



June 9, 2019

TO: UCC Board of Directors

FROM: Hurst Brooks Espinosa, LLC

**RE: 2019-20 Budget Conference Committee  
Compromise**

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After delaying this afternoon's hearing start time a few times, the Budget Conference Committee convened close to 5 p.m. this evening to take action on dozens and dozens of deal points that represent resolution of outstanding 2019-20 budget items. (The details on every item can be found [here](#); the first set of documents details the actions taken this evening, while the second set of documents reflects the specific ways in which the houses budget proposals differed.)

**Please note: The details reported in this update reflect actions taken only on items subject to the conferees' reconciliation. Areas where there was no disagreement (i.e., both houses took identical action) should be considered resolved and assumed in the overall budget structure. HBE will provide a comprehensive summary of the entire budget package when the budget bill is passed later this week.**

The houses' plan for the upcoming week is to focus on passage of the main budget bill, the only portion of the state budget subject to the June 15 deadline. Implementing trailer bills will follow by several days if not weeks.

**Keep in mind that the details on conferees' compromise are, in many cases, rather scant. We will not necessarily be able to confirm specifics on many of the individual items until trailer bill language becomes public. It's also important to note that in some instances the specific trailer bill provisions are subject to ongoing negotiations.**

## **State Administration and General Government**

### **Census 2020 Outreach**

The Conference Compromise includes language to reject the Governor's proposal to administratively augment funding but approve the Governor's proposal for the California Housing Population Sample Enumeration. In addition, there is \$30 million General Fund for additional activities, of which \$2 million is for local educational agency-focused strategies for Census outreach, and the remaining for purposes including, but not limited to, language access, efforts by local governments and community-based organizations, costs related to appeals on determinations from the Census 2020

“Local Update of Census Addresses” process, or costs for other state entities related to Census outreach activities.

## Elections

The Conference Compromise includes \$3.8 million to the Secretary of State for outreach and education efforts in counties using the Vote Center election models in 2019-20 and 2020-21.

## Housing and Homelessness

- **Housing-Related Infrastructure:** The Budget Conference Committee approved \$500 million in General Fund resources for the Infill Infrastructure Grant program in 2019-20.
- **Regional Housing Needs Allocation Process:** The Budget Conference Committee approved funding for HCD to implement last year’s [AB 1771](#) and [SB 828](#) related to the Regional Housing Needs Allocation (RHNA) process.
- **Successor Agencies:** The Budget Conference Committee rejected the Assembly proposal to allow for successor agencies with remaining bond funds to use those funds for affordable housing.
- **Housing and Homelessness Package:** The final housing and homelessness package includes:
  - \$250 million for planning grants to help local jurisdictions work through the RHNA 6<sup>th</sup> Cycle.
  - \$500 million for housing-related infrastructure.
  - \$650 million to help local jurisdictions to combat homelessness.
  - \$500 million for a mixed-income loan program through the California Housing Finance Authority (CalHFA).
  - \$500 million to expand the state’s Low Income Housing Tax Credit (LIHTC) program.

***Placeholder trailer bill language was approved to implement these programs; as a result, no additional information about the allocation of funds was considered by the Budget Conference Committee.***

Additional investments in homelessness include:

- \$5 million for grants to limit barriers for homeless individuals with pets (SB 258 by Senator Bob Hertzberg).
- \$5 million to support housing navigators to help young adults aged 18 to 21 secure and maintain housing, with priority given to foster youth.
- \$1 million to fund Encinitas, Carlsbad, Oceanside, and Vista with \$250,000 each for homelessness prevention and intervention services in partnership with the Community Resource Center.
- Placeholder trailer bill language to extend the date by which the Department of Corrections and Rehabilitation must comply with Housing First principles and require the Department to work with stakeholders to identify ways to better provide housing services to impacted populations in the interim.
- \$5.625 million for the Los Angeles Homeless Service Authority’s work in Service Project Area 3 (San Gabriel Valley).

## Sales and Use Tax Exemption

The Budget Conference Committee approved the sales and use tax exemption for diapers and menstrual products for a two-year period and will include language backfill county revenue losses associated with 2011 Realignment.

## Tax Conformity

One of the largest sticking points in budget negotiations has been the Governor's proposal to expand the Earned Income Tax Credit (EITC) and provide advance payments to those eligible for the EITC with revenue from tax conformity. The Conference Compromise is to approve placeholder tax conformity and EITC budget bill and trailer bill language, pending a legislative package on those items, and reject advance payments.

## Pension Liabilities

The Budget Conference Compromise includes the following:

- \$144 million in 2019-20 and \$100 million in 2020-21 to reduce the CalPERS school pool contribution rates.
- \$356 million in 2019-20 and \$250 million in 2020-21 to reduce the CalSTRS school employers' contribution rates.
- \$2.6 billion in 2018-19, \$235 million in 2020-21, and \$165 million in 2021-22 supplemental pension payment to address the CalPERS state plans' unfunded liability.
- \$660 million in 2018-19 to address the CalPERS school pool unfunded liability.
- \$1.64 billion to reduce the school employer share of the CalSTRS unfunded liability.
- \$1.1 billion supplemental pension payment for the state share of CalSTRS unfunded liability.
- Approval of the Governor's proposals to eliminate payroll and CalPERS deferrals.

## Funding for Disaster-Impacted Counties

The Budget Conference Compromise includes:

- \$15 million for disaster-impacted counties
- \$1.5 million for flood relief in the City of Sebastopol
- \$800,000 for the Town of Paradise for environmental document preparation
- \$2 million for the Butte County Fire Department

Details are not yet available on this item, so more details are to come to clarify these expenditures.

## Resources and Transportation

### Cap-and-Trade Expenditure Plan

The proposed Conference Compromise includes a total of \$1.4 billion, including the following investments:

- \$275 million for air toxic and criteria air pollutants
- \$485 million for low carbon transportation

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- \$127 million for climate smart agriculture
- \$220 million for healthy forests
- \$26 million for short-lived climate pollutants
- \$109 million for integrated climate action: mitigation and resilience
- \$10 million for climate and clean energy research and technical assistance to disadvantaged communities
- \$35 million for workforce training
- \$100 million for safe drinking water

## Safe and Affordable Drinking Water

The proposed Conference Compromise avoids a water tax, but rather funds safe and affordable drinking water activities as follows:

- \$100 million Greenhouse Gas Reduction Fund (GGRF) for safe drinking water
- \$30 million General Fund for safe drinking water
- \$3.4 million General Fund for State Water Resources Control Board (SWRCB) for administrative costs

Trailer bill language will include five percent of GGRF continuously appropriated beginning in 2020-21 with a cap of \$130 million, a General Fund backstop to fill the Safe Drinking Water Fund should the five percent of GGRF be lower than \$130 million starting in 2023-24 (with a proposed 2030 sunset), and establishment of the Safe Drinking Water Program and Fund. The Conference Compromise also contains numerous specific appropriations for communities in the Central Valley to address safe drinking water and drought relief.

## Health and Human Services

### Health

The Budget Conference Committee came to agreement on most of the big health items before it – the Managed Care Organization (MCO) tax, health care coverage for undocumented young adults, and premium affordability assistance and the individual mandate. The Committee is deferring further discussion of the Healthy California for All Commission to a later date. The following is a brief summary of Conference actions:

- **MCO Tax:** the Conference Committee adopted placeholder trailer bill language to authorize a managed care tax but the budget does not reflect revenues, pending federal approval. If the MCO tax is approved by the federal government in 2019-20, the Legislature would appropriate funds starting in 2020-21.
- **Premium Affordability Assistance and Individual Mandate Penalty:** The Conference Committee adopted a compromise that includes: 1) the Governor's proposed subsidy level; 2) an additional \$450 million General Fund over three years; 3) the additional General Fund will be used to provide a) state subsidies of individuals below 138 percent of the federal poverty level to fully cover the cost of the standard premium, and b) additional subsidies to individuals between 400 and 600 percent FPL; 4) placeholder trailer bill language that makes changes to the Governor's

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language, including reporting statistics on the mandate penalty and clarifications of exemptions from the mandate penalty.

- **Expansion of Medi-Cal to undocumented adults:** The Conference Committee approved the Governor's proposal to expand full-scope Medi-Cal to young adults ages 19-25.
- **Restoration of Medi-Cal Optional Benefits:** The Conference Committee took action to restore audiology, incontinence creams/washes, optical, podiatry, and speech therapy and \$17.4 million General Fund in 2019-20 and \$40.5 million ongoing. (Note: the only item not included was chiropractic.) This restoration would be suspended on December 31, 2021. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for these items for one year.
- **Healthy California For All Commission:** The Conference Committee took action to defer this item for a later discussion.
- **Seismic Safety:** The agreement includes placeholder trailer bill language to extend the filing deadline for seismic safety compliance documents for specified hospitals.

## Public Health

- **Infectious Disease Funding:** The Conference Committee adopted compromise trailer bill language that merged the Senate and Assembly's versions of language to implement the distribution of \$40 million for infectious disease funding.
- **Sexually Transmitted Disease (STD) Prevention, HIV Prevention, Hepatitis C Prevention:** The Conference Committee adopted a \$5 million ongoing each for STD, HIV, and Hepatitis C prevention and placeholder trailer bill language. This funding would be suspended on December 31, 2021. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for one year.

## Behavioral Health

- **Mental Health Workforce:** The Conference Committee approved \$46.3 million General Fund one-time for Mental Health Workforce Development; \$1 million General Fund one-time to prove loan repayments for former foster youth serving as mental health providers in public facilities or provider shortage areas, and \$2.7 million General Fund one-time to fund psychiatry fellowships.
- **Office of Statewide Health Planning and Development Workforce Education and Training (WET):** The Conference Committee adopted \$35 million General Fund one-time for WET, 2) \$25 million Mental Health Services one-time for WET, and 3) placeholder trailer bill language to require a county match of 33 percent to expend state funds.
- **SBRIT expansion.** The Conference Committee voted to expand the Medi-Cal benefit for screening, brief intervention, referral, and treatment (SBIRT) to include screening for the overuse of opioids and illicit drugs. This funding would be suspended on December 31, 2021. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for one year.

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- **Substance Use Counselors in Emergency Departments:** The Conference Committee approved \$20 million General Fund one-time to support the hiring of trained substance use disorder per navigators and behavioral health peer navigators in emergency departments of acute care hospitals.
- **County of Residence SUD Treatment Funding Disputes:** The Conference Committee took no action, rejecting trailer bill language that would have established a process for resolving county of residence substance used disorder treatment funding disputes.
- **Early Psychosis Research and Treatment:** The Conference Committee provided \$20 million General Fund to provide grants to county mental health plans, nonprofit organizations, behavioral health providers, or academic institutions to identify and support appropriate interventions for California youth experiencing signs of early psychosis.
- **Mental Health Disparities Reduction:** The Conference Committee provided \$8 million General Fund one-time for reducing mental health disparities.
- **Peer Navigators in Harm Reduction Programs:** The Conference Committee provided \$15.2 million General Fund one-time to support peer navigators in harm reduction programs to reach people who use drugs who are not in treatment and assist them with linkage to health care services.
- **Mental Health Triage Grants:** The Conference Committee compromise includes 1) \$10 million Mental Health Services Fund ongoing for School-Mental Health Partnerships, 2) \$40 million Mental Health Services Fund one-time for School-Mental Health Partnerships, and 3) \$10 million Mental Health Services Fund one-time for student mental health for higher education.
- **Mental Health Youth Drop-In Centers:** The Conference Committee includes \$15 million Mental Health Services Fund one-time for establishing local centers to provide integrated youth mental health services. [SB 12](#) by Senator Jim Beall includes similar provisions.

### In Home Supportive Services

Though not before the Conference Committee, the conferees adopted a compromise package on IHSS that includes:

- Adoption of the Governor's proposal to rebench the County IHSS Maintenance of Effort (MOE) requirement in 2019 and associated trailer bill language.
- Adoption of placeholder trailer bill language that subjects a county to a financial penalty under certain circumstances when the county and the IHSS provider employee organization fail to reach agreement on provider wage negotiations. Language is not available; Department of Finance indicated this evening that they are still drafting it. When the item was discussed tonight, the Administration indicated that the language would expand on existing remedies in statute for when counties cannot reach a labor agreement with IHSS providers. They specifically mentioned impasse, fact-finding, and when the third-party fact finding is not adopted by a county. It does not sound like the financial penalty is tied to the IHSS MOE. We anticipate that it will be several days until language is in print.

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- Approval of the Governor’s May Revision to temporarily restore the seven percent across-the-board reduction to IHSS service hours through December 31, 2021. This restoration would be suspended. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for one year.

## Social Services

- **Homeless-Related Items:** The Conference Committee provided \$25 million General Fund over three years to expand the Bringing Families Home program, which is intended to reduce the number of families in the child welfare system experiencing homelessness, to increase family reunification, and prevent foster care placements. The Conference Committee also provided \$14.6 million General Fund ongoing for the CalWORKs Homeless Assistance Program (HAP).
- **Child and Adolescent Needs and Strengths (CANS) Tool:** The Conference Committee adopted placeholder trailer bill language requiring Department of Social Services to track the utilization, workload, and costs associated with implementing the CANS tool.
- **Foster Family Agency(FFA) Rate Increases:** The Conference Committee approved \$6.5 million General Fund annually for a COLA to increase rates paid to FFAs, except the portion paid to family homes or resources families. This funding would be suspended on December 31, 2021. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for one year.
- **Family Urgent Response System:** The Conference Committee provided \$15 million in 2019-20 and \$30 million General Fund in out years. The California Family Urgent Response System would establish a statewide toll-free hotline available 24 hours a day and 7 days a week to caregivers and children and youth in the foster care system or who have recently existed the foster care system, and who are experiencing emotional, behavioral or other difficulties, and need immediate help to preserve the family unit. This funding would be suspended on December 31, 2021. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for one year.
- **CalWORKs Asset Test:** The Conference Committee approved funding to raise the CalWORKs asset limit to \$10,000 and the motor vehicle exemption to \$25,000 and placeholder trailer bill language to implement these changes and tie the limits to inflation factors.
- **CalWORKs Earned Income Disregard:** The Conference Committee approved funding to make changes to the earned income disregard (\$6.8 million in 2019-20 and growing to \$99 million in 2022-23).

## Senior Services

- **Senior Nutrition Programs:** The Conference Committee provided \$17.5 million General Fund annually for senior nutrition programs. This funding would be suspended on December 31, 2021. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for one year.

- **No Wrong Door:** The Conference Committee provided \$5 million ongoing to support the “No Wrong Door” model currently used by Aging and Disability Resource Connection (ARDC) programs. This model reduces the frustration, delays, and barriers often experienced when people seek access to LTSS via the myriad of available programs. [SB 453](#) (Hurtado) includes a framework for expanding the No Wrong Door model. This funding would be suspended on December 31, 2021. If the Director of the Department of Finance determines General Fund revenues are projected to exceed expenditures in 2021-22, the Director will extend the funding for one year.
- **Multipurpose Senior Services Program (MSSP):** The Conference Committee provided \$14.8 million General Fund one-time for a supplemental rate increase for local MSSP sites.

## Public Safety, Corrections, and the Judiciary

### Trial Court Judgeship Funding

- The Budget Conference Committee approved the Assembly’s version of funding for 25 previously authorized judicial positions; this action relies on the Judicial Council’s Judicial Needs Assessment for purposes of allocating the judgeships to specific trial courts.

### Office of Emergency Services

- **Disaster Preparedness and Response:** The conferees adopted the following investments to establish the Mission Tasking Fund - \$6.6 General Fund; \$874,000 federal funds, 88 positions and an additional one-time \$20 million General Fund allocation; this action rejects establishment of the Disaster Reserve Corps.
- **Investment in Local Disaster Preparedness Efforts:** The Conference Committee approved various agency-specific investments, including \$4 million for the County of Santa Clara Fire Department Satellite Emergency Systems, \$4.5 million for Orange County’s First Responder Pilot, and \$1 million for San Francisco firefighting emergency equipment.
- **Internet Crimes Against Children:** The Budget Conference Committee approved \$5 million annually for three years to support the efforts of the multiagency state task force.
- **Domestic Violence/Sexual Violence Prevention:** The conferees approved \$5 million to fund grants for sexual and domestic violence prevention efforts.
- **School Safety and Communications:** The Conference Committee included \$5 million in grants to permit K-12 schools, community colleges, and universities to acquire interoperable technology to respond to emergency events.
- **Homeless Youth Emergency Services and Housing Program:** The Budget Conference Compromise includes \$6.67 million to extend the existing program.
- **District Attorney Training:** The conferees approved a one-time allocation to support district attorney training.

### Board of State and Community Corrections (BSCC)

- **Standards and Training for Corrections:** The conferees adopted the Governor’s May Revision proposal that will provide \$6.2 million in ongoing funding to restore the funding to a level that better reflects historic investment in this program.

- **California Violence Intervention and Prevention (CalVIP):** The Budget Conference Committee approves \$30 million in CalVIP funding for 2019-20 and \$9 million annually thereafter, with budget bill language that includes a rural set-aside. Historically, this funding has been available to cities and community-based organizations.
- **Restorative Justice Pilot Program:** The Budget Conference Committee approved a one-time allocation of \$5 million for a restorative justice pilot in San Joaquin County.
- **Illegal Dumping Pilot:** To support an Illegal Dumping Pilot Project in the Counties of Alameda and Contra Costa, the conferees approved \$750,000 in one-time funding to be divided equally between the two jurisdictions.
- **Challenger Memorial Youth Center of Los Angeles:** The Budget Conference Committee approved a one-time allocation of \$5 million to fund the transition of the Challenger Memorial Youth Center into a residential vocational training center for young adults in the County of Los Angeles.
- **Car Break-In Prevention Funding:** The conferees approved a one-time allocation to provide grants of \$375,000 each to five cities in the County of Santa Clara.
- **Imperial County Medical Assistant Program:** The budget compromise includes \$1 million to the County of Imperial for the Sheriff's Department to support the Valley College Medical Assistant and Correctional Academy.
- **Youth Reinvestment Grant:** The conferees approved a one-time \$5 million allocation for the Youth Reinvestment Grant.
- **Tribal Youth Diversion:** To support tribal youth diversion efforts, the Budget Conference Committee approved a one-time allocation of \$10 million.
- **Gun Violence Restraining Order Training:** The conference compromise includes a one-time allocation of \$250,000 to the San Diego City Attorney for gun violence restraining order training.

### Pre-trial Services Pilot Projects

- The conferees adopted the Senate's version of placeholder trailer bill language related to pre-trial services pilot projects, which does not provide operational flexibility with respect to the placement of the pre-trial services agency within the county structure.

### Peace Officer Standards and Training (POST)

- The conference compromise approves \$34.9 million ongoing to POST to restore the department to previous funding levels and to provide training and local assistance. For 2019-20 and 2020-21, \$20 million is prioritized for use of force and de-escalation training.

### Armed and Prohibited Persons System (Local Pilots)

- In addition to approving trailer bill language requiring the Department of Justice to report to the Legislature annually regarding the status of the APPS backlog, the conferees also approved \$3 million one-time allocation for local law enforcement Gun Violence Reduction Pilot programs. Department of Finance reported that four counties would receive the local pilot funding: Alameda, Santa Cruz, San Diego, and Ventura. The BSCC would administer the local pilot program.

## Division of Juvenile Justice (DJJ)

- The conferees approved the Assembly's version of trailer bill language associated with the Governor's proposed move of DJJ to the Health and Human Services Agency, which requires the establishment of an advisory body of specified experts and stakeholders to provide input and recommendations regarding various aspects of the reorganization.
- The conferees also approved the Governor's proposal to establish a DJJ apprenticeship pilot in conjunction with the California Conservation Corps.

## Department of Justice

- **Sex Trafficking Study:** The conferees approved \$1.5 million to be spent over three years to assess the scope of sex trafficking in Sacramento. (It is not specified whether this investment would assess the prevalence of sex trafficking in the city or county.)
- **Sexual Assault Evidence Kits Testing:** The Budget Conference Committee approved \$2 million on a one-time basis to ensure that law enforcement agencies submit sexual assault evidence kits to a crime lab and an additional \$854,000 for DOJ costs associated with kit testing.

## Prison to Community Pipeline

- The conference compromise includes a new \$50 million ongoing investment in various activities to support community reintegration, including (1) \$5 million for CBO-provided rehabilitative programs; (2) \$32.9 million for Adult Reentry Grants (rehabilitation of property or buildings for housing offenders released from prison); and (3) \$8 million for establishment of therapeutic communities within the Division of Juvenile Justice.
- In addition, on a one-time basis, the Budget Conference Committee dedicates funding for the City of Oakland for a parolee preparation pilot (\$4 million) and to provide reentry to support to exonerees (\$500,000).

## County Costs Associated with Golden State Killer Case

- The conferees provided no funding to offset county costs associated with the prosecution and defense of Joseph DeAngelo, the Golden State Killer.

## What is Next?

The budget bill must be amended to reflect the various deal points outlined above; it can only be considered for a vote once it has been publicly available ("in print") for 72 hours. So, we anticipate a late-week adoption of the budget bill. HBE will provide a comprehensive summary of the budget once the houses take action on the budget bill. Details on budget trailer bills will follow as more information becomes available.

Please do not hesitate to get in contact with us should you have any questions on specific budget items or details regarding the budget process. Thank you!

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