

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

Monday, July 9, 2018
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 not in session this week. Congress will remain in a district/state work period until they resume legislative action on July 9.

FY19 Appropriations

Senate status

The Senate Appropriations Committee approved all 12 spending bills last week with the approval of the Labor-HHS-Education and Defense spending bills. Appropriators agreed to preserve funding for the Title X family planning program and Teen Pregnancy Prevention program in the Labor-HHS bill. Majority Leader McConnell (R-KY) has said that they are working to bring the bills to the Senate floor quickly. Last week, the Senate also passed H.R. 5895, the Energy & Water, Military Construction-VA, and Legislative Branch minibus, on a vote of 86-5.

House status

House Republican Appropriators again delayed the Labor-HHS-Education and Homeland Security bills due to backlash over the Trump Administration's immigration policies. The House approved a motion to go to conference with the Senate on the first appropriations minibus (Energy & Water Development, Military Construction-Veterans Affairs, and Legislative Branch). Last Thursday, the House also passed its Defense spending bill, H.R. 6157, on a vote of 359-49.

Immigration

The Goodlatte-McCaul immigration reform bill (H.R. 4760) failed to pass the House, 193-231, with a number of Republican moderates and all Democrats voting against the bill. The "compromise" bill negotiated by the House Freedom Caucus and the more moderate Republican Members pressing for immigration reform was scheduled for a vote the same day, then was postponed and pushed again to last week. Last Wednesday, that bill (H.R. 6136) failed by an even larger margin, 121-301, this time with Democrats and Freedom Caucus members voting against the proposal.

A bipartisan group of Senators (Feinstein & Durbin and Cruz & Tillis, nicknamed the "Gang of Four") are negotiating a bill to address the issue of family separation at the border as part of the "zero-tolerance" policy put in place by the Administration. One proposal was to supersede the *Flores* settlement and specifically permit detention of minors for more than 20 days. That is unlikely to be the final language in the bill, however, and while the group shares an interest in finding a solution, there is little to suggest that they are close to an agreement. Any proposal will not be taken up until after the July 4th recess, at the earliest.

Customs and Border Protection made their policy of not referring families intercepted after crossing the border to DOJ for prosecution.

DOJ will continue to prosecute those referred to them by CBP, but this essentially ends the “zero tolerance” policy with respect to families. Regarding those children already separated from their families, the federal court in San Diego has given the Administration a timeline to reunite children and parents. DOJ continues to seek changes to the *Flores* settlement to allow detention exceeding 20 days and in facilities not already licensed by a state. Both cases will continue to play out over the coming weeks.

Senate Farm Bill

The Senate approved its version of the Farm Bill by a bipartisan vote of 86-11. The bill would re-authorize farm, nutrition, conservation, trade, energy, rural development, and other Agriculture Department programs for five years. The current authorization is set to expire on September 30.

The Senate bill would make slight changes to the Supplemental Nutrition Assistance Program (SNAP). Unlike the House bill, the legislation does not include a revamp of the SNAP program with expanded work requirements for program participants. A national clearinghouse would be created to prevent individuals from receiving duplicate SNAP benefits in more than one state, based on a pilot project under previous farm bills. The measure would also authorize “workforce partnerships” with private employers or nonprofits to provide job training to meet existing work requirements.

Other changes to SNAP would include:

- Authorizing several pilot projects, including for job training and income verification.
- Extending the certification period for elderly or disabled households to three years, instead of two years, if they have no earned income.
- Allowing retailers to offer incentives to SNAP participants to purchase healthy foods.
- Reducing performance bonus payments to states to a total of \$6 million per year, from \$48 million, and awarding them only for timely application processing.

SCOTUS

Justice Anthony Kennedy announced on June 27 that he will retire from the Supreme Court at the end of July. President Trump has begun reviewing top prospects and said he will make his replacement official on July 9. The Senate Judiciary Committee will likely hold hearings beginning at the end of July/August timeframe with hopes of the full Senate confirming the new Justice before the midterm elections. With a small margin for error, Majority Leader McConnell will have to ensure the Republican Conference supports the SCOTUS nominee. We expect Senators Susan Collins (R-ME), Lisa Murkowski (R-AK) and moderate Democrats up for reelection in 2018 to be the decisive votes.

Purpose:

- Report progress
- Advocacy or Education
- Request PAL_Committee Recommendation or Position
- Other: Federal Update**

Request for Legislation position – *Action Item*

II. State Legislative Update – Brownstein Hyatt Farber Schreck

The Legislature adjourned for Summer Recess in the afternoon on July 5 – the Senate stayed on an hour or so later in an attempt to work through as many file items as possible before heading back to their districts. The Legislature will return from Summer Recess on Monday, August 6, after which they will be faced with the final push of sending all fiscal bills to the floor and on to the Governor before the August 31 deadline. The Governor will then have 30 days to sign or veto all bills sent to him by the Legislature. Needless to say, things are moving very quickly at the end of this two-year session.

Update on County Sponsored Bills

AB 2111 (Quirk), Alameda County's sponsored bill, which will align CalWORKs sponsor deeming provisions with those used for CalFresh for sponsored non-citizens indigence determinations, was placed on the Appropriations Suspense File for action in August when the Legislature returns from Summer Recess.

Statewide Soda Tax

The Legislature passed and Governor signed AB 1838, officially withdrawing the supermajority tax initiative from the November ballot. The final agreement prohibits local governments from imposing any taxes or fees on sweetened beverages until 2031, but does not repeal existing taxes and fees on those products imposed prior to January 1, 2018. The following Tuesday, two of the state's largest health care groups, the California Medical Association (CMA) and the California Dental Association (CDA), announced that they would pursue an initiative to create a statewide soda tax. According to a statement released by the CDA, "the 2020 ballot initiative by CDA and CMA would implement a statewide tax on sugar-sweetened drinks, providing at least \$1.7 billion in revenue for critical health programs and constitutionally preserving the ability of California's local communities to make their own decisions regarding future soda taxes." Not wasting any time, the proposed initiative, "The California Sugar-Sweetened Beverages Tax Act of 2020," was subsequently been submitted to the Secretary of State for title and summary. If successful, the initiative would appear on the 2020 ballot.

Universal Healthcare

In November, California will decide who will be its next Governor. As the June 5 primary and numerous other factors have indicated, Gavin Newsom, current Lieutenant Governor, is most poised contender to take on this role. His campaign has been largely focused on advocating for the creation of a single-payer health care system in the state – a topic that has been a priority for the Legislature over the past couple of years and certainly one of high public interest.

As you know, California attempted enacting a single-payer system last year via legislation, but it was the subject of much controversy due to its fiscal ramifications and the lack of an identified source of funding for such a massive undertaking. While Newsom has acknowledged that a single-payer system is not likely to happen in the near future, and could take years to actualize, he has expressed his willingness to pursue this nonetheless.

Wildfires

Following some of the most devastating wildfires in California's history, Governor Brown and legislative leaders committed to delivering a solution that will protect the state against future disasters. Continuing this effort, the Legislature moved SB 901 (Dodd) to conference committee where it will be discussed more thoroughly and will provide an appropriate place to continue the state's progress. Specifically, the committee will consider provisions of the plan outlined in March to update rules and regulations for utility services such as:

- Strengthen fire prevention activities such as vegetation removal, infrastructure maintenance, utility company inspections and temporary shut off of power during extreme weather;
- Continue to ensure that those who cause wildfires are held accountable for damages associated with them;
- Appropriately determine responsibility for a wildfire;
- Ensure fair allocation of wildfire prevention and response costs in a manner that protects ratepayers; and
- Require utilities to annually submit to the state more expansive and detailed wildfire and emergency preparedness plans.

The Senate and Assembly have each appointed members to the 10 member conference committee as follows: Senator Bill Dodd (Chair), Senator Anthony Canella, Senator Ben Hueso, Senator Hannah-Beth Jackson, Senator Jeff Stone, Assemblymember Chris Holden (Co-Chair), Assemblymember Brian Dahle, Assemblymember Chad Mayes, Assemblymember Eloise Reyes, and Assemblymember Wood. The committee is expected to work on this matter over the summer.

Sanctuary State Initiative

The proposed initiative to repeal California's sanctuary state immigration laws has been issued a title and summary, clearing the first of many hurdles and is now in circulation for signature gathering. The measure, known as the "Children, Family, and Community Protection Act," does the following: 1) Requires state and local law enforcement to attempt to verify the immigration status of arrestees suspected of being in United States without documentation and notify federal and state agencies when arrestees appear to be undocumented; 2) Prohibits local governments and law-enforcement agencies from preventing or limiting cooperation with federal immigration authorities; 3) Sets criminal penalties and minimum \$10,000 fines for noncompliance, 4) Prohibits automatic voter registration; requires an affidavit for voter eligibility; and 5) Prohibits issuing driver's license or identification card without verifying citizenship or immigration status. The initiative will need 365,880 signatures by December 19, 2018 to qualify for the November 2020 ballot.

No Place Like Home Webinars

The Department of Housing and Community Development will be holding informational webinars regarding the No Place Like Home County Designation process. These webinars will provide guidance to counties considering administering a Shared Housing program and counties eligible for the Alternative County Process, on completing the required information and submission process. The webinar dates and times are as follows: Alternative Process County Designation Webinar, Tuesday, July 10, 2018 1:00 pm – 3:00 pm and Optional Shared Housing Designation Webinar, Thursday, July 12, 2018 10:00 am – 12:00 pm.

Purpose:

- Report progress
- Advocacy or Education
- Request PAL_Committee Recommendation or Position
- Other: State Update**

Request for Legislation position – Action Items

- i. **SB 1004 (Weiner/Moorlach) Mental Health Services Act: prevention and early intervention**

Recommendation: Oppose unless amended: Colleen Chawla, Director, Health Care Services Agency and Lori A. Cox, Director, Social Services Agency – continued from July 2, 2018

Purpose:

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

Recommendation from PAL Committee: CAO Staff to add amendments from the Probation Department to SB 1004.

PUBLIC COMMENT

None.

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