

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

Monday, December 8, 2014
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

FY15 Appropriations

The Continuing Resolution (CR) is currently funding most federal agencies at FY14 levels through December 11. Congress needs to pass another CR, an omnibus, or a combination of the two, or face a government shutdown. The House Republican leaders have put forth a plan to pass a so-called “CRomnibus” which is a combination of both a Continuing Resolution and Omnibus appropriations bill. The omnibus portion of the package contains 11 appropriations bills that would fund most government agencies until the end of the fiscal year, September 30, 2015.

According to House Appropriations Chairman, Hal Rogers, the Department of Homeland Security would be funded until sometime in February or March so that Republicans can address President Obama’s executive actions on immigration and possibly defund some Department of Health Services programs when they control both the House and the Senate early next year.

House Appropriations Chairman Rogers and Senate Appropriations Chair Barbara Mikulski plan to file the CRomnibus legislation in the House early next week and pass it on the House floor, giving the Senate time to pass the legislation before the current CR expires. Most bills have been fully confereced, with only a few outstanding issues. Those issues including a several policy riders impacting everything from medical marijuana in the District of Columbia, and national labor and environmental regulations, to regulations requiring rest periods for long-haul truckers.

If the House and Senate are unable to come to agreement on the various policy riders, Congress could decide to simply pass a CR at FY14 levels for all federal agencies, rather than solely for the Department of Homeland Security.

Immigration

On December 4, House Republicans approved a bill sponsored by Congressman Ted Yoho as a response to the Administration’s announcement that it would defer some deportations for family unity purposes and provide work authorization to 5 million illegal immigrants. The legislation clarifies that the Executive Branch does not have the authority to exempt categories of persons in violation of the law and thus has no legal effect. The legislation was seen as a symbolic gesture by the GOP leadership to the conservative members of the Republican Caucus in the hopes that the caucus would allow the appropriations package to move forward.

Tax Extenders Package

Last week, the House passed a tax package, which retroactively extends over fifty (50) tax incentives that expired in December 2013, but only extends them through December 2014. The Senate is expected to take up the bill later in the week.

Last week talks broke down on a broader bipartisan bill that would have made permanent about ten (10) tax incentives including the pre-tax transit benefit. The talks broke down when President Obama issued a veto threat because the package did not include an extension of the Earned Income Tax Credit or of the Child Care Tax Credit, both of which expire in 2017.

Purpose:

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

II. State Legislative Update

Governor Brown announced that his swearing-in ceremony would be held on January 5, 2015 at 10:00 am on the Assembly Floor. His inauguration speech will also serve as his constitutionally required State of the State address.

AB 45 Household Hazardous Waste

Assembly bill 455 was introduced last week and contains intent language stating that the primary means of household hazardous waste collection should be through local government programs. The measure was introduced, according to the author, because California currently has “fragmented and confusing” policies surrounding the disposal of household hazardous waste and collection of the materials door-to-door or curbside is cost effective and convenient. Pharmaceutical manufacturers and Waste management are expected to support AB 45, which may be detrimental to Alameda County’s Safe Drug Disposal Ordinance.

AB 47 Preschool for All Act

The goal of AB 47 is to expand access to preschool for all low-income 4-year olds, which is estimated at approximately 32,000 children. As written, the measure would require the Department of Education to report to the Legislature and Department of Finance by June 1, 2016, a plan including how many new facilities would be needed to allow all children access to one year of preschool or kindergarten.

Medi-Cal Provider Rates

Since the Legislature passed a 10% provider rate cut in 2011 as a budget saving measure, they have been looking for ways to reverse the policy. The cut was tied up in court until 2013 when it was implemented. Last year, AB 1805 (Skinner) attempted to reinstate provider rates, but was unsuccessful. According to Senator Richard Pan, former chair of the Assembly Health Committee, the Legislature may approach the subject of inadequate provider rates a bit differently in the coming year. They are considering a 5% reinvestment or targeted increase based on provider type. Lawmakers have become increasingly concerned about access issues, but thus far the Department of Health Care Services has denied Medi-Cal that recipients aren’t receiving care in a timely manner.

Cap & Trade Exemption

A group of Senate and Assembly Republican members have renewed their effort to exempt fuels from the Cap & Trade auction. Several bills have been introduced that would delay including fuels in the Cap & Trade auction until 2020. The bills include; AB 23, (Patterson), SB 5 (Vidak) and SB 1(Gaines), which

exempt fuels until 2025. Transportation fuels are scheduled to be in the auction starting in January and these emission credits are expected to double the amount of cap & trade auction revenue. Being targeted the “hidden tax” the exemption effort is the continuation of what was a bi-partisan effort started last session. Last year’s bills were never heard in committee but if has prices do spike after the first auction is held, this proposal will be a closely contested effort.

In addition, Assemblyman Perea has introduced AB 21. While this bill does not exempt fuels from the auction, it directs CARB to recommend to the Legislature and Governor GHG reduction targets for 2030 that can be accomplished in a “cost-effective” manner.

Public Health Director

Ron Chapman, the State’s Public Health Director will step down from the position at the end of January. He has held the post since 2011 but has faced criticism in the past year about the lack of oversight of state nursing homes. Also Toby Douglas, Director, of the Department of Health Care Services has announced his resignation effective in January 2015. Announcement is expected in the next two weeks as to who will be named the new Director.

California Children’s Services

California Children’s Services (CCS) serves children with chronic and complex medical conditions including cystic fibrosis, cerebral palsy and cancer. The program is a carve-out in Medi-Cal, which prevents it from being rolled into managed care. Advocates are concerned that once the carve-out sunsets on January 1, 2016 children may have to change providers if they are forced into managed care.

On Tuesday Platinum Advisors attending the California Children’s Services Stakeholder Meeting. Stakeholders attended the meeting, included staff from local government health programs, health plans and providers. The Department of Health Care Services began the meeting with the stated goal of finding ways to improve outcomes and provide quality measures within CCS. Meeting attendees asked that some common ground be established prior to proceeding through the stakeholder process. The next meeting will be held in January.

Purpose:

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

III. 2014 Alameda County Legislative Highlights

[Attachment](#)

Myrna Lopez, Principal Senior Legislative Analyst, County Administrator’s Office, presented the County’s Legislative Highlights for the year 2014. The highlights included County sponsored State bills and adopted positions in respect of over 75 State bills representing 21 different policy areas and conducted advocacy on a broad range of federal issues.

Purpose:

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

IV. 2015 Alameda County Legislative Platform

[Attachment](#)

Myrna Lopez, Principal Senior Legislative Analyst, County Administrator's Office, presented the County's proposed 2015 Legislative Platform.

Supervisor Wilma Chan added amendments to the

Purpose:

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

PUBLIC COMMENT: None.

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