student Support Program.

**Fiscal Effect:** Extends until June 30, 2025, the encumbrance and expenditure period for General Fund expenditure authority of \$45 million originally authorized in the 2021 Budget Act, to support the CalHOPE Student Support Program.

**Support:** None on file.

**Opposed:** None on file.

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# SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair

2023 - 2024 Regular

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<b>Bill No:</b>	AB 178	<b>Hearing Date:</b>	August 26, 2024
<b>Author:</b>	Committee on Budget		
<b>Version:</b>	August 23, 2024 amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	No
<b>Consultant:</b>	Joanne Roy		

**Subject:** Resources

**Summary:** This bill is the omnibus Resources budget trailer bill. It contains provisions necessary to implement the 2024 Budget Act.

**Proposed Law:** This bill:

- 1) Reduces the required minimum contribution amount for the California Beach and Coastal Enhancement Account, which provides funding for the Whale Tail Grants Program at the California Coastal Commission, from \$250,000 to \$200,000.
- 2) Restores statutory language recently repealed that authorizes the Department of Resources Recycling and Recovery (CalRecycle) to solicit and use expertise available in other state agencies for purposes of the Tire Recycling Act.
- 3) Provides customers who are experiencing undue hardship the ability to request for greater payment plan flexibility beyond 12 months.
- 4) Exempts development or renovation of capital improvements from specified permits required by state law or municipal building and zoning codes or from approvals by municipal agencies and to be subject only to approval by the County of Los Angeles and a coastal development permit from the California Coastal Commission, in furtherance of specified concession agreements between the County of Los Angeles and a private entity at Will Rogers State Beach.
- 5) Authorizes the Department of Toxic Substances Control (DTSC) to comply with the requirement on the preparation of the record by describing how each proposed expenditure of those moneys appropriated from Greenhouse Gas Reduction Fund will improve climate adaptation and resiliency, or environmental quality and public health, of disadvantaged communities or low-income households or communities, consistent with budget bill language related to the reporting of Greenhouse Gas Reduction Funds. This bill authorizes California Air Resources Board, in consultation with DTSC, to develop methodologies and collect metrics or other information related to the description of the proposed expenditure by DTSC.
- 6) Appropriates \$3.098 million from the Salton Sea Restoration Fund to the Department of Fish and Wildlife to support restoration projects.

**Fiscal Effect:** The funding related to the changes in this bill is contained in the 2024 Budget Act.

**Support:** None on file.

**Opposed:** None on file.

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# SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair

2023 - 2024 Regular

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<b>Bill No:</b>	AB 179	<b>Hearing Date:</b>	August 26, 2024
<b>Author:</b>	Committee on Budget		
<b>Version:</b>	August 23, 2024 amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	No
<b>Consultant:</b>	Diego Emilio Lopez		

**Subject:** State Government

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

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

- 1) Makes statutory adjustments to continue enabling the Department of Cannabis Control, the Department of Financial Protection and Innovation, the Department of Consumer Affairs, the State Department of Developmental Services, the Department of General Services, the Department of Health Care Access and Information, the Public Employees' Retirement System, the State Department of Public Health, the State Department of Social Services, and the California Horse Racing Board to conduct federal background checks and fingerprinting.
- 2) Extends the Flexible Assistance for Survivors (FAS) program timeline by one year; clarifies how cash assistance may be distributed to survivors; clarifies how the California Victim Compensation Board should account for assistance provided under the FAS program.
- 3) Establishes until December 31, 2030 the Projected Surplus Temporary Holding Account in the State Treasury as a General Fund reserve to hold a portion of General Fund surplus moneys temporarily for use in future fiscal years. Requires, in a year that a transfer is made to the Projected Surplus Temporary Holding Account, that such a transfer be provided for in the annual Budget Act. The bill would require funds transferred to the Projected Surplus Temporary Holding Account to remain in that account for no more than one year from the date of deposit, after which these funds would be transferred to the General Fund, except as specified.
- 4) Requires the Office of Small Business Advocate to adopt guidelines instead of regulations to implement the Performing Arts Equitable Payroll Fund (SB 1116, (Portantino), Chapter 731, Statutes of 2022) and would exempt the adoption of the guidelines from the rulemaking provisions of the Administrative Procedure Act. The Equitable Payroll Fund was established under SB 1116, and the Budget Act of 2024 included \$12 million to implement the program.
- 5) Makes various changes to state procurement and contracting practices. Specifically:

- a. Authorizes the Department of General Services (DGS), upon request from the state agency concerned, to delegate a public works project, or a class of projects, to the state agency if the department finds that the state agency is capable of successfully undertaking the project or projects. Requires Department of Finance approval for any project delegation where the total project costs exceed \$3 million.
  - b. Authorizes DGS to engage in job order contracting as an alternative procurement procedure for public works. Imposes a maximum contract amount of \$10 million in the first term of the contract and authorizes DGS to issue up to four one-year extensions to each job order contract, up to an additional \$5 million per year. Prohibits any single job order from exceeding \$1 million as prescribed. Requires a job order contract to comply with prevailing wage requirements.
  - c. Revises the approval exemption provision for contracts under \$150,000 to instead require a state agency to conduct the audit every three years of the contracting program.
  - d. Removes the DGS notification and approval requirement for consulting services contracts that exceed \$12,500. Continues to require DGS review for consulting services contracts of \$50,000 or more, unless the department has been approved for a higher exemption.
- 6) Extends the appeals deadline to January 1, 2025 for any individual whose application to the Forced or Involuntary Sterilization Compensation Program (FISCP) was denied; authorizes the California Victim Compensation Board to review previously denied claims or appeals upon request of the claimant with a showing of good cause; requires the Board to provide specified reporting by January 1, 2025; extends the program until January 1, 2026 and repeals the statute on July 1, 2026.

**Fiscal Effect:** This bill would, for the 2024-25 fiscal year, appropriate the sum of \$10,000 to the Department of Justice for purposes of administering the fingerprint requirements described above.

**Support:** None on file.

**Opposed:** None on file.

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# SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair

2023 - 2024 Regular

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**Bill No:** AB 181 **Hearing Date:** August 26, 2024  
**Author:** Committee on Budget  
**Version:** August 23, 2024 amended  
**Urgency:** No **Fiscal:** No  
**Consultant:** Hans Hemann

**Subject:** State employment: State Bargaining Units 5, 8 and 10

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

California Association of Highway Patrolmen (CAHP)

- BU 5: Highway Patrol

CAL FIRE Local 2881

- BU 8: Firefighters

California Association of Professional Scientists (CAPS-UAW)

- BU 10: Professional Scientists

**Existing Law:**

- 1) Establishes the Ralph C. Dills Act, which requires the state to collectively bargain with the exclusive representatives of employee groups (i.e., bargaining units) - regarding wages and working conditions, and to define negotiated agreements in MOUs.
- 2) Establishes the California Department of Human Resources (CalHR) as the official representative of the Governor in all matters related to collective bargaining with state employees.
- 3) Requires that any MOU between the state and an exclusive representative be ratified by the Legislature.
- 4) Establishes the California Public Employees' Retirement System (CalPERS), which administers health and retirement benefits for state employees.
- 5) Requires the Legislative Analyst's Office (LAO) to analyze all state MOUs and to provide an analysis of an MOU and its fiscal impact to the Legislature within 10 days of receipt of an MOU from CalHR.

- 6) Provides that fully vested state retirees (e.g., with 20 or more years of state employment or with 25 years or more, depending on the bargaining unit) are entitled to an employer contribution for retiree health care equal to 80 or 100 percent of the weighted average premium of the four health plans most highly utilized by all members. Depending on the bargaining unit, dependents are eligible for a contribution based on 80 or 90 percent of the average additional premiums paid for dependents during the benefit year in which the formula is applied. These are referred to as the 80/80 and 100/90 formulas.
- 7) Requires that Medicare-eligible retirees enroll in Medicare and choose a Medicare-coordinated health plan.
- 8) Provides that the employer contribution for active state employee health care shall be determined through collective bargaining.

**Proposed Law:** This bill ratifies three MOUs entered into between the state and BUs 5, 8 and 10, and includes provisions to take effect immediately. Specifically, this measure does the following:

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

#### Compensation

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

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

##### *Bilingual Pay*

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

##### *Canine Care and Maintenance Pay*

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

##### *Field Training Officer Pay*

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

*Investigator Pay*

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

*Motorcycle Pay*

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

*Paramedic Pay*

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

*Officer in Charge Pay*

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

*Senior Officer Pay*

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

*Detective Incentive Pay*

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

*Resident Post Pay*

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

*Drug Recognition Evaluators (DRE) Incentive Pay*

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

Miscellaneous*External Vest Carrier Partial Reimbursement*

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

*Travel and Lodging*

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

Duration

- July 1, 2024, through June 30, 2027.

Fiscal

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

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

Compensation*Extended Duty Week Compensation*

- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, the minimum and maximum salary for each range of Fire Protection Employee classifications shall be increased by the equivalent value of six hours

of Extended Duty Week Compensation to account for the reduced work week.

#### *Special Salary Adjustments*

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

#### *General Salary Increase*

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

#### *Fire Mission Pay*

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

#### *Peace Officer Recruitment and Retention Incentives*

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

#### *Pilot Qualifications Incentive*

- Effective the first day of the pay period following ratification by both parties or November 1, 2024, whichever is later, Forestry Fire Pilots, Aviation Officers II (Flight Operations), Aviation Officers II (Maintenance), Aviation Officers III (Flight Operations), and Aviation

Officers III (Maintenance) shall receive the following incentives based on their helicopter pilot qualifications and/or CAL FIRE helicopter program responsibilities:

- S-70i Firehawk Helicopter and Night Flying Qualified – 10 percent
- Unit Instructor Pilot – 2.5 percent
- Flight Examiner – 2.5 percent
- Helicopter Instructor Pilot – 2.5 percent
- Maintenance Test Pilot – 2.5 percent
- Chief Pilot – 2.5 percent

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

#### *Paramedic Daily Rate*

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

#### Miscellaneous

##### *Reducing the 72-Hour Duty Week*

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

##### *Travel and Lodging*

- During the term of this contract the state shall implement a business and travel expense reimbursement program that includes adopting the federal standard meal and incidental expense rate and lodging rates established by the federal General Services Administration (GSA). This shall include:

- 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;
- Adopting federal standard and non-standard reimbursement rates at time of travel for in-state, out-of-state, and out-of-country lodging;
- Simplifying current reimbursement policy and administration and providing up to 75 percent of the federal standard rate established by the GSA for M&IE on the first and last day of travel;
- Eliminating the state's long-term travel reimbursement rates and adopting the federal standard M&IE reimbursement rates for long-term meals, and receipted lodging shall be reimbursed up to the maximum federal standard and non-standard reimbursement rates.

### Duration

- July 1, 2024 through June 30, 2026.

### Fiscal

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

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

### Compensation

#### *Special Salary Adjustments*

- Group A: Employees in the Pest Prevention classification series will receive a Special Salary Adjustment as outlined below.
  - Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 6 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
  - Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary

- Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
- Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
  - Group B: Employees in the Energy Commission Specialist, Research Scientist, Research Specialist, Energy Resources Specialist, Energy Specialist, Energy Analyst, Toxicologist, and Spectroscopist classification series will receive a Special Salary Adjustment as outlined below.
    - Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 6 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
    - Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
    - Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
  - Group C: Employees in the Health Physicist, Ergonomic Specialist (State Compensation Insurance Fund), Industrial Hygienist, Public Health Biologists, Wildlife Forensic Specialist, Industrial Hygienist (State Compensation Insurance Fund), Ergonomic Specialist (State Compensation Insurance Fund), Economic Entomologist, Microbiologist Intern, Public Health Microbiologist, Examiner Laboratory Field Services, Cytotechnologist, Hazardous Materials Specialist, Cytotechnologist and Agricultural Biologist classification series will receive a Special Salary Adjustment as outlined below.

- Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 10 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
  - Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 4 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
  - Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
- Group D: Employees in the Veterinarian and Plant Sciences, Seismologist, Fish and Wildlife Interpreter, Archeologist, Environmental Scientist, Integrated Waste Management, Senior Geologist, Chemist, Senior Meteorologist Water Resources and Oceanographer classification series will receive a Special Salary Adjustment as outlined below.
    - Effective July 1, 2024, these classifications will be adjusted by increasing the maximum salary range by 12 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
    - Effective July 1, 2025, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the old maximum of the classification shall move to the new maximum of the classification. Employees not at the old maximum of the classification shall receive a Special Salary Adjustment of 3 percent. Employees in these classifications shall retain their anniversary date.
    - Effective July 1, 2026, these classifications will be adjusted by increasing the maximum salary range by 5 percent and increasing the minimum salary by 3 percent. Employees at the

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

#### *Night Shift Differential*

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

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

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

#### *Bilingual Differential Pay*

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

#### *Alternate Range Criteria 40 (AR 40)*

- Effective the first day of the pay period following ratification, the state agrees to eliminate the AR 40 provision for BU 10 employees who work at an institution for the California Department of Corrections and Rehabilitation in the classes of Associate Hazardous Materials Specialist, and Senior Hazardous Material Specialist (Technical). These employees will be placed in Range B and will continue to be expected to supervise inmate/ward workers.

#### *Educational Pay Differential*

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

*Geographic Pay Differential*

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

*Longevity Pay Differential*

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

*Fire Mission Pay Differential*

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

*Department of Industrial Relations (DIR) Certification Credential Differential*

- Effective the first day of the pay period following ratification by both parties, BU 10 employees in the Industrial Hygienist classification

series who achieve and maintain a Certified Associate Industrial Hygienist Credential issued by the Board for Global Environment, Health, and Safety Credentialing (formerly the American Board of Industrial Hygiene) shall receive a monthly differential of 2 percent of base pay.

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

#### *Bereavement Leave*

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

#### *Safety Footwear*

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

#### Miscellaneous

##### *Classification and Consolidation Joint Labor Management Committee*

- The parties agree to establish a Joint Labor Management Committee (JLMC) to consider and discuss potential consolidation of Bargaining Unit 10 classifications that may be necessary, appropriate, and mutually advantageous to the state and CAPS-UAW.
  - The committee shall complete work necessary to present a mutually supported Research Scientist consolidation proposal package to the State Personnel Board (SPB) within 6 months prior to the expiration of this MOU. Nothing in this section shall be interpreted to guarantee the SPB's consideration or approval of the proposed package.

- CalHR shall initiate a management workgroup which includes the Energy Commission and any other departments employing the Energy Resource Specialist, Energy Commission Specialist or Energy Analyst classifications to determine feasibility of consolidation. During the term of this MOU, the workgroup shall provide updates on this effort to the JLMC.
- The JLMC meetings shall be scheduled at least quarterly, beginning no later than 120 calendar days after full ratification of this MOU.

#### *Promotional Review Joint Labor Management Committee*

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

#### *Classification Review*

- During the term of the agreement, CalHR will initiate an audit of work performed by BU 10 classifications to ensure that the work performed meets the classification specifications according to the classification plan. Each classification is distinguished by the official State Personnel Board (SPB) classification specification, which describes the duties, responsibilities, typical tasks, and minimum qualification standards for each state classification. A misallocation is defined as duties of a position that are not consistent with the scope of duties and responsibilities listed in the SPB classification specification. The following allocation factors will be used to determine if audited positions are consistent with the classification specifications: nature of the work itself; work being performed; purpose of position (i.e. why the position exists); job requirements, typical tasks, minimum

qualifications; knowledge and abilities; variety and scope of responsibility; complexity of work, decision-making authority and level of independence; consequence of error; sensitivity; and supervision exercised or received.

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

#### *Union Leave*

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

#### *Non-Industrial Disability Insurance*

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

#### *Enhanced Non-Industrial Disability*

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

#### *State Disability Insurance*

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

#### *Employee Donated Release Time Bank*

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

#### *Business and Travel Expenses*

- During the term of this contract the state shall implement a business and travel expense reimbursement program that includes adopting the federal standard Meal and Incidental Expense (M&IE) rate and lodging rates established by the federal General Services Administration (GSA). This shall include:
  - Adopting the M&IE rate established by the GSA at the time of travel for in-state and out-of- state travel;
  - Adopting federal standard and non-standard reimbursement rates at the time of travel for in-state, out-of-state, and out-of-country lodging;
  - Simplifying current reimbursement policy and administration and providing up to 75 percent of the federal standard rate

established by the GSA for M&IE for the first and last day of travel; and

- Adopting the federal standard M&IE reimbursement rates for long-term travel meals. Receipted lodging shall be reimbursed up to the maximum federal standard and non-standard reimbursement rates.

#### *Moving Expenses*

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

#### *Ergonomic Evaluations*

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

#### *Transportation Incentives*

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

#### *California State Payroll System Project*

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

#### *Electronic Monitoring*

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

disciplinary action unless driving behavior or vehicle use constitutes cause for disciplinary action.

*Side Letter*

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

Duration

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

Fiscal

- Fiscal Year 2024-25 Cost: \$40.9 million (\$11.8 million General Fund).

**Augmentation for GSI for Judges.** This bill appropriates \$15,335,000 General Fund to account for the General Salary Increases (GSI) for Judges.

**Augmentation for GSI for BU 5.** This bill appropriates \$2,421,000 in Special Funds for CAHP because the statutorily-driven GSI is anticipated to be 4.1 percent, instead of the 4 percent that was appropriated in the June budget.

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

**Support:** None on file.

**Opposed:** None on file.

-- END --