

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

Monday, September 28, 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 to consider a Continuing Resolution (CR) to fund the government past the September 30, 2015 deadline. The Senate is scheduled to hold a cloture vote today on a short-term CR, which would set the stage for final passage in the Senate by late tomorrow. The House is expected to pass the short-term measure on Wednesday.

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, those conservative members said they would oppose any spending bill that included funding for Planned Parenthood.

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 this week by passing a short-term CR with the help of House Democrats. The next Speaker will have a difficult time in moving legislation because the House Freedom Caucus feels emboldened by Speaker Boehner's resignation.

Appropriations

The Senate is scheduled to hold a cloture vote today on the short-term measure that would run through December 11, 2015, which would set the stage for final passage by tomorrow. The House could then clear the measure to fund government operations through December 11th on Wednesday, the last day of the fiscal year. In the long-term, the bigger concern remains the overall spending levels for FY16. 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

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 majority to pass legislation through both chambers when using reconciliation procedures; reconciliation cannot be blocked via a filibuster by Senate Democrats.

Republicans also say they 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 and Jeff Flake aimed at cities that shelter undocumented immigrants. The legislation would withhold SCAAP 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

Administration

The Governor has not acted on legislation over the last week as he has been meeting with world leaders to discuss climate change. He has more than 600 bills on his desk to be considered before October 11, 2015.

Last week, the Senate and Assembly announced special session conference committee members for the Joint Public Health and Development Services Conference and the Joint Transportation Infrastructure Conference. Details regarding when the committees will meet have not yet been released.

Coalition Files Ballot Measure to Extend Proposition 30

The California Hospital Association, the Service Employees International Union, United Healthcare Workers West, and Common Sense Kids Action have submitted initiative language to the Attorney General for title and summary with the intent of placing the initiative on the statewide ballot in November 2016.

The proposal, “Invest in California’s Children Act”, would make permanent the higher income taxes set by Proposition 30, which are currently scheduled to expire at the end of 2018, but allow the quarter-cent sales tax hike to expire. The proposal would also set higher levels for households earning more than \$2 million a year. Revenue from the taxes is estimated at \$10 billion per year are dedicated to K-12 schools, community colleges, early childhood programs and Medi-Cal.

Last week, the School Funding and Budget Stability Act was filed by the California Teachers Association and the Service Employees International Union, which proposes to extend Proposition 30 to the year 2030 and fund K-12 schools and community colleges.

Roundtable Call

The Governor’s Office of Planning and Research (OPR) periodically holds a Local Government Roundtable conference call. These calls are informative on topics ranging from climate change initiatives to ground water planning. A call is scheduled for September 29, 2015 at 1:00 p.m., where OPR staff will provide updates on several CEQA guidelines, a status report on SB 743 guidelines on transportation impacts, and an update on General Plan guidelines.

Health Insurance Coverage

The U.S. Census Bureau released their annual publication, “Health Insurance Coverage in the United States”. The overview of health insurance coverage in 2014 provides a snapshot of national data as well as some comparisons between states. It outlines who was uninsured based on factors such as education, income and age.

In California, the report showed a decrease of the uninsured population from 17.2% to 12.4%. Medi-Cal expansion has been credited for much of the decrease, which allowed more than 2 million adults, previously ineligible to enroll in the program.

In-Home Supportive Services Overtime

Last year, new federal regulations from the Department of Labor requiring overtime pay, compensation for wait time associated with medical accompaniment and compensation for required provider training for IHSS workers were scheduled to be implemented. The Home Care Association of America filed a lawsuit to block the regulation. The regulation has since been on hold.

Last week, the federal court determined that implementation of overtime pay will move forward in November, 2015. Costs for potential overtime were included as part of the State’s 2015- 16 budget and are estimated to be \$403.5 million for the current year and \$707.6 million ongoing. The State Department of Finance has stated that the funds will be made available as is required by federal law but will now be implemented otherwise.

Purpose:

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

Request for Legislation Position – Action Item

- i. [H.R. 2577](#) (Diaz-Balart) FY 2016 Transportation, Housing and Urban Development (THUD) Appropriations Bill and H.R. 2577

Recommendation: Oppose: Chris Bazar, Director, Community Development 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.

Board of Supervisors' Committees agendas are available via Internet at: www.acgov.org

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