

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

Monday, September 14, 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

Last week, the House and Senate returned from the August recess. House and Senate leaders will work FY16 appropriations, surface transportation financing and policy, extending expiring tax provisions, and raising the debt ceiling. Also there are expiring authorizations related to the FAA, TANF, and Child Nutrition programs. Congress must act on a resolution to disapprove of the Administration's nuclear deal with Iran by September 17, 2015.

Appropriations

There are eight (8) legislative days remaining on the calendar between now and October 1, 2015. The House Appropriations Committee Chairman Hal Rogers plans to take up a Continuing Resolution (CR) this week to keep the government funded once the new fiscal year begins.

Some Congressional Republicans will oppose any spending legislation that includes funding for Planned Parenthood. The House and Senate Republican Leadership are trying to devise a strategy that would avoid a government shutdown. The House Republican leadership has offered to take up separate legislation this week that would defund Planned Parenthood for one year

In the Senate, Majority Leader Mitch McConnell says Republicans do not have the votes to defund Planned Parenthood, but plans to file cloture this week on pro-life legislation. Republican leaders would prefer to keep language to defund the group out of any appropriations bill in order to avoid any potential government shutdown.

Surface Transportation Reauthorization

The House action on a surface transportation bill has slowed. Originally, the Transportation & Infrastructure Committee was preparing to mark up the bill this Thursday. However, Chairman Shuster has said the mark-up will likely happen in October if not later.

The Republican majority and Democrat minority have been working in a bipartisan fashion, but they cannot reach consensus on several key policy provisions to include Buy America provisions, extension of a deadline to adopt Positive Train Control, and truck size & weight limitations. Also the House Ways and Means Committee still has not decided on a path forward regarding revenue measures that would finance the Highway Trust Fund.

House Transportation and Infrastructure Chairman Shuster and Ranking Member DeFazio both indicated that another extension was the only way forward as policy is set to expire on October 29, 2015.

Secretary Foxx has suggested that the Highway Trust Fund may have enough revenue to last into June of 2016, which would take some pressure off of Congress to act immediately.

The agency says that the \$8 billion extension passed by Congress in July 2015 will cover payments to states for transportation projects until the end of the third quarter of the 2016 fiscal year. The extra funding cushion could give Congress cover to pass another temporary extension of federal highway funding instead of finishing work on a multiyear transportation bill, which has been sought by infrastructure advocates for years

Child Nutrition Programs

The Senate Agriculture, Nutrition and Forestry Committee plans to hold a markup on Thursday, reauthorizing \$30 billion in annual spending on child nutrition programs. Committee staff worked through the August recess in a bipartisan fashion in order to reach a deal on a long-term authorization. Even if the Senate Agriculture Committee is able to reach a deal on nutrition standards and standards to determine eligibility for free lunches, it still would not be enough time for the House to act. The House Agriculture Committee has held several hearings on the current program, but has not yet begun drafting legislation.

Sanctuary Cities

On July 23, 2015 the House passed H.R. 3009 or the “Enforce the Law for Sanctuary Cities Act,” denying SCAAP funding to any jurisdiction that prohibits officials from taking action in respect to immigration.

On Thursday, the Senate Judiciary Committee is marking up the Stop Sanctuary Cities Act (S. 1814). The legislation would withhold SCAAP and Byrne funding for cities and other local governments that defy federal detainer requests. Senate Democrats on the Committee have already said they cannot support the legislation.

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

The Legislature has adjourned until January 4, 2016. Approximately 249 bills were sent to the Governor during the final days of the session. However there was no agreement on funding healthcare and no funding package on transportation, and legislation was not passed to increase regulation on tobacco products and no agreement reached on appropriating the bulk of Cap & Trade funds.

Healthcare Funding

The restructuring of the managed care organization (MCO) tax remains incomplete, which will be reflected as a \$1.1 billion gap in the Medi-Cal budget. It is possible that legislators will return to negotiate a fix. Senator Ed Hernandez proposed SBX2 14, which contains a \$2 tax on tobacco, the inclusion of electronic cigarettes in the definition of tobacco and a revised MCO tax. The bill was presented to the Senate Committee on Public Health and Development Services. The language for the plan is not complete and health plans are in opposition to the bill.

Transportation Funding

The Governor proposed a scaled back plan that would generate \$3.4 billion annually and include money for maintenance and rehabilitation of roadways, funding for public transit and complete streets and policy reforms. The Republicans would not support a proposal that contains new taxes. Although the Regular Session on transportation has ended, the Special Session on Transportation will continue in an effort to reach a deal.

Leadership Change

Senator Jean Fuller has taken over for Senate Minority Leader Bob Huff. Assembly Speaker Toni Atkins announced last week that Assemblyman Anthony Rendon will be voted as her replacement in January 2016. Assemblywoman Kristin Olsen from Modesto is termed out and Assemblyman Chad Mayes will take over in January as Assembly minority leader.

Climate Change

SB 350 was the Pro Tem de León's effort to codify the Governor's Executive Order reducing petroleum use by 50%, increasing building efficiency by 50%, all by 2030. The bill has been amended to remove the petroleum reduction goals, which allowed many of the moderate Democrats to support the bill. While the petroleum reduction goal will not be in statute, CARB can still move forward on this goal pursuant to the Executive Order.

Speaker Atkins amended AB 1288 to add two (2) new members to the Air Resources Board. The new members would represent disadvantaged communities burdened by air pollution.

Cap & Trade

The 2015/2016 state budget did not appropriate any Cap & Trade funds, other than the continuously appropriated funds. These funds include the allocations for high speed rail, transit operations and capital, and affordable housing. The funds not appropriated totaled over \$1 billion. The Legislature approved a stop-gap measure that appropriated Cap & Trade funds needed to cover staffing costs and to provide funds to cover rebates for clean vehicle purchases, weatherization grants and other smaller appropriations. Failure to pass a complete expenditure plan will place many programs at CARB, the CEC and other departments in limbo, which must now wait until January for a resolution.

Cybersecurity

Governor Brown signed an Executive Order directing the Governor's Office of Emergency Services to establish the California Cybersecurity Integration Center (Cal-CSIC). The order was prompted by increasing cyber-attacks worldwide. Cal-CSIC will establish a multi-agency Cyber Incident Response Team to lead in detection, reporting, response and coordination of efforts to ward off attacks. Several entities will work together to coordinate and share information with the State, local governments, academic institutions, tribal governments and others as necessary. Cal-CSIC will develop a statewide strategy to improve California's ability to identify, understand and reduce threats.

End of Life Option Act

The Special Session End of Life Option Act, (ABX2 15, Eggman) was the only special session bill submitted to the Governor. The bill would allow a terminal patient under specified circumstances to obtain a prescription to end their own life. It is unknown at this time if the Governor will sign the bill into law.

Ballot Initiatives: Filing Fees

In response to some outlandish initiative proposals, the Legislature passed and the Governor signed AB 1100 (Low) to raise the fee to file ballot initiatives with the Attorney General from \$200 to \$2,000.

The Legislature is attempting to dissuade the public from filing initiatives that are clearly unconstitutional and unreasonable for the State to adopt. The filing fee has not been increased since 1943.

Wage Parity

The Governor pledged to sign SB 358 (Jackson) into law. The measure will require that men and women are paid equally for substantially similar work and allow for discussion of salary while on the job. The business community and the California Chamber of Commerce support the bill. The bill will include the public sector.

Earned Income Tax Credit Tool

The California Budget and Policy Center recently shared a tool to examine how the new earned income tax credit (EITC) proposed by Governor Brown will impact families. The EITC is projected to decrease revenues by \$380 million annually beginning January 1, 2016. The EITC would provide tax credit to individuals who make less than \$6,580 per year or families with three (3) or more dependents making less than \$13,870 per year.

Purpose:

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

Request for Legislation Position – Action Item

i. **SCA 5 (Hancock, Mitchell) Property Tax Fairness Amendment**

Recommendation: Support: Keith Carson, District 5, Board of Supervisors

Purpose:

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

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

PUBLIC COMMENT

None.

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