

May 9, 2019

Honorable Holly Mitchell, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Joe Stephenshaw, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to Various Budget Bill Items and Reimbursements, Support, and Trailer Bill Language, California Conservation Corps and California Department of Corrections and Rehabilitation

Adult Population Adjustment—It is requested that Item 5225-001-0001 be decreased by \$7,779,000 and 87.1 positions, Item 5225-002-0001 be increased by \$11,972,000 and decreased by 41.8 positions, Item 5225-008-0001 be decreased by \$2,604,000 and 6.6 positions, Item 5225-009-0001 be increased by \$508,000 and decreased by 0.1 position, and Item 5225-001-0917 be decreased by \$40,000.

This reflects a net increase of \$2,057,000 and a net decrease of 135.6 positions, which is comprised of an increase of \$2,097,000 General Fund and a reduction of \$40,000 Inmate Welfare Fund.

The May Revision reflects an estimated average daily population of 126,705 in fiscal year 2019-20, which is 266 fewer than projected in the Governor's Budget. The projected parolee average daily population is 50,442 in 2019-20, which is an increase of 497 compared to the Governor's Budget projection.

Juvenile Population Adjustment—It is requested that Item 5225-001-0001 be increased by \$7,501,000 and 53.6 positions, reimbursements be increased by \$26,000, and Item 5225-011-0001 be decreased by \$573,000 and 4 positions. The May Revision reflects an estimated average daily population of 782 wards in 2019-20, which is 23 more wards than projected in the Governor's Budget.

Integrated Substance Use Disorder Treatment Program—It is requested that Item 5225-001-0001 be increased by \$10,009,000 and 63 positions, Item 5225-002-0001 be increased by \$57,190,000 and 212.2 positions, and Item 5225-008-0001 be increased by \$4,086,000 and 5 positions to implement a statewide Integrated Substance Use Disorder Treatment Program. The program will incorporate medication-assisted treatment, modified cognitive-behavioral therapy, and specialized discharge planning for inmates suffering from opioid and alcohol use disorders.

Support for Victims Services—It is requested that Item 5225-001-0917 be increased by \$2 million to support the Office of Victims and Survivor Rights and Services' Victim Offender Dialogue program and to establish or expand Innovate Programming Grants targeting victim impact programs.

Medical Classification Model Update—It is requested that Item 5225-002-0001 be increased by \$27,919,000 and 102.4 positions to reflect the Receiver's update to the Medical Classification Model changes that will increase staffing levels for health care operations throughout California's prison system.

Medical Adjustment for Reentry Facilities—It is requested that Item 5225-001-0001 be decreased by \$1,550,000 and Item 5225-008-0001 be decreased by \$5,053,000 to reflect revised medical and dental costs for offenders in reentry facilities.

Tattoo Removal Program—It is requested that Item 5225-001-0001 be decreased by \$1.4 million to revise the amount included in the Governor's Budget for tattoo removal services for certain inmates with highly visible tattoos.

Sign Language Interpreter Services—It is requested that Item 5225-001-0001 be increased by \$1,504,000 and 12 positions to provide Sign Language Interpreter positions to provide services to inmates for whom sign language is their primary method of communication.

Janitorial Services—It is requested that Item 5225-001-0001 be increased by \$6,117,000 to provide ongoing contractual janitorial services at the California Health Care Facility, Stockton.

Revision to Consolidated Legislation Budget Change Proposal—It is requested that Item 5225-001-0001 be decreased by \$1,833,000 and 14.5 positions to revise the original request for resources related to chaptered legislation based on actual data following implementation of Chapter 988, Statutes of 2018 (SB 1421) and the revised estimated resources needed to implement the provisions of the bill.

Division of Juvenile Justice Transition—It is requested that Item 5225-001-0001 be increased by \$1,234,000 and 8.8 positions to facilitate the proposed reorganization of the Division of Juvenile Justice from the California Department of Corrections and Rehabilitation to the California Health and Human Services Agency. The positions will be responsible for the administrative needs of the reorganization and the establishment of a new training institute in Stockton.

Division of Juvenile Justice Apprenticeship Conservation Corps—It is requested that Item 3340-001-0001 be increased by \$1,085,000 and 2 positions and Item 5225-001-0001 be increased by \$344,000 and 2.4 positions for the Division of Juvenile Justice to partner with the California Conservation Corps and select local conservation corps to develop and implement the Apprenticeship Conservation Corps Program.

Workforce Innovation and Opportunity Act, Data Sharing—It is requested that trailer bill language be enacted to allow data from the California Department of Corrections and Rehabilitation to be shared for purposes of the Workforce Innovation and Opportunity Act (see Attachment 1).

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Madelynn McClain, Principal Program Budget Analyst, at (916) 445-8913.

KEELY MARTIN BOSLER
Director
By:

/s/ Vivek Viswanathan

VIVEK VISWANATHAN
Chief Deputy Director

Attachment

cc: Honorable Anthony Portantino, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Mr. Kirk Feely, Budget Fiscal Director
Honorable Lorena Gonzalez, Chair, Assembly Appropriations Committee
Attention: Mr. Jay Dickenson, Chief Consultant
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Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review Subcommittee No. 5
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Mr. Gabriel Petek, Legislative Analyst (4)
Mr. Christopher W. Woods, Senate President pro Tempore's Office (2)
Mr. Jason Sisney, Assembly Speaker's Office (2)
Ms. Jayme Chick, Deputy Chief of Staff, Policy, Assembly Republican Leader's Office
Mr. Joe Shinstock, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Clark Kelso, Receiver, California Department of Corrections and Rehabilitation
Mr. Richard Kirkland, Chief Deputy Receiver, California Department of Corrections and Rehabilitation
Mr. Ralph Diaz, Secretary, California Department of Corrections and Rehabilitation
Mr. Kenneth J. Pogue, Undersecretary, Administration and Offender Services, California Department of Corrections and Rehabilitation
Ms. Diana Toche, Undersecretary, Healthcare Services, California Department of Corrections and Rehabilitation
Ms. Jennifer Osborn, Director, Division of Administrative Services, California Department of Corrections and Rehabilitation
Mr. Kris Applegate, Director, Legislation and Communications, California Department of Corrections and Rehabilitation
Mr. Eric Swanson, Deputy Director, Office of Fiscal Services, California Department of Corrections and Rehabilitation
Ms. Sarah Larson, Associate Director, Budget Management Branch, California Department of Corrections and Rehabilitation
Mr. Duane Reeder, Deputy Director, Fiscal Management Section, California Department of Corrections and Rehabilitation

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11105.9 is added to the Penal Code, to read:

11105.9. (a) Notwithstanding subdivision (g) of Section 11105 and subdivision (a) of Section 13305, the Department of Corrections and Rehabilitation may provide the social security numbers of current or former inmates to the Employment Development Department, the California Workforce Development Board, or the California Workforce Development Board's designee for the purposes set forth in subdivision (i) of Section 14013 of the Unemployment Insurance Code. The Employment Development Department, the California Workforce Development Board, and any board designee shall keep the social security numbers confidential and use them only to track the labor market and other employment outcomes of program participants, as described in subdivision (i) of Section 14013 of the Unemployment Insurance Code.

(b) The Employment Development Department, the California Workforce Development Board, and any board designee shall not disseminate social security numbers obtained pursuant to this section to an individual or public entity not identified in this section.

SEC. 2. Section 1095 of the Unemployment Insurance Code is amended to read:

1095. The director shall permit the use of any information in his or her possession to the extent necessary for any of the following purposes and may require reimbursement for all direct costs incurred in providing any and all information specified in this section, except information specified in subdivisions (a) to (e), inclusive:

(a) To enable the director or his or her representative to carry out his or her responsibilities under this code.

(b) To properly present a claim for benefits.

(c) To acquaint a worker or his or her authorized agent with his or her existing or prospective right to benefits.

(d) To furnish an employer or his or her authorized agent with information to enable him or her to fully discharge his or her obligations or safeguard his or her rights under this division or Division 3 (commencing with Section 9000).

(e) To enable an employer to receive a reduction in contribution rate.

(f) To enable federal, state, or local governmental departments or agencies, subject to federal law, to verify or determine the eligibility or entitlement of an applicant for, or a recipient of, public social services provided pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code, or Part A of Subchapter IV of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.), when the verification or determination is directly connected with, and limited to, the administration of public social services.

(g) To enable county administrators of general relief or assistance, or their representatives, to determine entitlement to locally provided general relief or assistance, when the determination is directly connected with, and limited to, the administration of general relief or assistance.

(h) To enable state or local governmental departments or agencies to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, relief provided under Division 9 (commencing with Section 10000)



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of the Welfare and Institutions Code or to enable the collection of expenditures for medical assistance services pursuant to Part 5 (commencing with Section 17000) of Division 9 of the Welfare and Institutions Code.

(i) To provide any law enforcement agency with the name, address, telephone number, birth date, social security number, physical description, and names and addresses of present and past employers, of any victim, suspect, missing person, potential witness, or person for whom a felony arrest warrant has been issued, when a request for this information is made by any investigator or peace officer as defined by Sections 830.1 and 830.2 of the Penal Code, or by any federal law enforcement officer to whom the Attorney General has delegated authority to enforce federal search warrants, as defined under Sections 60.2 and 60.3 of Title 28 of the Code of Federal Regulations, as amended, and when the requesting officer has been designated by the head of the law enforcement agency and requests this information in the course of and as a part of an investigation into the commission of a crime when there is a reasonable suspicion that the crime is a felony and that the information would lead to relevant evidence. The information provided pursuant to this subdivision shall be provided to the extent permitted by federal law and regulations, and to the extent the information is available and accessible within the constraints and configurations of existing department records. Any person who receives any information under this subdivision shall make a written report of the information to the law enforcement agency that employs him or her, for filing under the normal procedures of that agency.

(1) This subdivision shall not be construed to authorize the release to any law enforcement agency of a general list identifying individuals applying for or receiving benefits.

(2) The department shall maintain records pursuant to this subdivision only for periods required under regulations or statutes enacted for the administration of its programs.

(3) This subdivision shall not be construed as limiting the information provided to law enforcement agencies to that pertaining only to applicants for, or recipients of, benefits.

(4) The department shall notify all applicants for benefits that release of confidential information from their records will not be protected should there be a felony arrest warrant issued against the applicant or in the event of an investigation by a law enforcement agency into the commission of a felony.

(j) To provide public employee retirement systems in California with information relating to the earnings of any person who has applied for or is receiving a disability income, disability allowance, or disability retirement allowance, from a public employee retirement system. The earnings information shall be released only upon written request from the governing board specifying that the person has applied for or is receiving a disability allowance or disability retirement allowance from its retirement system. The request may be made by the chief executive officer of the system or by an employee of the system so authorized and identified by name and title by the chief executive officer in writing.

(k) To enable the Division of Labor Standards Enforcement in the Department of Industrial Relations to seek criminal, civil, or administrative remedies in connection with the failure to pay, or the unlawful payment of, wages pursuant to Chapter 1



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(commencing with Section 200) of Part 1 of Division 2 of, and Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of, the Labor Code.

(l) To enable federal, state, or local governmental departments or agencies to administer child support enforcement programs under Part D of Title IV of the federal Social Security Act (42 U.S.C. Sec. 651 et seq.).

(m) To provide federal, state, or local governmental departments or agencies with wage and claim information in its possession that will assist those departments and agencies in the administration of the Victims of Crime Program or in the location of victims of crime who, by state mandate or court order, are entitled to restitution that has been or can be recovered.

(n) To provide federal, state, or local governmental departments or agencies with information concerning any individuals who are or have been:

(1) Directed by state mandate or court order to pay restitution, fines, penalties, assessments, or fees as a result of a violation of law.

(2) Delinquent or in default on guaranteed student loans or who owe repayment of funds received through other financial assistance programs administered by those agencies. The information released by the director for the purposes of this paragraph shall not include unemployment insurance benefit information.

(o) To provide an authorized governmental agency with any and all relevant information that relates to any specific workers' compensation insurance fraud investigation. The information shall be provided to the extent permitted by federal law and regulations. For the purposes of this subdivision, "authorized governmental agency" means the district attorney of any county, the office of the Attorney General, the Contractors' State License Board, the Department of Industrial Relations, and the Department of Insurance. An authorized governmental agency may disclose this information to the State Bar of California, the Medical Board of California, or any other licensing board or department whose licensee is the subject of a workers' compensation insurance fraud investigation. This subdivision shall not prevent any authorized governmental agency from reporting to any board or department the suspected misconduct of any licensee of that body.

(p) To enable the Director of Consumer Affairs, or his or her representatives, to access unemployment insurance quarterly wage data on a case-by-case basis to verify information on school administrators, school staff, and students provided by those schools who are being investigated for possible violations of Chapter 8 (commencing with Section 94800) of Part 59 of Division 10 of Title 3 of the Education Code.

(q) To provide employment tax information to the tax officials of Mexico, if a reciprocal agreement exists. For purposes of this subdivision, "reciprocal agreement" means a formal agreement to exchange information between national taxing officials of Mexico and taxing authorities of the State Board of Equalization, the Franchise Tax Board, and the Employment Development Department. Furthermore, the reciprocal agreement shall be limited to the exchange of information that is essential for tax administration purposes only. Taxing authorities of the State of California shall be granted tax information only on California residents. Taxing authorities of Mexico shall be granted tax information only on Mexican nationals.

(r) To enable city and county planning agencies to develop economic forecasts for planning purposes. The information shall be limited to businesses within the



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jurisdiction of the city or county whose planning agency is requesting the information, and shall not include information regarding individual employees.

(s) To provide the State Department of Developmental Services with wage and employer information that will assist in the collection of moneys owed by the recipient, parent, or any other legally liable individual for services and supports provided pursuant to Chapter 9 (commencing with Section 4775) of Division 4.5 of, and Chapter 2 (commencing with Section 7200) and Chapter 3 (commencing with Section 7500) of Division 7 of, the Welfare and Institutions Code.

(t) To provide the State Board of Equalization with employment tax information that will assist in the administration of tax programs. The information shall be limited to the exchange of employment tax information essential for tax administration purposes to the extent permitted by federal law and regulations.

(u) This section shall not be construed to authorize or permit the use of information obtained in the administration of this code by any private collection agency.

(v) The disclosure of the name and address of an individual or business entity that was issued an assessment that included penalties under Section 1128 or 1128.1 shall not be in violation of Section 1094 if the assessment is final. The disclosure may also include any of the following:

(1) The total amount of the assessment.

(2) The amount of the penalty imposed under Section 1128 or 1128.1 that is included in the assessment.

(3) The facts that resulted in the charging of the penalty under Section 1128 or 1128.1.

(w) To enable the Contractors' State License Board to verify the employment history of an individual applying for licensure pursuant to Section 7068 of the Business and Professions Code.

(x) To provide any peace officer with the Division of Investigation in the Department of Consumer Affairs information pursuant to subdivision (i) when the requesting peace officer has been designated by the chief of the Division of Investigation and requests this information in the course of and as part of an investigation into the commission of a crime or other unlawful act when there is reasonable suspicion to believe that the crime or act may be connected to the information requested and would lead to relevant information regarding the crime or unlawful act.

(y) To enable the Labor Commissioner of the Division of Labor Standards Enforcement in the Department of Industrial Relations to identify, pursuant to Section 90.3 of the Labor Code, unlawfully uninsured employers. The information shall be provided to the extent permitted by federal law and regulations.

(z) To enable the Chancellor of the California Community Colleges, in accordance with the requirements of Section 84754.5 of the Education Code, to obtain quarterly wage data, commencing January 1, 1993, on students who have attended one or more community colleges, to assess the impact of education on the employment and earnings of students, to conduct the annual evaluation of district-level and individual college performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(aa) To enable the Public Employees' Retirement System to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt



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of, benefits provided under Part 3 (commencing with Section 20000) of Division 5 of Title 2 of the Government Code.

(ab) To enable the State Department of Education, the University of California, the California State University, and the Chancellor of the California Community Colleges, pursuant to the requirements prescribed by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of district-level and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(ac) To provide the Agricultural Labor Relations Board with employee, wage, and employer information, for use in the investigation or enforcement of the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code). The information shall be provided to the extent permitted by federal statutes and regulations.

(ad) (1) To enable the State Department of Health Care Services, the California Health Benefit Exchange, the Managed Risk Medical Insurance Board, and county departments and agencies to obtain information regarding employee wages, California employer names and account numbers, employer reports of wages and number of employees, and disability insurance and unemployment insurance claim information, for the purpose of:

(A) Verifying or determining the eligibility of an applicant for, or a recipient of, state health subsidy programs, limited to the Medi-Cal program, provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code, and the Access for Infants and Mothers Program, provided pursuant to Part 6.3 (commencing with Section 12695) of Division 2 of the Insurance Code, when the verification or determination is directly connected with, and limited to, the administration of the state health subsidy programs referenced in this subparagraph.

(B) Verifying or determining the eligibility of an applicant for, or a recipient of, federal subsidies offered through the California Health Benefit Exchange, provided pursuant to Title 22 (commencing with Section 100500) of the Government Code, including federal tax credits and cost-sharing assistance pursuant to the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), when the verification or determination is directly connected with, and limited to, the administration of the California Health Benefit Exchange.

(C) Verifying or determining the eligibility of employees and employers for health coverage through the Small Business Health Options Program, provided pursuant to Section 100502 of the Government Code, when the verification or determination is directly connected with, and limited to, the administration of the Small Business Health Options Program.

(2) The information provided under this subdivision shall be subject to the requirements of, and provided to the extent permitted by, federal law and regulations, including Part 603 of Title 20 of the Code of Federal Regulations.



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(ae) To provide any peace officer with the Investigations Division of the Department of Motor Vehicles with information pursuant to subdivision (i), when the requesting peace officer has been designated by the Chief of the Investigations Division and requests this information in the course of, and as part of, an investigation into identity theft, counterfeiting, document fraud, or consumer fraud, and there is reasonable suspicion that the crime is a felony and that the information would lead to relevant evidence regarding the identity theft, counterfeiting, document fraud, or consumer fraud. The information provided pursuant to this subdivision shall be provided to the extent permitted by federal law and regulations, and to the extent the information is available and accessible within the constraints and configurations of existing department records. Any person who receives any information under this subdivision shall make a written report of the information to the Investigations Division of the Department of Motor Vehicles, for filing under the normal procedures of that division.

(af) Until January 1, 2020, to enable the Department of Finance to prepare and submit the report required by Section 13084 of the Government Code that identifies all employers in California that employ 100 or more employees who receive benefits from the Medi-Cal program (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code). The information used for this purpose shall be limited to information obtained pursuant to Section 11026.5 of the Welfare and Institutions Code and from the administration of personal income tax wage withholding pursuant to Division 6 (commencing with Section 13000) and the disability insurance program and may be disclosed to the Department of Finance only for the purpose of preparing and submitting the report and only to the extent not prohibited by federal law.

(ag) To provide, to the extent permitted by federal law and regulations, the Student Aid Commission with wage information in order to verify the employment status of an individual applying for a Cal Grant C award pursuant to subdivision (c) of Section 69439 of the Education Code.

(ah) To enable the Department of Corrections and Rehabilitation to obtain quarterly wage data of former inmates who have been incarcerated within the prison system in order to assess the impact of rehabilitation services or the lack of these services on the employment and earnings of these former inmates. Quarterly data for a former inmate's employment status and wage history shall be provided for a period of one year, three years, and five years following release. The data shall only be used for the purpose of tracking outcomes for former inmates in order to assess the effectiveness of rehabilitation strategies on the wages and employment histories of those formerly incarcerated. The information shall be provided to the department to the extent not prohibited by federal law.

(ai) To enable federal, state, or local government departments or agencies, or their contracted agencies, subject to federal law, including the confidentiality, disclosure, and other requirements set forth in Part 603 of Title 20 of the Code of Federal Regulations, to evaluate, research, or forecast the effectiveness of public social services programs administered pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code, or Part A of Subchapter IV of Chapter 7 of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.), when the evaluation, research, or forecast is directly connected with, and limited to, the administration of the public social services programs.



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(aj) To enable the California Workforce Development Board, the Chancellor of the California Community Colleges, the Superintendent of Public Instruction, the Department of Rehabilitation, the State Department of Social Services, the Bureau for Private Postsecondary Education, the Department of Industrial Relations, the Division of Apprenticeship Standards, the Department of Corrections and Rehabilitation, the Prison Industry Authority, and the Employment Training Panel to access any relevant quarterly wage data necessary for the evaluation and reporting of their respective program performance outcomes as required and permitted by various state and federal laws pertaining to performance measurement and program evaluation under the federal Workforce Innovation and Opportunity Act (Public Law 113-128); the workforce performance metrics dashboard pursuant to paragraph (1) of subdivision (i) of Section 14013; the Adult Education Block Grant Program consortia performance metrics pursuant to Section 84920 of the Education Code; the economic and workforce development program performance measures pursuant to Section 88650 of the Education Code; and the California Community Colleges Economic and Workforce Development Program performance measures established in Part 52.5 (commencing with Section 88600) of Division 7 of Title 3 of the Education Code.

(ak) (1) To provide any peace officer with the Enforcement Branch of the Department of Insurance with both of the following:

(A) Information provided pursuant to subdivision (i) that relates to a specific insurance fraud investigation involving automobile insurance fraud, life insurance and annuity fraud, property and casualty insurance fraud, and organized automobile insurance fraud. That information shall be provided when the requesting peace officer has been designated by the Chief of the Fraud Division of the Department of Insurance and requests the information in the course of, and as part of, an investigation into the commission of a crime or other unlawful act when there is reasonable suspicion to believe that the crime or act may be connected to the information requested and would lead to relevant information regarding the crime or unlawful act.

(B) Employee, wage, employer, and state disability insurance claim information that relates to a specific insurance fraud investigation involving health or disability insurance fraud when the requesting peace officer has been designated by the Chief of the Fraud Division of the Department of Insurance and requests the information in the course of, and as part of, an investigation into the commission of a crime or other unlawful act when there is reasonable suspicion to believe that the crime or act may be connected to the information requested and would lead to relevant information regarding the crime or unlawful act.

(2) To enable the State Department of Developmental Services to obtain quarterly wage data of consumers served by that department for the purposes of monitoring and evaluating employment outcomes to determine the effectiveness of the Employment First Policy, established pursuant to Section 4869 of the Welfare and Institutions Code.

(3) The information provided pursuant to this subdivision shall be provided to the extent permitted by federal statutes and regulations.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes



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the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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**DEPARTMENT OF
FINANCE**
OFFICE OF THE DIRECTOR

GAVIN NEWSOM - GOVERNOR
STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

April 19, 2019

Honorable Holly Mitchell, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Joe Stephenshaw, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to Budget Bill Item 5225-491, Capital Outlay, Department of Corrections and Rehabilitation

Health Care Facility Improvement Program (Issue 401)—It is requested that trailer bill language be adopted to increase the lease revenue appropriation authorized by Government Code section 15819.403 for this construction program by \$49,850,000. This program provides medical, dental, and mental health treatment or housing space at existing prison facilities. This action, in conjunction with a recently requested augmentation, is necessary to address cost increases caused by a number of reasons, including but not limited to, design issues, compliance with fire/life/safety requirements, and extended construction durations. This language also includes reporting requirements to allow the Legislature to monitor the progress in the program (see Attachment 1).

Pelican Bay State Prison: Facility D Yard (Issue 402)—It is requested that Item 5225-491 be amended to reappropriate the working drawings phase of this project. Working drawings are not expected to be completed during fiscal year 2018-19. This reappropriation is necessary to keep funding available to complete working drawings in 2019-20 (see Attachment 2). Working drawings are estimated to begin July 2019 and will be completed in October 2019. Construction is estimated to begin in November 2019 and will be completed January 2021.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Koreen H. van Ravenhorst, Principal Program Budget Analyst, at (916) 445-9694.

KEELY MARTIN BOSLER
Director
By:

/s/ Vivek Viswanathan

VIVEK VISWANATHAN
Chief Deputy Director

Attachment

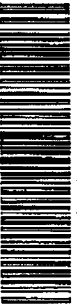
cc: On following page

cc: Honorable Anthony Portantino, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Mr. Kirk Feely, Budget Fiscal Director
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Ms. Jayme Chick, Deputy Chief of Staff, Policy, Assembly Republican Leader's Office
Mr. Joe Shinstock, Policy and Fiscal Director, Assembly Republican Leader's Office
Ms. Deborah Hysen, Director, Facilities Planning, Construction, and Management, Department of
Corrections and Rehabilitation
Mr. Dean Borg, Deputy Director, Facility Planning, Construction, and Management, Department of
Corrections and Rehabilitation
Ms. Michelle Weaver, Associate Director, Facility Planning, Construction, and Management,
Department of Corrections and Rehabilitation
Mr. Michael Potter, Chief Staff Services Manager, Facility Planning, Construction, and
Management, Department of Corrections and Rehabilitation

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An act to amend Section 15819.403 of the Government Code, relating to corrections, and making an appropriation therefor.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 15819.403 of the Government Code is amended to read:

15819.403. (a) The board may issue revenue bonds, negotiable notes, or negotiable bond anticipation notes pursuant to this part to finance the design and construction, including, without limitation, renovation, and the costs of interim financing of the projects authorized in Section 15819.40. Authorized costs for design and construction, including, without limitation, renovation, and construction-related costs for all projects approved for financing by the board shall not exceed one billion six million three hundred sixty-nine thousand dollars (\$1,006,369,000) for subdivision (a) of Section 15819.40, and ~~one billion eighty-nine million five hundred seventy-nine thousand dollars (\$1,089,579,000)~~ one billion one hundred thirty-nine million four hundred twenty-nine thousand dollars (\$1,139,429,000) for subdivision (b) of Section 15819.40.

(b) Notwithstanding Section 13340, funds derived from interim financing, revenue bonds, negotiable notes, or negotiable bond anticipation notes issued pursuant to this chapter are hereby continuously appropriated to the board on behalf of the Department of Corrections and Rehabilitation for the purposes specified in Section 15819.40.

(c) For the purposes of this section, "construction-related costs" shall include mitigation costs of local government and school districts and shall be made available pursuant to subdivisions (c) and (d) of Section 7005.5 of the Penal Code. It is the intent of the Legislature that any payments made for mitigation shall be made in a timely manner.

(d) Notwithstanding any other law, the financing authorized in this section for projects approved pursuant to subdivision (a) of Section 15819.40 shall only be used for the California Health Care Facility, Stockton project and the conversion of the DeWitt Nelson Youth Correctional Facility to a semiautonomous annex facility to the California Health Care Facility. In addition, the financing authorized in this section for projects approved pursuant to subdivision (b) of Section 15819.40 shall only be used for the following projects:

- (1) The California Medical Facility, Vacaville: Intermediate Care Facility.
- (2) The California Institution for Women, Chino: Acute/Intermediate Care Facility.
- (3) The California State Prison Los Angeles County, Lancaster: Enhanced Outpatient Program Treatment and Office Space.
- (4) The California Men's Colony, San Luis Obispo: Mental Health Crisis Beds Facility.
- (5) The California Medical Facility, Vacaville: Enhanced Outpatient Program Treatment and Office Space.
- (6) The California State Prison, Sacramento: Psychiatric Services Unit Treatment and Office Space.
- (7) The California State Prison, Corcoran: Administrative Segregation Unit/Enhanced Outpatient Program Treatment and Office Space.
- (8) The Salinas Valley State Prison, Soledad: Enhanced Outpatient Program Treatment and Office Space.
- (9) The Central California Women's Facility, Chowchilla: Enhanced Outpatient Program Treatment and Office Space.



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(10) All projects established by the board in the Health Care Facility Improvement Program.

(e) The amount authorized in subdivision (a) for subdivision (b) of Section 15819.40 reflects an increase of ~~forty three million dollars (\$43,000,000)~~ ninety-two million eight hundred fifty thousand dollars (\$92,850,000) to fund any project established by the board in the Health Care Facility Improvement Program, subject to all of the following:

(1) Each allocation shall be approved by the board.

(2) Not less than 20 days prior to the board's approval, the Department of Finance shall report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the respective fiscal committee of each house of the Legislature the following:

(A) The name of the project, the additional allocation received, the reason for this allocation, and the estimated date of completion.

(B) The amount remaining to be allocated to other projects.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____
General Subject: Corrections facilities.

Existing law authorizes the Department of Corrections and Rehabilitation to design and construct new, or renovate existing, buildings and any necessary ancillary improvements at facilities under the jurisdiction of the department to provide medical, dental, and mental health treatment or housing. Existing law limits financing pursuant to this authorization to specified facilities and projects, including all projects established by the board in the Health Care Facility Improvement Program. Existing law prohibits costs for design and construction, including, without limitation, renovation and construction-related costs for all projects approved for financing by the State Public Works Board from exceeding \$1,089,579,000. Existing law continuously appropriates the funds derived from interim financing, revenue bonds, negotiable notes, or negotiable bond anticipation notes issued pursuant to these provisions to the board on behalf of the department for these purposes.

This bill would increase that maximum amount of costs authorized for those purposes to \$1,139,429,000. The bill would make the additional \$49,850,000 available for allocation to any project established by the board in the Health Care Facility Improvement Program, but would be subject to existing restrictions on the allocations of the additional amount by requiring that each allocation be approved by the board and that not less than 20 days prior to the board's approval, the Department of Finance report specified information regarding the project to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the respective fiscal committee of each house of the Legislature. By increasing the amount of funds that are continuously appropriated to the board on behalf of the department for these purposes, the bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.



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5225-491—Reappropriation, Department of Corrections and Rehabilitation. The amount specified balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:

0001—General Fund

(1) ~~Up to \$4,041,000 of~~ Item 5225-301-0001, Budget Act of 2016 (Ch. 23, Stats. 2016), as partially reappropriated by Item 5225-491, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), and as partially reverted by Item 5225-495, Budget Act of 2018 (Chs. 29, 30, and 449, Stats. 2018)

(4) 0000923-Deuel Vocational Institution: New Boiler Facility—Working drawings and construction

(1.5) Item 5225-301-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(7) 0001372-Pelican Bay State Prison, Crescent City:

Fire Suppression Upgrade

(a) Working drawings

(11) 0003206-Pelican Bay State Prison, Crescent City:

Classroom Space

(b) Working drawings

(c) Construction

(1.7) Item 5225-301-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(7) 0002160-Pelican Bay State Prison, Crescent City: Facility

D Yard – Working drawings

(2) ~~Up to \$11,831,000 for~~ Subdivision (a) of Section 28 of Chapter 7 of the Statutes of 2007, as reappropriated by Item 5225-491, Budget Acts of 2009 (Ch. 1, 2009–10 3rd Ex. Sess., as revised by Ch. 1, 2009–10 4th Ex. Sess.), 2012 (Chs. 21 and 29, Stats. 2012), and 2016 (Ch. 23, Stats. 2016), and as partially reverted by Item 5225-496, Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess., as revised by Ch. 1, 2009–10 4th Ex. Sess.), Item 5225-497, Budget Act of 2010 (Ch. 712, Stats. 2010), and Item 5225-495, Budget Act of 2011 (Ch. 33, Stats. 2011), for capital outlay to renovate, improve, or expand infrastructure capacity at existing prison facilities. The balance of this appropriation shall be available for encumbrance or expenditure until June 30, 2020.



**DEPARTMENT OF
FINANCE**
OFFICE OF THE DIRECTOR

GAVIN NEWSOM • GOVERNOR
STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

May 9, 2019

Honorable Holly Mitchell, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Joe Stephenshaw, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Budget Bill Items 5227-106-0001 and 5227-108-0001, Local Assistance,
Board of State and Community Corrections**

California Violence Intervention and Prevention Program—It is requested that Item 5227-108-0001 be increased by \$18 million (one-year) to support additional grants to eligible cities and community based organizations (see Attachment 1).

Post Release Community Supervision Population—It is requested that Item 5227-106-0001 be increased by \$2,983,000 to adjust the amount provided to county probation departments to supervise offenders on Post Release Community Supervision. The adjustment reflects a revised estimate of the temporary increase in the number of offenders expected to be released to Post Release Community Supervision as a result of the Public Safety and Rehabilitation Act of 2016 (Proposition 57).

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Madelynn McClain, Principal Program Budget Analyst, at (916) 445-8913.

KEELY MARTIN BOSLER
Director
By:

/s/ Vivek Viswanathan

VIVEK VISWANATHAN
Chief Deputy Director

Attachment

cc: On following page

cc: Honorable Anthony Portantino, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Mr. Kirk Feely, Budget Fiscal Director
Honorable Lorena Gonzalez, Chair, Assembly Appropriations Committee
Attention: Mr. Jay Dickenson, Chief Consultant
Honorable Jay Obernolte, Vice Chair, Assembly Budget Committee
Attention: Ms. Cyndi Hillery, Staff Director
Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review Subcommittee No. 5
Honorable Shirley Weber, Chair, Assembly Budget Subcommittee No. 5
Mr. Gabriel Petek, Legislative Analyst (4)
Mr. Christopher W. Woods, Senate President pro Tempore's Office (2)
Mr. Jason Sisney, Assembly Speaker's Office (2)
Ms. Jayme Chick, Deputy Chief of Staff, Policy, Assembly Republican Leader's Office
Mr. Joe Shinstock, Policy and Fiscal Director, Assembly Republican Leader's Office
Ms. Kathleen Howard, Executive Director, Board of State and Community Corrections

Amend Schedule (1)(b) of Item 5227-108-0001 as follows:

“(1) 4945-Corrections Planning and Grant Programs.....~~9,000,000~~ 27,000,000
 (a) Grants to the City of Los Angeles.....(1,000,000)
 (b) Competitive grants to all other cities or to community-based
 organizations.....~~(8,000,000)~~ (26,000,000)”