

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

Monday, July 11, 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 are in session until Friday before they adjourn for the nominating conventions and the seven-week Congressional recess. The only must-pass piece of legislation before they adjourn is an FAA extension that runs through September 2017. The House will take it up early this week and may also take up the Interior-Environment Appropriations bill. The Senate will take up the FAA bill once it is approved by the House and will also consider the House-approved conference report on S. 524, the Comprehensive Addiction and Recovery Act of 2016. The House and Senate may also pay particular attention to political messaging legislation as Congress prepares for the Presidential Nominating Conventions.

**Appropriations**

After returning from the Independence Day recess, the House passed the FY17 Financial Services Appropriations bill on a partisan vote of 239-185. Among the dozens of considered amendments, the House included a measure to bar funds from being used to help “sanctuary cities.” The Obama Administration has threatened to veto the bill because of its funding cuts to federal agencies and the policy riders.

At the committee level in the House, the House Appropriations Subcommittee on State and Foreign Operations passed their FY17 spending bill on Wednesday by voice vote. A full committee vote is expected on the measure next week.

The House Appropriations Subcommittee on Labor, Health, and Human Services, and Education approved their FY17 appropriations bill on Thursday. The \$16.1 billion spending bill is headed to full committee markup on July 13. The spending bill reflects a \$569 million decrease in funding from the FY16 enacted level and \$2.8 billion below the President’s budget request.

The Senate failed to move forward in the appropriations process again last week, blocking the FY17 Defense spending bill on a procedural vote of 50 to 44 because Senate Democrats are concerned that Republicans will offer an amendment to increase defense spending above the allocation agreed to as part of the budget framework.

Congress is poised to break on Friday without having sent any of the FY17 Appropriations measures to President Obama, even though Senate Majority Leader Mitch McConnell made passing individual bills a top priority for the Senate this spring and summer.

When Members return on September 6, 2016, they will have about three-and-a half-weeks before the new fiscal year begins.

Republican appropriators have already conceded they will need to pass a continuing resolution for a period of time to fund the government. An omnibus being passed this year or next year remains an open question.

### **Opioid Legislation**

Last week, House and Senate Conferees met to finalize the conference report of S. 524, the Comprehensive Addiction and Recovery Act (CARA). As expected, the lack of funding for the measure remained an issue among both House and Senate Democrats, who said they would not sign the conference report if it does not authorize additional funding to combat the epidemic. The Conference Committee voted on two amendments to dedicate funding to the measure, however, both amendments failed along party lines.

After it became clear Republicans would move forward without raising funding levels, House Democrats dropped their opposition to the measure. Once opposition from the House Democrats was withdrawn, it is all but certain that Senate Democrats will do the same. However, Members of the House Appropriations Committee on Labor, Health and Human Services, and Education, released their FY17 appropriations to include, funding for the Substance Abuse and Mental Health Services Administration (SAMHSA) at \$4.2 billion, reflecting \$431 million above the FY16 enacted level and \$480 million above the President's budget request. The appropriations bill would also provide \$581 million to directly address opioid and heroin abuse, which is a \$525 million increase above the FY16 enacted level and \$490 million above the President's budget request. Of those funds, \$500 million will go toward a first-ever comprehensive state program to address the nationwide opioid epidemic.

The House took up the conference report on Friday morning, passing the legislation almost unanimously. Senate Majority Leader Mitch McConnell is planning to take up the measure this week. It is expected to easily pass through the Senate and will likely be signed into law by President Obama.

### **Family First Prevention Services Act**

On Thursday, an anonymous Senator put a hold on the Family First Prevention Services Act (H.R. 5456) as it was being scheduled for possible consideration the following day. As of now, the Senate does not have plans to take up H.R. 5456 prior to the seven-week recess with this hold in place. This will give the County and others time to work with Senators Feinstein and Boxer and the Senate Finance Committee on alternative language.

#### **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**

After a deadline-driven few months, the Legislature is now on Summer Recess and will return to Sacramento on August 1st. Summer Recess officially began on July 1st which was also the deadline for policy committees to pass out all fiscal and non-fiscal bills. Given this deadline, many bills are now dead for failing to be met this deadline. On the other hand, bills that met the deadline will continue through the process when the legislature reconvenes in August. All remaining bills must be passed by the Legislature prior to August 31st at midnight when the Legislature must adjourn for the year. The Governor then has until the end of September to sign or veto all the legislation sent to him during the last two weeks of session.

## **County Sponsored Legislation**

AB 1702 (Stone), regarding commercially sexually exploited children, is now back in the Assembly on Concurrence awaiting a vote and may be heard on the floor any time after August 1st when the Legislature reconvenes.

AB 2471 (Quirk), regarding health care districts, will be heard in the Senate Appropriations Committee on August 1st.

## **Budget Update**

On June 27th, shortly after the last PAL call, the Governor signed the main budget bill, along with the various budget trailer bills that the Legislature had sent to him.

The No Place Like Home trailer bills were finally passed by the Legislature on Thursday, June 30th. The Governor very quickly signed the bills on July 1st and has now acted on all budget items that have been sent to him by the Legislature.

The 2016-17 fiscal year began on July 1st, however some budget items still remain outstanding. This includes the bond securitization language for the No Place Like Home program. This, along with a couple other trailer bills will be addressed by the Legislature when they reconvene in August.

Additionally, the Governor's by-right proposal must also be dealt with when the Legislature returns. The budget agreement between the Governor and Legislature sets aside \$400 million for affordable housing, however, that money is contingent on the passage of the Governor's by-right proposal.

## **Gun Control Bills**

On Thursday, June 30th, the Legislature sent Governor Brown a package of 11 gun control bills. The following day, prior to leaving for his vacation, the Governor signed 6 of the bills and vetoed 5 of them. Below are the specific bills that the Governor signed and vetoed:

### **Signed**

- AB 1135 (Levine) - Firearms: assault weapons.
- AB 1511 (Santiago) - Firearms: lending.
- AB 1695 (Bonta) - Firearms: false reports of stolen firearms.
- SB 880 (Hall) - Firearms: assault weapons.
- SB 1235 (De León) - Ammunition.
- SB 1446 (Hancock) - Firearms: magazine capacity.

### **Vetoed**

- AB 1176 (Cooper) - Theft: firearms. A veto message can be found [here](#).
- AB 1673 (Gipson) - Firearms: unfinished frame or receiver. A veto message can be found [here](#).
- AB 1674 (Santiago) - Firearms: transfers. A veto message can be found [here](#).
- AB 2607 (Ting) - Firearm restraining orders. A veto message can be found [here](#).
- SB 894 (Jackson) - Firearms: lost or stolen: reports. A veto message can be found [here](#).

## **Initiative Update**

The Secretary of State's office reports that there are 32 initiatives that have been cleared for circulation, 3 that have reached 25% of the required signatures, and no initiatives pending review of the signatures. However, due to the June 30th deadline, these initiatives fail to qualify.

Below is the final list of the qualified initiatives that will appear on the November 8th Statewide Ballot:

- Prop 57: Governor Brown’s criminal justice initiative
- Prop 64: Legalization of recreational marijuana
- Prop 61: Prescription drug price standards
- Prop 51: \$9 billion bond initiative for K-12 schools and community colleges
- Death penalty (2 initiatives)
  - o Prop 62: Discontinue death penalty
  - o Prop 66: Speed up the appeals process
- Prop 56: Tobacco Tax (\$2 a pack of cigarettes)
- Prop 63: Firearms and ammunition sales
- Prop 55: Proposition 30 tax extension
- Single-use plastic shopping bags (2 initiatives)
  - o Prop 67: Referendum to overturn ban on single-use plastic bags
  - o Prop 65: Redirects funds collected by grocery and retail stores to a special fund for environmental projects
- Prop 60: Use of condoms by adult film actors
- Prop 53: Voter approval for any revenue bond over \$2 billion
- Prop 52: Hospital fee to support uninsured patients and children's health coverage
- Prop 58: Referendum to overturn a bill that removed the requirement that all children be taught in English
- Prop 54: Legislative proceedings – 72 hour print and publishing requirement
- Prop 59: Campaign finance – advisory measure asking whether Congress should amend the U.S. Constitution to overturn the U.S. Supreme Court’s Citizen’s United decision

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**Request for Legislation Position – Action Items**

**Federal**

- i. **[H.R. 5456](#) (Buchanan) Family First Prevention Services Act of 2016**  
*Recommendation: **Oppose unless amended:** Lori A. Cox, Director, Social Services Agency*
- ii. **[S. 3040](#) (Blunt) Department of Labor, Health and Human Services and Education and Related Agencies Appropriations Act, 2017**  
*Recommendation: **Oppose unless amended:** Lori A. Cox, Director, Social Services Agency*

**State**

- i. **[AB 1550](#) (Gomez) Greenhouse gases: investment plan: disadvantaged communities**  
*Recommendation: **Support proposed amendments:** Rebecca Gebhart, Acting Director, Health Care Services Agency*
- ii. **[AB 1726](#) (Bonta) The Accounting for Health and Education in API Demographics (AHEAD) Act**  
*Recommendation: **Support:** Keith Carson, District 5, Board of Supervisors*

iii. **AB 1770** (Alejo) **Food assistance program: eligibility**

*Recommendation: **Support:** Lori A. Cox, Director, Social Services Agency*

iv. **AB 2062** (Lopez) **CalWORKs: income or household composition reporting: benefit redetermination**

*Recommendation: **Support:** Lori A. Cox, Director, Social Services Agency*

v. **AB 2346** (Baker) **Public social services: hearings**

*Recommendation: **Support:** Rebecca Gebhart, Acting Director, Health Care Services Agency and Lori A. Cox, Director, Social Services Agency*

vi. **SB 586** (Hernandez) **Children's services**

*Recommendation: **Support:** Rebecca Gebhart, Acting Director, Health Care Services Agency*

vii. **SB 1000** (Leyva) **Land use: general plans: environmental justice**

*Recommendation: **Support:** Rebecca Gebhart, Acting Director, Health Care Services Agency*

viii. **SB 1107** (Allen) **Strengthen election accountability**

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

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

**PUBLIC COMMENT**

None.

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