

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

Monday, January 27, 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

Supervisor Keith Carson called the meeting to order.

I. Federal Legislative Update

The House and Senate are both in session this week, although the House will only be in session until Wednesday, when it will adjourn for the Republican issues retreat. The Senate will be in session the entire week. President Obama will give his State of the Union tomorrow night, January 28, 2014. The Administration announced last week it will submit the FY15 Budget on March 4, 2014.

The House Rules Committee will hold a hearing Monday to set the floor procedures for a vote this week on legislation to ban government funding for abortions. The legislation would prohibit federal funding of elective abortions. The Senate is not expected to take up the legislation.

The Senate plans a procedural vote Monday on a bipartisan bill that would delay some flood-insurance rate increases, which is expected to pass. A similar bill has been proposed in the House.

State of the Union

Several Administration officials are saying 2014 will be the “year of action” for President Obama, and believe that the president will use executive action to the best of his ability to implement policy goals without Congress’ approval.

In addition, the president plans to focus on wealth disparity during his speech. One important item to note is that the president will announce that he has secured pledges from some of the nation’s largest employers to not discriminate against the long-term unemployed when evaluating job applications. Given Congress’ inability to pass a bill to extend long-term unemployment benefits, this is one of the ways the White House feels it can act without having to wait for Congress.

President Obama will also push Congress to take legislative action on issues related to economic mobility: universal pre-kindergarten programs. President Obama’s FY14 budget request also included funding for universal pre-kindergarten, but Congress did not act on it.

Unemployment Insurance Extension

The Senate was unable to move forward on an Unemployment Insurance extension prior to the Martin Luther King recess because they could not reach a deal on amendments. Leadership discussions continued during last week’s recess and Leader Reid plans to bring up the bill at some point in February.

The emergency program provides four tiers of extra unemployment benefits to workers who have exhausted their regular unemployment benefits that last 26 week.

Farm Bill

House and Senate conferees were told to return to DC for a meeting to discuss the final Farm Bill. The conference report is expected to be filed today. The House leadership is expected to bring the bill to the floor for a final vote on Wednesday.

The bill will likely generate about \$24 billion in 10-year savings. A portion of the savings (\$200 million) from the \$9 billion cut over 10 years to the Supplemental Nutrition Assistant Program (SNAP) will be used for 10 pilot programs to test new ideas to help jobless beneficiaries receive training and find employment. The cuts come from the “Heat and Eat Program”. The change to the program would reduce, but not eliminate, SNAP payments based on heat-and-eat eligibility. There are no further specific details on the SNAP cuts.

Immigration

The Senate continues to wait for House action before there can be a conference on a House immigration bill and the Border Security, Economic Opportunity, and Immigration Modernization Act (S. 744) passed by the Senate 68-32 on June 27, 2013.

In the last few weeks, House Republicans have discussed moving on piecemeal legislation rather than a comprehensive bill. President Obama has said he is open to a piecemeal approach, but has said all components must be dealt with in the end. Speaker Boehner plans to lay out principles at the Republican issues retreat later this week, including boarder security and enforcement.

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

All two-year bills remaining in their house of origin must pass to the second house in order to be considered by the Legislature this year. A large number of new bills will be introduced in the coming weeks, due to last week’s deadline requiring bill requests to be submitted to Legislative Counsel for drafting. New bills must be in print for thirty days prior to being heard in policy committees allowing time for the public to review the measures. The bill introduction deadline is February 21st.

Budget

Both the Assembly Budget and Senate Budget Committees convened for an overview of the Governor’s Budget proposal following its release. According to Legislative Analyst Mac Taylor, “the budget is great for the schools, not so much for the rest of the budget.” Democrats are particularly unhappy that the Governor did not include more restorations to safety net services for the poor. Concerns from Republicans include funding for high-speed rail, a lack of emphasis on job creation, and the need to do more to build reserves and pay down debt. The following chart from the Department of Finance shows estimates of the State’s debts and liabilities.

Debts and Liabilities	Outstanding debt	
State retiree health care benefits		\$63.8 billion

State employee pensions	\$45.5 billion	
Teacher pensions	\$80.4 billion	
University of California employee pensions		\$12 billion
University of California retiree health care benefits		\$13 billion
Judges' pensions	\$3.1 billion	
Maintenance of Proposition 98 guarantee for education spending		\$4.5 billion
Unemployment Insurance debt to federal government		\$8.8 billion
"Wall of Debt," including outstanding bonds, debts to local governments and schools		\$24.9 billion
Deferred maintenance	\$64.6 billion	
Unissued bonds	\$33.9 billion	
Total	\$354.5 billion	

Both sides of the Legislature have expressed support for additional court funding above the Governor's \$105 million restoration. Democrats and Republicans agree to some extent with the Governor's proposal to build the reserve and exercise fiscal restraint.

State of the State Address

Governor Brown highlighted California's surplus and his proposal for a solid rainy day fund to help maintain the State's fiscal stability in his State of the State Address. Governor Brown emphasized the need to address California's worsening drought by stating, "Water recycling, expanded storage and serious groundwater management must all be part of the mix." He called on residents to use less water to mitigate the effects of the drought.

3-Judge Panel: Reduction in prison population

Negotiations between the State and attorneys representing prison inmates came to a standstill earlier this month prompting the Three-Judge Panel to order each side to submit a proposed solution to reduce the State's prison population to 137.5% of capacity by April 18th, 2014. The Administration is requesting an extension of the deadline to February 2016, the ability to utilize out-of-state prisons, and to pursue various methods to reduce the population. Plaintiff's lawyers requested that the population reduction be enforced in May 2014, allow the use of out-of-state prisons, and maintain court supervision to ensure the State complies with the overpopulation reduction order. Prisons are currently at 144% of capacity.

Leadership Changes

Both the Senate and Assembly Democrats have selected new leaders to take over for Senate Pro Tem Steinberg and Assembly Speaker Pérez later this year. Senator Kevin de León and Assemblywoman Toni Atkins both received caucus support. De León, from L.A. County was elected to the Assembly in 2006 and currently chairs the Senate Appropriations Committee. Senator DeSaulnier from Concord had been in the running until recently when he announced his intention to run for Congressman George Miller's seat.

Assemblywoman Toni Atkins, from San Diego, began serving in 2011 and is the Majority Floor Leader. She has announced that her primary interests for 2014 include finding ways to mitigate the drought, California's business climate, and education. Atkins was previously on the San Diego City Council for eight years as well as interim Mayor. Both de León and Atkins will be termed out in 2016.

The Kindergarten Readiness Act

Senate Pro Tem Steinberg is prioritizing universal transitional kindergarten this year with his legislation, SB 837. The measure would require every school district to offer voluntary transitional kindergarten for all four-year-olds or to contract with a private transitional kindergarten provider. Cost of the program for 350,000 eligible children is estimated at \$990 million annually which would be funded with current Prop 98 funds. Currently, only about 120,000 children are eligible for transitional kindergarten, and 40,000 of those children are enrolled in the program.

Plastic Bag Ban

Senators Kevin de León, Alex Padilla, and Ricardo Lara announced legislation (SB 270) last week to implement a statewide plastic bag ban beginning July 1, 2015. SB 270 will be amended to:

- Ban single-use plastic grocery bags and impose a 10-cent fee on alternative bags.
- Large grocery store chains would be required to accept used bags for recycling.
- Food stamp recipients would be exempted from the fee.
- \$2 million in recycling funds would be made available to retool manufacturing plants and retrain workers.

County Legislation

Safe Needle Disposal: Assemblyman Mark Stone carried AB 403 last year which would have required businesses selling sharps to establish a product stewardship plan to collect and dispose of used sharps. He will be carrying legislation again this year pertaining to the issue, but has not yet finalized language.

Safe Medication Disposal: Senator Hannah Beth Jackson carried SB 727 last year creating the Drug Abuse Prevention and Safe Disposal Program to require pharmaceutical producers to develop a program for the collection and disposal of unused medication. The measure was held in the Senate Environmental Quality Committee due to the opposition of pharmaceutical companies. The Chair of the Committee, Senator Jerry Hill requested that Senator Jackson work with the opposition of the bill and take up the issue again this year. She will be introducing a new bill also modeled after Alameda County's ordinance.

Healthcare for All Residents Regardless of Immigration Status: Senator Ricardo Lara is introducing legislation to ensure that all residents are covered.

Cardiopulmonary Resuscitation (CPR) Training: Platinum Advisors have been working with the Chair of the Assembly Education Committee, Assemblywoman Buchanan and for the American Heart Association to move legislation to teach CPR in schools. The Legislature is unlikely to pass a new mandate on teachers, but meetings will continue with potential authors and the Assembly Education Committee consultants.

Professional Licenses: Assemblyman Bonta will be authoring legislation to help remove barriers to licensing individuals with a prior conviction allowing them to obtain viable employment. The language is currently being drafted.

Protection of Local Revenues: Senator Loni Hancock will be including language in her constitutional amendment, SCA 11, to prevent the State from capturing local sales tax revenues and including them in State formulas effectively reducing aid to local governments from the State. The measure currently lowers the vote threshold for local agencies imposing, extending, or increasing a special tax from 2/3 to 55%.

Purpose:

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

This item was informational only and required no Committee action.

Request for Legislation Position – Action Item

i. SB 794 (Evans) Juries: criminal trials: peremptory challenges

*Recommendation: **Oppose:** Brendon Woods, Public Defender, Alameda County and Nancy O'Malley, District Attorney, Alameda County*

Purpose:

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- Other:

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

PUBLIC COMMENT

None.

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