

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

Monday, July 18, 2016
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 not in session. On Friday, Congress began their seven-week recess for the Presidential Nominating Conventions and the August Recess.

Appropriations

Last week, the House moved forward in the appropriations process, while the Senate stalled in its debate over the FY17 Defense spending bill and a conference report that included the FY17 Military Construction and Veterans Affairs (VA) appropriations and funding to fight the Zika virus.

The House Appropriations Committee cleared its final spending bill last week after approving the FY17 Labor, Health and Human Services (HHS), and Education appropriations bill. Unlike the Senate's bipartisan version of the Labor-HHS-Education Appropriations bill, the House bill has received a veto threat issued by the White House due to the numerous controversial provisions that were attached to the bill.

Senate Democrats voted last week to block two separate bills including, the FY17 Defense spending bill and a conference report containing the FY17 Military Construction-VA appropriations bill and funding to fight the Zika virus. The bills both failed to clear a procedural hurdle, falling short of the 60 votes necessary to move the legislation forward. Senate Democrats indicated that they would continue to block spending bills unless Senate Majority Leader Mitch McConnell (R-KY) agrees to uphold the deal on funding established by the two-year Bipartisan Budget Act and maintains that the spending bills are free from controversial policy riders.

As it currently stands, the House has passed five of the 12 spending bills while the Senate has passed three. Due to the overall lack of finalized appropriations bills, Congress will have to pass a continuing resolution when they return in September and more than likely an omnibus spending package in December.

Opioid Legislation

The Senate cleared the Comprehensive Addiction and Recovery Act (S.524) last week, marking one of the few bipartisan achievements of the year. The House had previously passed the measure overwhelmingly. The legislation will now go to President Obama for signature as he has signaled strong support for the bill even though he is disappointed that it falls short of the funding resources needed.

Prior to final passage, Senate Democrats continued their fight for increased funding for the authorized programs in the legislation, but finally conceded to support the bipartisan bill.

While funding for the programs will now be dependent on the appropriations process, the legislation does authorize nearly \$120 million for community-based grants, comprehensive response grants administered by

the Department of Justice (DOJ), and the reauthorization of the National All Schedules Prescription Electronic Reporting (NASPER) system to ensure proper monitoring of opioid prescriptions.

Public health advocates have praised the bill as a crucial policy shift, recognizing addiction as a disease rather than a law enforcement problem. The legislation will help expand access to treatment by allowing nurses and physician assistants to administer medication to help fight addiction and creates the nation's first mandate for doctors to cross-check patients' opioid history with prescription drug monitoring programs. There are also several provisions to enhance therapy-prescribing methods at Veterans Affairs medical facilities and guidance for prescribing pain medication to student athletes.

Family First Prevention Services Act

As a reminder, an anonymous Senator put a hold on the Family First Prevention Services Act (H.R. 5456) as it was being scheduled for possible consideration on the Senate floor. The Senate did not ultimately take up H.R. 5456 prior to adjourning for the seven-week recess. This gives the County and others time to work with Senators Feinstein and Boxer and the Senate Finance Committee on alternative language.

Upcoming Legislative Agenda

When Congress returns from their seven-week recess, there will be numerous items that need to be addressed. Although Senate Majority Leader McConnell and Speaker Paul Ryan (R-WI) made passing individual appropriations bills a top priority this past spring, Congress has not sent any of the 12 appropriations measures to President Obama for signature. At this point, FY17 will begin with a continuing resolution followed by an omnibus measure or a series of "mini-buses" to fund the Federal government.

Other legislative priorities that may be under consideration in September include legislation aimed at assisting coal miners' pension plans, funding to combat the Zika virus, criminal justice legislation, and possibly a confirmation hearing to fill the vacancy on the Supreme Court.

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

Sacramento has been very quiet so far this month because the Legislature is on Summer Recess. July 1st was the deadline for policy committees to pass out all fiscal and non-fiscal bills and all remaining bills must be passed by the Legislature prior to August 31st at midnight, when the Legislature adjourns for the year. The Governor 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

Below is a brief review of the status of County sponsored bills. No changes have occurred since our last meeting.

AB 1702 (Stone), regarding commercially sexually exploited children, is 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 1, 2016

Cap-and-Trade

The current Cap-and-Trade program has been facing legal challenges on a number of issues and it is uncertain whether the program will survive past 2020, the year by which the original bill, AB 32 (2006), required California to reduce its emissions to 1990 levels. Despite the legal uncertainties, the Air Resources Board released a preliminary draft of proposed regulations last week, laying out a plan to sustain the Cap-and-Trade program beyond 2020 by amending the current regulations, establishing new emission caps and broadening the program with a linkage to Ontario, Canada. A vote on the proposed regulations is not expected until the Spring of 2017 but the release of these draft regulations makes it clear where the Administration is on the authority to extend the Cap-and-Trade program.

Political Reform Act Overhaul

The California Fair Political Practices Commission (FPPC) is currently reviewing the Political Reform Act in an effort to make the laws less complex, and more intuitive and transparent. This anticipated overhaul is a large undertaking and will take time to complete. FPPC Chair, Jodi Remke, expects the first draft of the reforms to be ready for public review by August. The FPPC will seek input from the public and stakeholders throughout the summer and fall, and expects to have a final proposal ready for the Legislature early next year.

Gun Control Bills Challenged

The gun control bills signed into law by Governor Brown on July 1st are now being challenged. On Friday, July 15th, well after the deadline to qualify for the November ballot, 6 referendums were filed to overturn the following gun control bills: AB 1135, SB 1446, SB 1235, SB 880, AB 1695, AB 1511. This could potentially stall the laws from taking effect until voters act. The referendum supporters have until September 29th to submit the required number of signatures.

Purpose:

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

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Request for Legislation Position – Action Items

- i. [AB 2054](#) (Thurmond) **Nutrition assistance: Summer Electronic Benefits Transfer for Children**

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

- ii. [AB 2057](#) (Stone) **CalFresh: victims of domestic violence**

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

Purpose:

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

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

PUBLIC COMMENT

None.

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