

**ALAMEDA COUNTY  
BOARD OF SUPERVISORS'  
PERSONNEL/ADMINISTRATION/LEGISLATION  
COMMITTEE**

Monday, July 1, 2024

1:30 p.m.

Supervisor Keith Carson, Chair  
Supervisor Lena Tam

Location: *Board of Supervisors Chamber – 5th Floor*  
County Administration Building  
1221 Oak Street, Oakland, CA 94612

**Summary/Action Minutes**

**I. Federal Legislative Update – CJ Lake**

**Schedule**

Both chambers are in recess this week. They will return next week.

**FY25 Appropriations**

House Appropriations subcommittees and the full House Appropriations Committee have held markups of Fiscal Year 2025 spending bills throughout the month. The House has approved four bills (Defense, Homeland Security, Military Construction-Veterans Affairs, and State-Foreign Operations). Appropriations subcommittees have approved all twelve spending bills, including their five final subcommittee markups last week (Labor-HHS-Education, Transportation-HUD, Interior-Environment, Energy and Water, and Commerce-Justice-Science).

The full House Appropriations Committee has approved six bills. When Congress returns the week of July 8, they will finish the rest of their markups. Floor consideration will likely start the following week.

The Senate has not scheduled any markups of their spending bills. Final spending levels are not expected until both chambers pass their spending bills and negotiate a compromise, likely during a lame-duck session.

**Supreme Court Makes It Easier for Governments to Clear Homeless Encampments**

The Supreme Court decided on Friday that States, counties, and cities can remove tent encampments in their jurisdictions. A 6-3 decision overturned the 9th Circuit Court of Appeals' decision upholding a 2020 lower court ruling in Grants Pass v. Johnson, which invalidated a southern Oregon city's anti-camping ordinance. Justice Neil Gorsuch, writing for the majority, concluded that the power to decide how to address homelessness largely rests with local officials. This will, in effect, grant governments more power to arrest, cite, and fine people who sleep outside in public places. It is now up to individual jurisdictions to decide whether to use existing ordinances or pass new ones to banish, cite, or arrest homeless campers when no alternative shelter exists.

**Supreme Court Overturns Chevron Deference**

On June 28, in a 6-3 opinion, the U.S. Supreme Court overturned the Chevron doctrine of over 40 years, requiring courts to defer to federal agencies' reasonable interpretations of ambiguous statutes.

The overturning of the doctrine limits the authority of regulatory agencies and may lead to legal challenges against thousands of well-established federal regulations across nearly every agency. Rather than deferring to federal agencies charged with implementing laws written by Congress, questions of interpretation will be left to the federal courts.

In effect, the federal courts can now decide how federal law gets interpreted at nearly every level. Though it has not changed the responsibilities of the federal agencies to execute laws written by Congress, specific regulations could be challenged more easily in court. The Supreme Court decision will require Congress to specify precisely what agencies can and cannot do, dramatically increasing the expertise required at the Congressional level to draft effective legislation.

### **Trump Immunity Case Decided**

In a 6-3 majority written by Chief Justice John Roberts, the Supreme Court on Monday ruled that former presidents can never be prosecuted for actions relating to the core powers of their office as determined by the Constitution, giving former President Trump a partial win on criminal immunity. The case now returns to the lower courts for them to determine whether the conduct at the center of the charges against Trump was official or unofficial, furthering the delay of the case. It also could dramatically widen the scope of Presidential power.

The decision kept open the possibility that special prosecutor Jack Smith could still pursue his case against President Trump's actions on January 6<sup>th</sup>, to the extent that the charges were based on his private conduct rather than his official acts. Of course, if Mr. Trump wins in November, he could order the Justice Department to drop the charges.

#### **Purpose:**

- Report progress
- Advocacy or Education
- Request PAL\_Committee Recommendation or Position
- Other: Federal Update**

This item was informational only and required no Committee action.

## **II. Request for Legislation position – Action Items**

i. **[AB 1830](#) (Arambula) Corn masa flour and wet corn masa products: folic acid fortification**

*Recommendation: Support:* Colleen Chawla, Director, Alameda County Health

ii. **[AB 2075](#) (Alvarez) Resident Access Protection Act**

*Recommendation: Oppose:* Colleen Chawla, Director, Alameda County Health

iii. **[AB 2239](#) (Bonta) Digital discrimination of access: prohibition**

*Recommendation: Support:* Colleen Chawla, Director, Alameda County Health

iv. **[AB 2319](#) (Wilson) California Dignity in Pregnancy and Childbirth Act**

*Recommendation: Support:* Colleen Chawla, Director, Alameda County Health

v. **[AB 2401](#) (Ting) Clean Cars 4 All Program**

*Recommendation: Support:* Colleen Chawla, Director, Alameda County Health

vi. **[AB 2428](#) (Calderon) Medi-Cal: Community-Based Adult Services**

*Recommendation: Support:* Colleen Chawla, Director, Alameda County Health

vii. **AB 2740** (Waldron) **Incarcerated persons: prenatal and postpartum care**  
*Recommendation: Support:* Colleen Chawla, Director, Alameda County Health

viii. **SB 1180** (Ashby) **Health care coverage: emergency medical services**  
*Recommendation: Support:* Colleen Chawla, Director, Alameda County Health

### **Speaker**

Cynthia Prieto-Diaz spoke in support of AB 2401 (Ting) Clean Cars 4 All Program.

### **Purpose:**

- Report progress
- Advocacy or Education
- Request PAL Committee Recommendation or Position**
- Other:

**Recommendation from the PAL Committee: Support. Move to the full Board of Supervisors.**

### **PUBLIC COMMENT**

None.

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