

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

Monday, February 1, 2016  
1:30 P.m.

Supervisor Keith Carson, Chair  
Supervisor Wilma Chan

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

**Summary/Action Minutes**

**I. Federal Legislative Update – CJ Lake**

The House and Senate returned today and the House will focus their attention on another vote regarding curbing the easing of economic sanctions on Iran, modifications to some financial regulations and final passage of legislation reauthorizing the Coast Guard. The Senate will continue their work on bipartisan energy legislation as they consider numerous amendments on the Senate floor.

**House Democratic Retreat**

The House Democratic Caucus held its annual retreat in Baltimore last week to outline the Party's legislative agenda and discuss the upcoming presidential election.

Prior to the retreat, the President and Vice President met with House Minority Leader Nancy Pelosi and Senate Minority Leader Harry Reid to outline legislative priorities for the year. The priority issues discussed include: a bipartisan budget agreement, criminal justice reform, additional funding for efforts to cure cancer, the debt crisis in Puerto Rico, improving mental health services, and the opioid epidemic.

**Senate Energy Bill**

Last week, the Senate returned from recess and began consideration of a broad bipartisan energy package that could be the first major energy bill in almost ten years. The Energy Policy Modernization Act of 2015 (S. 2012) addresses the establishment and expansion of several programs relating to energy cybersecurity, efficiency, infrastructure and supply management. The legislation also includes a number of provisions to streamline the permitting or review process for several types of energy projects including natural gas exports and hydropower. In addition, the bill would permanently authorize several conservation accounts including the Land and Water Conservation Fund, which would allow appropriations to bring the fund's annual income to at least \$900 million. Finally, the bill also reauthorizes the Advanced Research Projects Agency-Energy (ARPA-E) program and authorizes new funding for various other energy-related demonstration projects, including a five-year authorization of funding to implement vehicle technology efficiency programs. The cost estimate sets the bill at \$40.4 billion from fiscal year 2016 through 2020.

After three days of consideration on the Senate floor, Members have filed over 200 amendments. Democrats still plan to offer more amendments regarding climate change and Republicans have filed amendments to prevent EPA greenhouse gas, ozone, and renewable fuel regulations as well as amendments addressing the Clean Power Plan and the Clean Water Rule.

Although the Senate has already approved 11 amendments in a bipartisan fashion, most of the action on the legislation will continue to occur throughout the week. The White House has issued a statement of concern regarding several energy efficiency provisions however, if the bill remains bipartisan and free of poison pill amendments, the Administration will likely support the measure.

### **Second Chance Act**

On January 12<sup>th</sup>, the House Judiciary Committee approved the Second Chance Reauthorization Act of 2015 (H.R. 3406). President George W. Bush originally signed the Second Chance Act into law in 2008, providing critical funding to re-entry programs offered by government agencies and nonprofits.

The Reauthorization seeks minimal changes to the original legislation, offering a few revisions and expansions to the current grant program requirements and imposing fund restrictions on organizations with offshore accounts and conferences using more than \$20,000 in Department of Justice funds. The authorization levels for the bill remain primarily unchanged, despite a fifty-percent decrease (from \$10 million to \$5 million) in funding for research related activity on re-entry program efficiency. During markup, Representative Sensenbrenner offered the only amendment which was approved that provides a technical change for extending the program funding through each of the fiscal years 2017 to 2022.

### **Criminal Justice Reform**

The Senate Judiciary Committee approved bipartisan criminal justice reform legislation (S. 2123) in October known as the Sentencing Reform and Corrections Act. Since that time, some Republicans in the Senate have come out in opposition stating the bill's provisions effectively loosening some mandatory minimums could lead to the release of violent criminals – a contention heavily disputed by the bill's supporters. Today, a number of the bill cosponsors, circulated a letter highlighting support from top law enforcement officials as conservative opposition threatens to derail the bill. Majority Leader Mitch McConnell has not indicated whether he will bring the bill to the floor.

### **Executive Action Update**

Last week, President Obama announced a series of executive actions including a ban on solitary confinement for juvenile offenders in the federal prison system. The actions will also prohibit federal officials from punishing low-level infraction offenders with solitary confinement and dictates a 60-day limit on solitary confinement for the first offense. The rules come as a response to the broader criminal justice reform push and are intended to be a preventative measure for potential long-term psychological consequences of the practice.

#### **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 – Brownstein Hyatt Farber Schreck**

### **Legislation**

The deadline for the Legislature to pass two-year bills out of their house of origin was January 31, 2016. The Legislature spent last week holding Floor Sessions to meet this deadline. AB 45 (Mullin) regarding household hazardous waste that the County is opposed to passed out of the Assembly on a 50-18 vote with many democrats voting no or abstaining.

AB 21 (Wood) which deletes the March 1st deadline by which cities and counties must act on ordinances to regulate or ban medical marijuana cultivation was passed by the Legislature last week and currently awaits action by the Governor.

Advocates will continue to monitor bills that are introduced for any impact on Alameda County. The last day to introduce bills is Friday, February 19, 2016.

### **Transportation Funding**

Last week, the California Transportation Commission (CTC) announced they would be cutting \$754 million from the State Transportation Improvement Project (STIP). The cuts are to the five-year improvement plan the CTC had in place. Low gas prices and lower than projected gas tax revenues are blamed for the cuts. Because of the cuts to STIP, almost every county that relies on STIP funding will have to indefinitely cut or delay any project that they have planned.

### **Managed Care Organization Tax**

The Administration had a goal of passing the Managed Care Organization (MCO) tax by the end of January. That goal was not met but negotiations with the health plans are continuing and there is hope that the bill will be heard in Special Session this week.

### **Criminal Justice Reform**

Last week, the Governor announced an initiative to reform the criminal justice system. His initiative would be on the November ballot. The initiative, "The Public Safety and Rehabilitation Act of 2016," would:

- Authorizes parole consideration for nonviolent inmates who complete the full sentence for their primary offense.
- Allows inmates to earn credits for good behavior, education and rehabilitative achievement.
- Requires judges rather than prosecutors to decide whether juveniles as young as 14-years-old should be tried as adults.

#### **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 Items**

**i. [S. 1513/H.R. 3406](#) (Portman& Sensenbrenner) Second Chance Reauthorization Act**

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

**ii. [S. 2123](#) (Grassley) Sentencing Reform and Corrections Act**

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

### **III. Special Parcel Tax Ballot Measure – San Francisco Bay Restoration Authority**

[Attachment](#)

*Recommendation: **Support:** Scott Haggerty, District 1, Board of Supervisors*

#### **Purpose:**

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

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

**PUBLIC COMMENT**

None.

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