

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

Monday, June 16, 2014  
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**

The House and Senate are both in session this week. The House plans to take up its FY15 defense appropriations bill. In addition, House Republicans will vote on Thursday for the next House Majority Leader following Eric Cantor's loss last week in his Virginia Republican primary. Rep. Cantor will step down as Majority Leader on July 31. The Senate will consider a mini-omnibus bill that combines the FY15 CJS, Agriculture-FDA, and THUD appropriations bills.

**FY15 Appropriations**

***House***

The House of Representatives passed its FY15 THUD bill last Tuesday, June 10 by a vote of 229-192. The House then took up its FY15 Agriculture-FDA appropriations bill, but suspended debate on the bill following Majority Leader Cantor Republican primary loss. The House will likely take up the legislation again once a new Majority Leader is chosen.

The full House Appropriations Committee will mark up its FY15 Energy and Water spending bill on Wednesday, June 18, 2014. The full House of Representatives will consider its military appropriations bill throughout the week.

***Senate***

The Senate Labor-HHS-Education Subcommittee marked up its FY15 bill last Tuesday, but Senate Majority Leader Harry Reid postponed the full Appropriations Committee markup of the bill. It is believed the markup was postponed to protect vulnerable Democrats who would have to vote on provisions related to the Affordable Care Act. The Chairman of the Subcommittee, Senator Tom Harkin believes the bill will likely be subsumed in a post-election omnibus spending bill.

This week, the Senate Appropriations Committee will mark up its FY15 Energy and Water bill on Thursday along with its State, Foreign Operations bill, and Legislative Branch bill.

**Veterans Health Legislation**

The House Rules Committee will consider a motion to go to conference with the Senate to reconcile legislation that addresses the recent VA health scandal. Last week, the Senate passed a bill that would allow for emergency spending to hire more doctors and nurses and leasing of more VA hospitals. The bill would also make it easier to fire incompetent managers and let veterans go outside the VA system to get quicker care. The House passed a number of bills that would do much of the same things as the Senate legislation.

## **Surface Transportation Bill**

The House Republican proposal to temporarily fix the Highway Trust Fund (HTF) insolvency issue by passing Postal Service reform is essentially dead given Majority Leader Cantor's loss in his Republican primary for Virginia's 7<sup>th</sup> Congressional District. Rep. Cantor was one of the top House Republicans pushing his caucus to pass the HTF fix with Postal Service reform.

Talks will continue on ways to fix the HTF and pass a surface transportation bill, although it is becoming more likely that Congress will pass a short-term fix, perhaps six months in duration. Congress will still have to find a way to fund the HTF given that Speaker of the House John Boehner has said he will not allow a transfer from the general fund to the HTF.

Senate Democrats are looking at corporate tax reform to pay for the HTF. More specifically, they are floating the idea of a tax repatriation holiday as part of the potential solution. Senate Environment and Public Works Committee Chairwoman Barbara Boxer in addition to Senate Republicans including Minority Leader Mitch McConnell seem supportive of a tax repatriation holiday. Meanwhile, Senate Finance Committee Chairman Ron Wyden and Ranking Member Orrin Hatch (R-UT) have been less receptive, although have not made any commitments. House Republicans are also less supportive saying there needs to be a long-term fix to the HTF.

In addition to repatriation, Senate Majority Leader Harry Reid was pursuing with Senator Rand Paul and other Republicans an option to close certain tax benefits, such as a break business executives get for stock options, to pay for the HTF. Senators Wyden and Hatch have continued soliciting input from other members on ideas to short the depleted highway fund. Senator Wyden says he continues to plan to mark up a financing proposal in his committee before the end of June, although Senator Hatch said that timeline could slide towards August.

## **HUD Nomination Hearing**

The Senate Banking, Housing and Urban Affairs Committee will hold a hearing tomorrow on the nomination of San Antonio Mayor Julian Castro to be the next HUD secretary.

### **Purpose:**

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

## **II. State Legislative Update**

### **Budget Update**

The Legislature passed the budget as well as most of the trailer bills on June 15, 2014. The Governor must act on the budget and trailer bills within twelve (12) days and is expected to sign fairly soon.

The Governor and Legislative Leaders released statements on the Budget's sustainability, focus on paying down debt, Rainy Day funding and investments in children and the State's infrastructure.

Highlights of the Budget include:

### **Health and Human Services**

\$100 million appropriation to begin paying cities, counties and special districts for pre-2004 mandate reimbursements

CalWORKs 5% grant increase beginning on April 1, 2015

CalWORKs Housing Funds - \$20 million is included in the Budget for ongoing homeless and housing support

Foster Care Payments to Relative Caregivers - \$20 million is provided as part of the final budget for counties to opt-in to a program beginning January 1, 2015 to increase the pay of a non-federally eligible relative caregiver of a foster child.

Commercially Sexually Exploited Children: Both the Senate and Assembly Budget Committees had approved the County Welfare Director's Association proposal that \$20 million in funding be provided to county welfare departments to serve minors who have been sexually exploited or trafficked.

CalWORKs and CalFresh: The final budget includes the repeal of the existing lifetime prohibition from receipt of CalWORKs and CalFresh benefits for individuals convicted of a drug-related felony.

IHSS Overtime Proposal: The Legislature rejected the Administration's proposal prohibiting overtime for IHSS workers. Language to provide a framework in order to avoid excessive costs was included in the final budget.

Child Care – The Budget increases the Standard Reimbursement Rate by 5% and includes an annual COLA; increases childcare slots

Medi-Cal Provider Rate Restorations - The Budget does not include Medi-Cal provider restorations except in the Program of All-Inclusive Care for the Elderly.

Medi-Cal Pregnancy – The Budget includes providing full-scope Medi-Cal coverage to pregnant women at or below 138% of federal poverty level. It also creates an affordability and benefit program beginning January 1, 2015 for pregnant women between 138% and 208% of the federal poverty level who enroll in a Qualified Health Plan through Covered California.

Medi-Cal Cost-of-Living Adjustment – The Budget suspends the county eligibility administration COLA in the budget year, but not on a permanent basis.

Black Infant Health Program- Funding for this program was cut by \$3.9 million in 2009. The Budget includes a \$4 million restoration to the program.

HIV Prevention Pilot Projects – The Budget provides \$3 million in funding to establish HIV prevention pilots to allow for innovative, evidenced-based approaches to outreach, screening and linkage to and retention care for persons living with or at risk for HIV.

### **Administration of justice**

\$61 million for anti-recidivism programs

\$1 million for counties to address the security costs associated with the new court facilities

Trailer bill language that provide for a statutory change to implement a presumption of imposing a split sentence on offenders

\$500 million in additional funding for the construction of new jail facilities with language

### **Transportation**

The Budget includes repayment of a \$351 million payment of a loan made from the State Highway Account to the General Fund. In addition, the Budget includes a supplemental appropriation of \$142 million to cities and counties for local street and road projects.

The Senate elected their new President pro Tempore, Keviin De León from Los Angeles. He will formally takeover on October 15, 2014, when Darrell Steinberg leaves office. Kevin De León was elected the Assembly in 2006 where he served until 2010 when he was elected to the Senate. Prior to his election to the Assembly he worked at the California Teachers Association and as a community organizer. He is currently the Chair of the Senate Appropriations Committee.

### **AB 2396 - Professional Licensing**

The Alameda County sponsored bill AB 2396 was scheduled to be heard in the Senate Business and Professions Committee this morning. The measure would prohibit professional licensing boards under the Department of Consumer Affairs from denying a license solely on the basis of an expunged conviction. Unfortunately, members of the Committee had concerns that dismissed convictions substantially related to the profession would pose a public safety risk.

### **SB 1014 - Drug Take Back Programs**

This bill is sponsored by Alameda County and will be heard in the Assembly Environmental Quality and Toxic Materials Committee tomorrow afternoon. The bill reauthorizes CalRecycle's model guidelines for local entities wanting to establish voluntary take-back programs to collect and properly dispose of unused pharmaceuticals. The model guideline expired on January 1, 2013. Although pharmaceutical manufacturers are no longer opposed to the bill, they remain concerned about the measure's provisions. In their letter of opposition they contend that any mandatory or voluntary program could have unintended consequences including possible detrimental impacts on the environment, counterfeit drugs being introduced in the pharmacy system and increasing health costs.

#### **Purpose:**

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

#### **Request for Legislation Position – Action Items**

- i. AB 1014 (Skinner, Williams) Gun violence: Restraining orders  
*Recommendation: Support: Nancy O'Malley, District Attorney, Alameda County*
- ii. AB 2124 (Lowenthal) Misdemeanor offenses: Deferral of sentencing  
*Recommendation: Support: Brendon Woods, Public Defender, Alameda County*
- iii. SB 892 (Hancock) State Prisons  
*Recommendation: Support: Brendon Woods, Public Defender, Alameda County*
- iv. SB 894 (Corbett) Assisted Living Facilities: Suspensions and Revocations  
*Recommendation: Support: Nate Miley, District 4, Board of Supervisors*
- v. SB 895 (Corbett) Assisted Living Facilities: Inspections  
*Recommendation: Support: Nate Miley, District 4, Board of Supervisors*
- vi. SB 1010 (Mitchell) Cocaine base: Penalties  
*Recommendation: Support: Brendon Woods, Public Defender, Alameda County*
- vii. SB 1310 (Lara) Misdemeanors: Maximum sentence  
*Recommendation: Support: Brendon Woods, Public Defender, Alameda County*

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- Other:

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

**PUBLIC COMMENT:** None.

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