

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

Monday, December 7, 2015

1:30 p.m.

Supervisor Keith Carson, Chair
Supervisor Wilma Chan

Location: **Board of Supervisors Chambers – Room 512 5th floor**
County Administration Building
1221 Oak Street, Oakland, CA 94612

Summary/Action Minutes

I. Federal Legislative Update – CJ Lake

The House and Senate are in session this week as they try to wrap up a must-pass \$1.1 trillion spending measure by December 11, 2015. Speaker Ryan has told Members that there will likely be a continuing resolution at the end of this week that will provide enough time to finish the omnibus bill to avoid a government shutdown.

Appropriations

The House and Senate have until December 11th to work out differences on the final omnibus appropriations deal, as the current Continuing Resolution (CR) is set to expire on that date.

On November 5, 201, the Senate approved the Military Construction-Veterans Affairs appropriations bill. However, this is the only spending bill that the Senate has approved. This piece of legislation will likely be the legislative vehicle on which the omnibus appropriations bill will move.

The delay in a final deal is due to various policy issues rather than funding levels. With the current CR expiring this week, there is increasing pressure from Republicans to use the omnibus spending bill to force President Obama into accepting several controversial policy riders. These include provisions that would restrict the Syrian refugee resettlement program as well as prohibit the use of funds to implement the Waters of the United States regulation, prohibit funding for Planned Parenthood, and an effort to repeal certain provisions of the Affordable Care Act, in addition to others.

Congress may need to pass one more short-term CR with the expectation that both Chambers pass the final omnibus before they leave prior to the holidays.

Surface Transportation: FAST ACT

Last week, Congress released the text of the Conference Report on H.R. 22, which was the vehicle for the multi-year surface transportation bill. Formally named the Fixing America's Surface Transportation or FAST Act, the bill provides \$305 billion in authorizations for highways, transit, highway safety, motor carrier safety, and passenger rail programs (AMTRAK).

The House of Representatives voted approve the measure and the Senate followed suit. President Obama signed the bill on December 4, 2015 welcoming the measure as a show of bipartisanship at work. Passage of the FAST Act marks the first time since 2005 that transportation policy has been re-authorized for more than two fiscal years.

ESEA Reauthorization

Last week, the House of Representatives overwhelmingly passed the No Child Left Behind (NCLB) rewrite, known as the Every Student Succeeds Act (S. 1177).

The finalized bill was a bipartisan effort striking a balance between protecting poor and minority students from neglect in failing schools and returning more control over public education to states and local school districts. The bill dispensed with several of NCLB's major requirements including one that required schools to move towards having all students reading on grade level or face consequences. However, states are still obliged to establish ways of identifying failing schools and ways to improve them. The bill would also prevent the education secretary from pushing national standards like the Common Core.

The Senate is expected to take up and pass the legislation tomorrow. Later in the week, President Obama will sign the bill into law.

Mental Health Legislation

The House Energy and Commerce Committee has not yet scheduled a full session to markup Representative Tim Murphy's legislation (H.R. 2646) "Helping Families in Mental Health Crisis Act of 2015." However, Speaker Paul Ryan gave the legislation a boost with his recent positive comments pushing for the bill as a response to gun violence.

Democrats on the Energy and Commerce Committee failed to pass their alternative proposal to the Murphy bill, but they are hoping Committee Republicans will be open to negotiations prior to taking the bill to the full Committee. Energy and Commerce Committee Chairman Fred Upton wants to move a bill forward and said there will be time to resolve disagreements over the legislation.

The Senate Health Education Labor and Pensions (HELP) Committee plans to hold additional hearings and mark-ups early next year on the "Mental Health Awareness and Improvement Act" (S. 1893) as well as the bipartisan "Mental Health Reform Act" (S. 1945).

Criminal Justice Reform

The bipartisan Sentencing Reform and Corrections Act of 2015 (S. 2123) successfully garnered four more Republican cosponsors in the month of November for a total of 14 Democrats and 12 Republicans. Increased support for the Senate bill mirrors the boost in bipartisan efforts for criminal justice reform in the House.

Two criminal justice reform bills have been offered in the House, Rep. Jim Sensenbrenner and Rep. Bobby Scott's bill "SAFE Justice Reinvestment Act" (H.R. 2944) and the House counterpart of the Senate's Sentencing Reform Act of 2015 (H.R. 3713), authored by House Judiciary Committee Chairman Bob Goodlatte and Representative John Conyers.

The Sentencing Reform Act of 2015 has opposition from House Members similar to the opposition from Senate conservatives stemming from the reduction of mandatory minimums. Representative Scott has said there are numerous provisions that would have improve Chairman Goodlatte's bill, but he admits the Chairman's legislation is the most likely bill to reach the House floor.

Purpose:

- ☐ Report progress
- ☐ Advocacy or Education
- ☐ Request PAL Committee Recommendation or Position
- ☒ **Other: Federal legislative update**

This item was informational only and required no Committee action.

II. State Legislative Update –Platinum Advisors

Moderate Democratic Caucus

Assemblyman Henry Perea from Fresno announced his resignation at the end of December. Perea, who chairs the Moderate Democratic Caucus, would have been forced from the Assembly by term limits in November 2016, but has opted to leave early for a job in government relations. In an interview, Perea said he is considering two positions and expects to make a final decision in the next two weeks.

New Speaker Scheduled

At the end of session, the Assembly Democrats selected Assemblyman Anthony Rendon to be the next Assembly Speaker. Speaker Toni Atkin's office announced today that the formal vote elevating Assemblyman Rendon to Speaker will be on January 11, 2016. The swearing in ceremony and transition will then be held on March 7, 2016.

Legislative Analyst's Office

The Legislative Analyst's Office (LAO) Fiscal Outlook Report states that the budget is better prepared for an economic downturn than it has been in decades. The LAO predicts that 2015-16 will end with a \$3.5 billion surplus, which will be consumed by Proposition 2, and the 2016-17 fiscal year could end with a reserve of 11.5 billion.

Special Session on Health Care Financing

The Special Session Committee on Health Finance met in Los Angeles on Tuesday, December 1, 2015 to discuss reauthorizing and revising the current managed care organizations (MCO). Although progress hasn't been made on negotiations, the Committee met to keep the subject on the forefront as the current tax expires on June 30, 2016. The one new discussion item that brought some concerns was the Legislative Analyst's Office recent report estimating a possible revenue surplus of \$4 billion in 2017. The prediction is likely to make passage of the revised measure more difficult in the Legislature. Some legislators believe that the revenue surplus could be directed to cover the projected short fall of the MCO. The lack of an MCO tax will be reflected as a \$1.1 billion hole in the Medi-Cal budget when the Governor releases his 2016-17 budget proposal in January.

The latest proposed revision is designed to impact health plans as little as possible. It would contain tiered rates on enrollment that are different for plans serving Medi-Cal patients versus plans that do not serve Medi-Cal.

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III. 2015 Alameda County Legislative Highlights/ IV. 2016 Alameda County Legislative Platform

[Attachment](#)

[Attachment](#)

Myrna Lopez, Principal Analyst, County Administrator's Office presented highlights of the County's 2015 Legislative Platform and the proposed 2016 Legislative Platform.

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

PUBLIC COMMENT

None.

Board of Supervisors' Committees agendas are available via Internet at: www.acgov.org

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