

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

Monday, May 14, 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 in session this week. The House will vote on various law enforcement related bills and the Senate will continue to vote on judicial nominations as well as the nomination of Gina Haspel to be the next Director of the CIA in the Intelligence Committee.

FY19 Appropriations

The House continued its work on all 12 appropriations bills last week as the full Appropriations Committee unanimously approved the Military-Construction and Veterans Affairs and the Legislative Branch bills. The Energy and Water Development Appropriations Subcommittee along with the Commerce-Justice-Science and Agriculture-FDA Subcommittees marked up their respective bills. We expect the full Committee to take action on the Energy and Water Development and Agriculture-FDA Appropriations bills on Wednesday before turning to the Commerce-Justice-Science Appropriations bill on Thursday. Several members plan to offer “pro-marijuana” amendments at the full Appropriations Committee mark-up of the CJS Appropriations bill as part of a broader push to keep the federal government out of states’ affairs.

The House Interior-Environment Appropriations Subcommittee will mark up its bill on Tuesday while the Transportation-HUD Subcommittee will mark up its bill on Wednesday.

The Senate Appropriations Committee announced today a six-week stretch of mark ups on FY19 appropriations bills, hoping to complete all 12 bills prior to the July 4th recess.

- Week of May 21-25: Energy-Water and Agriculture-FDA
- Week of June 4-8: Transportation-HUD and Military Construction-VA
- Week of June 11-15: Interior-Environment, Commerce-Justice-Science and Legislative Branch
- Week of June 18-22: State-Foreign Operations, Homeland Security and Financial Services.
- Week of June 25-29: Defense and Labor-HHS-Education

Rescission Package

Last week, President Trump formally sent a rescissions package to Congress totaling \$15.4 billion. The proposal would cancel unspent monies from prior years’ spending and the House may vote on it (H.R. 3) as early as this week. While rescissions typically only require a simple majority to pass in the Senate, Democrats are arguing that the bill should require the full 60 votes because it targets the CHIP program, which could be seen as mandatory funding. On May 22, the GAO is expected to release their analysis of the rescissions request, which will determine whether the program counts as an entitlement. If they so determine, the Democrats would likely challenge the bill with the Senate Parliamentarian. Even if the Senate Parliamentarian rules that the bill only needs a majority in the Senate, Appropriations Chair Richard Shelby has not come out in support of the effort yet, and Senator Lisa Murkowski has expressed concerns over a \$684 million cut to the clean energy loan guarantee program.

Senator Collins also expressed concerns stating that it would be better to incorporate rescissions into the regular appropriations process. Additionally, with Senator John McCain's absence, Republicans cannot afford to lose any votes.

Farm Bill

Despite its passage facing an uphill battle, we expect the House to vote on the 2018 Farm Bill (H.R. 2) this Friday. According to a recent whip count, the bill has yet to garner enough Republican support to ensure passage. Democrats remain opposed to changes in the SNAP program with the inclusion of work requirements while several Republicans have expressed concerns over dairy provisions. The Senate Agriculture Committee is expected to release its bipartisan bill as early as the end of May.

Immigration

Moderate House Republicans, led by California Representatives Denham and Valadao, introduced a discharge petition last week on immigration reform legislation, specifically H.R. 4760, the Goodlatte-McCaul measure. The legislation includes a DACA fix, ag worker program, border security, and changes to legal immigration. If a majority of House Members (i.e., 218) signs the petition, the House would take up H. Res. 774, which sets up a schedule for debate and a "queen-of-the-hill" voting system, under which the amendment to H.R. 4760 that receives the most votes would pass the House. Speaker Ryan quickly came out against the process, calling it a "show pony" because the White House would veto anything that failed to meet its requirements for a DACA fix tied to wall funding, border security, and changes to legal immigration. Even assuming all 193 House Democrats supported the measure (so far, only one has signed), the sponsors would need 25 Republicans to join in (so far, 17 have).

Prison Reform

Supporters in the House of the narrower prison reform bill are working to build support after the FIRST STEP Act (H.R. 5682) easily passed through the House Judiciary Committee on a vote of 25-5. Reps. Hakeem Jeffries and Doug Collins, lead co-sponsors of the bill, and outside groups supporting the bill are expected to work to build a bipartisan coalition of support over the next week. The bill is expected to come up for a floor vote next week, just before members depart for the weeklong Memorial Day recess.

As previously reported, the prison reform legislation is supported by President Trump's son-in-law and Senior Advisor, Jared Kushner and would authorize training programs to prisoners in hopes of discouraging repeat offenses. Critics of the bill have said the language does not go far enough and should include sentencing reform provisions. Senate Judiciary Committee Chairman Chuck Grassley and Senate Minority Whip Dick Durbin remain opposed to the bill and want to include the bipartisan sentencing reform they have spent years negotiating. After Majority Whip John Cornyn suggested that Chairman Grassley could somehow be convinced into supporting the measure on the Senate floor, Grassley said he would work to build a bipartisan coalition for the criminal justice reform package and would no longer deal with Senator Cornyn. Minority Whip Durbin has further encouraged Jared Kushner to reach out to Majority Leader McConnell's office to hold a floor vote on the broader criminal justice reform package that includes both prison and sentencing reform.

Police Week

In honor of Police Week, the House will consider five law enforcement-related bills, and later this week will vote on legislation strengthening punishment for anyone convicted of intentionally harming or killing, or attempting to harm or kill, a police officer. Other law enforcement-related legislation includes:

H.R. 4854 - the Justice Served Act of 2018, introduced on January 19 by Rep. John Carter (R-TX). The Department of Justice would award grants to state and local governments to prosecute cases involving violent crime suspects identified through DNA evidence. The bill would require that at least 5 percent, and as much as 7 percent, of funding for the Debbie Smith DNA Backlog Grant Program be used to increase state and local capacity to pursue such cases.

H. Res. 285 - Rep. Scott Taylor (R-VA) introduced the resolution on April 26 that would encourage the creation of police-community alliances to improve communication between law enforcement and the public.

The resolution cites recent “periods of strain, where mistrust and suspicion have come to dominate police and community interactions in many communities and undermine effective policing strategies and public safety.”

Purpose:

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

Request for Legislation Position – Action Item

- i. [Resolution to Protect our Ocean and Coast from Offshore Drilling, Exploration and Fracking](#)

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

Purpose:

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

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

II. State Legislative Update – Brownstein Hyatt Farber Schreck

The Governor issued his “May Revise,” a revision to his 2018-19 budget proposal, in Sacramento on Friday, May 11, 2018. Since January, the state’s \$3.5 billion surplus has grown to \$8.8 billion. Never deviating from his fiscal prudence, Governor Brown proposes to set aside approximately \$7 billion of the surplus for the Rainy Day Fund and state reserves. Nevertheless, the Governor’s May Revision includes new investments for infrastructure, homelessness and mental health. Senate and Assembly Democratic Leadership released statements shortly after the Governor’s press conference commending its “good working foundation” while making very clear their desire to make additional investments in priority areas including social services, health care, K-12 and higher education. The Governor and Leadership will begin negotiating these details in earnest until the June 15th Constitutional deadline. A few highlights of the May Revision include the following:

- \$359 million in new “bridge funding” for homelessness and housing
- \$55.8 million for the restoration of the CalWORKs Single Allocation methodology
- \$24 million additional funding for IHSS county administration costs
- \$15 million for the Adult Protective Services Home Safe Pilot Program
- The continued elimination of the 340B Drug Pricing Program

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, passed out of the Assembly Human Services Committee on April 24 by a unanimous vote. The bill has since been referred to the Assembly Appropriations Committee where it is expected to be heard on May 23, 2018. The bill’s separate but parallel budget vehicle, was heard in the Assembly Budget Subcommittee 1 on Health and Human Services on April 25 and the Senate Budget and Fiscal Review Subcommittee 3 on May 3, where the item was held open in both committees.

Statewide Housing Package

On May 10, 2018, the Senate Budget and Fiscal Review Subcommittee 4 on State Administration and General Government heard the Statewide Housing Package (SB 2 and SB 3) and Trailer Bill budget proposals. The Department of Housing and Community Development (HCD) presented their proposal, which includes funding to implement the housing package of 2017. HCD confirmed that they plan to use the existing Emergency Solutions Grant program as the foundation for administering the funds generated from SB 2 to provide support for housing and homelessness, they noted that the ESG would be expanded under this new proposal and create a much more permissive block grant approach to administering the funds. Counties expressed serious confusion surrounding the proposal and how the funds will be allocated – specifically noting conflicting information on how the homelessness count will affect funding allocations and what formulas will be used to determine how much money counties will receive. The staff recommendation was to approve the requested positions and funding, approve the requested technical budget bill language, adopt placeholder trailer bill language, and adopt supplemental reporting language requiring HCD to report on their progress in meeting the staffing requirements for the implementation of the statewide housing package. The proposal was moved forward.

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- Other: State Update**

Request for Legislation position – Action Items

- i. **AB 2066 (Stone/Reyes) Extend the CalEITC to Fight Poverty**
Recommendation: Support: Lori A. Cox, Director, Social Services Agency and Colleen Chawla, Director, Health Care Services Agency
- ii. **AB 2434 (Bloom) Strategic Growth Council: Health in All Policies Program**
Recommendation: Support: Colleen Chawla, Director, Health Care Services Agency
- iii. **SB 1338 (Hueso) Electrical and gas corporation: rates**
Recommendation: Support: Colleen Chawla, Director, Health Care Services Agency
- iv. **Budget Item - Rescind the fee increase and renewal fee for the Public Health Nurse Certificate**
Recommendation: Support: Colleen Chawla, Director, Health Care Services Agency

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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