

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

Monday, September 21, 2015
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 will be in session this week as they consider a Continuing Resolution to fund the government past the September 30th deadline. The Senate is scheduled to hold a cloture vote this evening on a short-term Continuing Resolution (CR), to try to pass in the Senate by late tomorrow. The House is expected to pass the short-term measure on Wednesday, September 23, 2015.

Boehner Resignation

Last Friday morning during the House Republican Caucus meeting, the Leadership was expected to unveil a strategic plan for moving forward on a clean spending bill before the new fiscal year begins on October 1, 2015. However, shortly after the meeting began, Speaker John Boehner announced he would resign from Congress at the end of October. His announcement was a shock to his Conference, but came after repeated clashes with conservative members in the Conference. Most recently, the conservative House Republicans said they would oppose any spending bill that included funding for Planned Parenthood. Republican leaders knew a bill that defunded Planned Parenthood could not pass the Senate and would be vetoed by the President. Therefore, Speaker Boehner would need Democrats to vote in favor of a clean bill that included funding for Planned Parenthood in order to avert a shutdown. These same conservative House Republicans said they would call a floor vote on his Speakership if Speaker Boehner were to work with House Democrats to pass a clean CR. During a press conference following his announcement, Speaker Boehner said his first job is to protect the institution of Congress and a move that would put members through prolonged leadership turmoil would do irreparable damage to the institution.

As a result of his decision, it appears Congress now has a clear path to avert a government shutdown by passing a short-term CR with the help of House Democrats.

Appropriations

The Senate is scheduled to hold a cloture vote this evening on the short-term measure that would run through December 11, 2015, which would set the stage for final passage in that chamber by late tomorrow. In the long-term, the bigger concern remains the overall spending levels for Fiscal Year 2016.

Republicans want to raise the budget caps for defense, but not domestic spending, while Democrats want to raise the caps for both defense and non-defense programs.

Affordable Care Act – Reconciliation

Tomorrow, the House Ways and Means Committee will mark up a bill to repeal numerous provisions of the Affordable Care Act including, the individual and employer mandate, independent payment advisory board, medical device tax and so-called Cadillac tax. The House will consider bills under this strategy because Republicans only need a simple majority to pass legislation through both chambers when using reconciliation procedures; reconciliation cannot be blocked via a filibuster by Senate Democrats.

Republicans also intend to include the defunding of Planned Parenthood along in a reconciliation measure. They plan to bring more anti-abortion bills to the floor, including a bill that would give states the discretion to withhold Medicaid funds or not reimburse a medical claim from a clinic or doctor that provides abortion services. President Obama is expected to veto any legislation sent to his desk that would alter the Affordable Care Act or defund Planned Parenthood.

Sanctuary Cities

The Senate Judiciary Committee plans a markup Thursday of the Stop Sanctuary Cities Act (S. 1814), a partisan bill introduced by Senators David Vitter (R-LA) and Jeff Flake (R-AZ), aimed at cities that shelter undocumented immigrants. The legislation would withhold State Criminal Alien Assistance Program and Byrne funding for cities and other local governments that defy federal detainer requests. The markup has been rescheduled twice. The main concern for the Republicans on the Committee seems to be language in the proposed legislation that would enact a mandatory minimum prison sentence of five years for immigrants who try to re-enter the country illegally after being deported. Some Republican Senators on the Committee are opposed to mandatory minimums and have said they would not support the legislation as it is currently written. It is likely the mandatory minimum language will not be included in the bill that is being marked up on Thursday.

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 –Platinum Advisors

Revenues

The Department of Finance's September report illustrated revenue gains for the month beat expectations by \$474 million. However, the bulk of this revenue was from an earlier than anticipated payment of \$300 million from Pacific Gas & Electric as part of the San Bruno settlement, which was not expected until November 2015. Other revenue gains totaling \$108 million above budget projections were from income tax, up \$33 million, sales tax, up \$42 million and corporation tax receipts, up \$25 million.

Transportation Special Session Legislation

The Legislature has adjourned until January, however the Transportation Special Session remains alive. The Legislature could reconvene and take action on special session legislation. The Assembly has not held any hearings on the legislation introduced in the special session. The Senate held hearings and reviewed the bills introduced. A handful of bills were approved and moved to the Senate Appropriations Committee.

During the final week of the special session two new bills of interest were introduced. ABX 123 would require CalTrans and local agencies spending State Highway Operations and Protection Program or State

Transportation Improvement Program funds to prioritize projects that provide mobility improvements to disadvantaged communities. It would require an annual appropriation of \$125 million from the State Highway Account to the Active Transportation Program to be used to provide bicycle and pedestrian grants of at least \$25 million.

ABX 124 would rename the Metropolitan Transportation Commission, the Bay Area Transportation Commission and change the board to be comprised of independently elected members. The bill specified that the new commissioner districts would consist of 750,000 residents each and districts that include a toll bridge would elect two representatives.

Health Financing Special Session

The Legislature will likely work on elements of the Health Financing Special Session in the interim, but it is unclear if they will meet formally prior to January. The goals of the special session are to find a permanent funding source to cover costs of \$1.1 billion for the Medi-Cal program, fund the 7% restoration in hours to the In-Home Supportive Services program past the current budget year and fund rate increases for Medi-Cal providers and disability services. The most likely source of revenue is a revised managed care organization (MCO) tax that would conform to new parameters required by the federal government. California's current MCO tax expires on June 30, 2016. If the Legislature does not find the funding, the Administration may reflect the funding gap in the Medi-Cal program of \$1 billion in the Governor's budget proposal.

Purpose:

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

Request for Legislation Position – Action Item

ABx2 18 (Bonilla) Taxation: distilled spirits: Cocktails for Healthy Outcomes Act

Recommendation: Support: Alex Briscoe, Director, Health Care Services Agency

Purpose:

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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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