

**Assembly
California Legislature
Committee on Rules**

**KEN COOLEY
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SALAS, JR. RUDY
WALDRON, MARIE

FONG, VINCE (R-ALT)
LEVINE, MARC (D-ALT)
REYES, ELOISE GÓMEZ (D-ALT)

Thursday, June 14, 2018
10 minutes prior to Session
State Capitol, Room 3162

CONSENT AGENDA

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STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0124
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RUDY SALAS
MARIE WALDRON

MARC LEVINE (D-ALT.)
ELOISE GÓMEZ REYES (D-ALT.)
VINCE FONG (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 6/13/18
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, SB 1162 has been added and the referral recommendation for SB 183 has been changed.

REFERRAL OF BILLS TO COMMITTEE

06/14/2018

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	Committee:
<u>ACR 243</u>	RLS.
<u>ACR 250</u>	TRANS.
<u>ACR 252</u>	RLS.
<u>AJR 30</u>	PUB. S.
<u>AJR 33</u>	PUB. S.
<u>AJR 39</u>	JUD.
<u>AJR 42</u>	JUD.
<u>SB 183</u>	PUB. S.
<u>SB 183</u>	JUD.
<u>SB 826</u>	B. & F.
<u>SB 826</u>	JUD.
<u>SB 900</u>	HUM. S.
<u>SB 900</u>	AGRI.
<u>SB 912</u>	H. & C.D.
<u>SB 961</u>	L. GOV.
<u>SB 961</u>	H. & C.D.
<u>SB 984</u>	A. & A.R.
<u>SB 984</u>	JUD.
<u>SB 998</u>	E.S. & T.M.
<u>SB 1029</u>	TRANS.
<u>SB 1045</u>	JUD.
<u>SB 1045</u>	HEALTH
<u>SB 1076</u>	G.O.
<u>SB 1090</u>	U. & E.
<u>SB 1130</u>	L. GOV.
<u>SB 1130</u>	REV. & TAX.
<u>SB 1162</u>	A. & A.R.
<u>SB 1311</u>	W., P., & W.
<u>SB 1312</u>	P.E.,R., & S.S.
<u>SB 1312</u>	V.A.
<u>SB 1314</u>	V.A.
<u>SB 1316</u>	W., P., & W.
<u>SB 1316</u>	A. & A.R.
<u>SB 1320</u>	JUD.
<u>SB 1402</u>	L. & E.
<u>SB 1402</u>	JUD.
<u>SB 1408</u>	G.O.
<u>SCR 121</u>	A.,E.,S.,T., & I.M.
<u>SCR 145</u>	RLS.
<u>SCR 146</u>	RLS.
<u>SJR 22</u>	E.S. & T.M.



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ELOISE GÓMEZ REYES (D-ALT.)
VINCE FONG (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 6/13/18
Re: Consent Bill Re-Referrals

Since you received your preliminary list of bill re-referrals, there have been no changes.

RE-REFERRAL OF BILLS

06/14/2018

The Committee on Rules has re-referred the following bills to Committee:

Assembly Bill No.

Committee:

SB 30

INS.

SB 174

JUD.

*SB 175

HUM. S.

**SB 175

JUD.

SB 274

REV. & TAX.

*SB 481

L. GOV.

**SB 481

H. & C.D.

SB 782

U. & E.

SB 792

H. & C.D.

SB 794

G.O.

SB 1205

G.O.

SB 1251

INS.

Assembly Concurrent Resolution

No. 239

**Introduced by Assembly Member Maienschein
(Principal coauthor: Assembly Member Cooley)**

May 14, 2018

Assembly Concurrent Resolution No. 239—Relative to Alzheimer’s and Brain Awareness Month and The Longest Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 239, as introduced, Maienschein. Alzheimer’s and Brain Awareness Month and The Longest Day.

This measure would recognize the month of June 2018 as California’s Alzheimer’s and Brain Awareness Month and Thursday June 21, 2018, as The Longest Day in California, and would urge all Californians to wear purple on this day to help spread global awareness of the Alzheimer’s Association’s vision of a world without Alzheimer’s disease.

Fiscal committee: no.

- 1 WHEREAS, The month of June 2018 has been declared
- 2 Alzheimer’s and Brain Awareness Month to help educate the public
- 3 on this debilitating disease and the need to increase efforts to
- 4 combat its human and economic costs; and
- 5 WHEREAS, The summer solstice, June 21, 2018, has been
- 6 declared The Longest Day, with teams around the world coming
- 7 together to honor the strength, passion, and endurance of people
- 8 facing Alzheimer’s disease with a day of activity and advocacy;
- 9 and

1 WHEREAS, Alzheimer's disease, a progressive
2 neurodegenerative brain disorder, tragically robs individuals of
3 their memories and leads to cognitive decline resulting in
4 functional, emotional, and behavioral impairment; and

5 WHEREAS, California has 650,000 residents living with
6 Alzheimer's disease, more than any other state in the nation, and
7 the state's population is projected to grow by 29 percent in the
8 next decade, reaching 840,000 individuals by 2025; and

9 WHEREAS, California's Medi-Cal program will spend \$3.8
10 billion this year on skilled nursing care and home and
11 community-based supports for beneficiaries living with
12 Alzheimer's disease, and that amount is expected to climb quickly
13 to \$5 billion within eight years; and

14 WHEREAS, Alzheimer's disease is always fatal and today it is
15 the third leading cause of death in California; and

16 WHEREAS, Alzheimer's disease is a family disease impacting
17 1.6 million California spouses, partners, children, and other
18 relatives who provide unpaid assistance to a loved one; and

19 WHEREAS, California caregivers devote 1.8 billion hours of
20 unpaid assistance to family members valued at over \$23 billion in
21 nongovernment financial support; and

22 WHEREAS, California's 2015 Behavioral Risk Factor
23 Surveillance System survey found that 27.1 percent of people with
24 memory problems in California live alone; and

25 WHEREAS, African Americans, Latinos, and women are
26 disproportionately impacted by Alzheimer's disease and have
27 higher prevalence rates than the general population; and

28 WHEREAS, Disparities in detection and diagnosis persist and
29 less than 50 percent of individuals affected by the disease receive
30 a formal diagnosis that is disclosed to them by a clinician and
31 documented in their medical records; and

32 WHEREAS, On average, a person with Alzheimer's disease
33 lives four to eight years after diagnosis, but may live as long as 20
34 years, depending on other factors; and

35 WHEREAS, Age is the greatest risk factor for Alzheimer's
36 disease, which has no known cause, cure, or prevention; and

37 WHEREAS, Californians invest in Alzheimer's research through
38 the voluntary tax check-off fund and have raised more than \$24
39 million since its inception for research into treatments to slow the
40 progress of or cure the disease; and

1 WHEREAS, Individuals living with Alzheimer’s disease and
2 their caregivers need acknowledgment, support, and services to
3 meet their needs over the lengthy progression of Alzheimer’s
4 disease and related dementias; now, therefore, be it

5 *Resolved by the Assembly of the State of California, the Senate*
6 *thereof concurring*, That the Legislature recognizes June 2018 as
7 California’s Alzheimer’s and Brain Awareness Month and
8 Thursday, June 21, 2018, as The Longest Day in California, and
9 urges all Californians to wear purple on that day to help spread
10 global awareness of the Alzheimer’s Association’s vision of a
11 world without Alzheimer’s disease, and be it further;

12 *Resolved*, That the Chief Clerk of the Assembly transmit copies
13 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES

Ken Cooley, Chair

ACR 239 (Maienschein) – As Introduced May 14, 2018

SUBJECT: Alzheimer's and Brain Awareness Month and The Longest Day.

SUMMARY: Recognizes the month of June 2018 as Alzheimer's and Brain Awareness Month, recognizes Thursday, June 21, 2018, as the Longest Day in California, and urges all Californians to wear purple on this day to help spread global awareness of the Alzheimer's Association's vision of a world without Alzheimer's disease. Specifically, **this resolution** makes the following legislative findings:

- 1) Alzheimer's disease is a progressive neurodegenerative brain disorder that tragically robs individuals of their memories and leads to cognitive decline resulting in functional, emotional, and behavioral impairment.
- 2) The month of June 2018 has been declared Alzheimer's and Brain Awareness Month to help educate the public on this debilitating disease and the need to increase efforts to combat its human and economic costs.
- 3) The summer solstice, June 21, 2018, has been declared The Longest Day, with teams around the world coming together to honor the strength, passion, and endurance of people facing Alzheimer's disease with a day of activity and advocacy.
- 4) California has 650,000 residents living with Alzheimer's disease, more than any other state in the nation, and the state population is projected to grow by 29 percent in the next decade, reaching 840,000 individuals affected by 2025.
- 5) California's Medi-Cal program this year will spend \$3.8 billion on skilled nursing care and home and community-based supports for beneficiaries living with Alzheimer's disease, quickly climbing to \$5 billion within eight years.
- 6) Alzheimer's disease is always fatal and today it is the third leading cause of death in California.
- 7) Alzheimer's disease is a family disease impacting 1.6 million California spouses, partners, children, and other relatives who provide unpaid assistance to a loved one. California caregivers devote 1.8 billion hours of unpaid assistance to family members valued at over \$23 billion in nongovernment financial support.
- 8) On average, a person with Alzheimer's disease lives four to eight years after diagnosis, but can live as long as 20 years, depending on other factors.
- 9) Individuals living with Alzheimer's disease and their caregivers need acknowledgment, support, and services to meet their needs over the lengthy progression of Alzheimer's disease and related dementias.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

Alzheimer's Association

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

alzheimer's association®

State Policy Office

915 L Street, Suite 1110, Sacramento, CA 95814
916.447.2731

May 21, 2018

The Honorable Ken Cooley, Chair
Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Re: ACR 239 (Author: Maienschein; Principal Co-Author Cooley)
SUPPORT

Dear Assemblymember Cooley:

On behalf of the 650,000 Californians living with Alzheimer's disease today, and together with the 1.6 million family caregivers who provide support to a loved one with dementia, we are writing in strong support of ACR 239. The Alzheimer's Association is proud to sponsor the resolution.

In just the past two years, Alzheimer's has climbed from the 5th to the 3rd leading cause of death in our state. During the same period, more than 40,000 additional individuals have been impacted, increasing the statewide population affected to 650,000. And in recent years, Medi-Cal spending on beneficiaries has risen by hundreds of millions of dollars. These trendlines warrant heightened attention.

That's why we're writing to thank Assemblymember Maienschein and you for introducing ACR 239 to commemorate June as Alzheimer's and Brain Awareness Month. We appreciate your focused attention on this issue, and your leadership among your Assembly colleagues. Today, there is no known cause, cure or prevention for Alzheimer's, necessitating strong public-private collaboration to bring creative solutions where none exist.

The Alzheimer's Association respectfully requests the Assembly Rules Committee's favorable consideration of ACR 239. If our staff or advocates can be helpful in raising public awareness, please feel free to reach out to me via phone at 916-447-2731 or email at sdemarois@alz.org.

Sincerely,



Susan DeMarois
California Government Affairs Director

CC: Assemblymember Brian Maienschein

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Assembly Concurrent Resolution

No. 240

Introduced by Assembly Member Kalra
(Principal coauthors: Assembly Members Cooper and Kiley)

May 15, 2018

Assembly Concurrent Resolution No. 240—Relative to the 2018 International Day of Yoga.

LEGISLATIVE COUNSEL’S DIGEST

ACR 240, as introduced, Kalra. The 2018 International Day of Yoga. This measure would recognize June 21, 2018, as the 2018 International Day of Yoga in California.

Fiscal committee: no.

1 WHEREAS, For many years, yoga teachers and students desired
2 a collective global celebration of the over 5,000-year-old physical,
3 mental, and spiritual practice of yoga, including yoga teacher
4 Gurudev Sri Sri Ravi Shankar, who explained, “Yoga is a lifestyle
5 and should not be mistaken for only asanas.” “Yoga helps a human
6 being to unfold his full potential. Yoga improves the quality of
7 life, which is so much needed today. Yoga can wipe the tears and
8 bring smiles on every face. It can bring celebration and skill in
9 everyone’s life”; and
10 WHEREAS, In 2014, the United Nations General Assembly
11 declared June 21 the International Day of Yoga. During his address
12 to the General Assembly in support of declaring the global
13 celebration, Prime Minister of India Narendra Modi observed,
14 “Yoga is an invaluable gift of India’s ancient tradition. It embodies
15 unity of mind and body; thought and action; restraint and

1 fulfillment; harmony between man and nature; a holistic approach
2 to health and well-being. It is not about exercise but to discover
3 the sense of oneness with yourself, the world and the nature”; and

4 WHEREAS, The word “yoga” is derived from the Sanskrit word
5 “yuj,” which means “to unite or integrate,” and one objective of
6 a yoga practice is to harmonize the body, spirit, and mind through
7 various breathing exercises, yoga poses, also called asanas, and
8 meditation; and

9 WHEREAS, California is home to many yoga teachers, students,
10 studios, and classes that have collectively contributed to the
11 significant growth of yoga throughout the United States. A 2016
12 study conducted by yoga trade leaders estimated there are 36.7
13 million people currently practicing yoga in the United States, an
14 increase from 20.4 million in 2012; and

15 WHEREAS, While yoga originated from Hindu and Vedic
16 traditions, yoga is currently practiced by people of different
17 cultures, traditions, religions, and nationalities, demonstrating that
18 all people have the shared goal to uplift the human experience;
19 and

20 WHEREAS, Yoga brings strength, stability, and unity within
21 the body, mind, and emotions. Yoga, however, can be more than
22 a type of mental or physical exercise. Yoga may be used as a means
23 to discover a sense of oneness and connection within oneself, other
24 people, the world, nature, and the universe. A regular practice of
25 yoga may help promote a healthy body, a violence-free society, a
26 clear mind, an open intellect, peacefulness with past experiences,
27 a joyful soul, and a strong breath; now, therefore, be it

28 *Resolved by the Assembly of the State of California, the Senate*
29 *thereof concurring*, That the Legislature hereby recognizes June
30 21, 2018, as the 2018 International Day of Yoga in California and
31 an opportunity to better understand the benefits of yoga as a path
32 to uplift the human experience; and be it further

33 *Resolved*, That the Chief Clerk of the Assembly transmit copies
34 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 240 (Kalra) – As Introduced May 15, 2018

SUBJECT: The 2018 International Day of Yoga.

SUMMARY: Recognizes June 21, 2018, as the 2018 International Day of Yoga in California. Specifically, **this resolution** makes the following legislative findings:

- 1) For many years, yoga teachers and students desired a collective global celebration of the over 5,000-year-old physical, mental, and spiritual practice of yoga.
- 2) In 2014, the United Nations General Assembly declared June 21 the International Day of Yoga. During his address to the General Assembly in support of declaring the global celebration, Prime Minister of India Narendra Modi observed, “Yoga is an invaluable gift of India’s ancient tradition. It embodies unity of mind and body; thought and action; restraint and fulfillment; harmony between man and nature; a holistic approach to health and well-being. It is not about exercise but to discover the sense of oneness with yourself, the world and the nature.”
- 3) The word “yoga” is derived from the Sanskrit word “yuj,” which means “to unite or integrate,” and one objective of a yoga practice is to harmonize the body, spirit, and mind through various breathing exercises, yoga poses, also called asanas, and meditation.
- 4) California is home to many yoga teachers, students, studios, and classes that have collectively contributed to the significant growth of yoga throughout the United States. A 2016 study conducted by yoga trade leaders estimated there are 36.7 million people currently practicing yoga in the United States, an increase from 20.4 million in 2012.
- 5) While yoga originated from Hindu and Vedic traditions, yoga is currently practiced by people of different cultures, traditions, religions, and nationalities, demonstrating that all people have the shared goal to uplift the human experience.
- 6) Yoga brings strength, stability, and unity within the body, mind, and emotions. A regular practice of yoga may help promote a healthy body, a violence-free society, a clear mind, an open intellect, peacefulness with past experiences, a joyful soul, and a strong breath.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

Assembly Concurrent Resolution

No. 249

Introduced by Assembly Member Gallagher

June 4, 2018

Assembly Concurrent Resolution No. 249—Relative to Father’s Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 249, as introduced, Gallagher. Father’s Day.

This measure would recognize June 17, 2018, as Father’s Day and would commend fathers and father figures present in their children’s lives.

Fiscal committee: no.

- 1 WHEREAS, For the past 100 years, the United States has
2 recognized the contributions of fathers through the celebration of
3 Father’s Day on the third Sunday in June; and
4 WHEREAS, Fathers help provide the economic and emotional
5 stability needed for children to succeed in life; and
6 WHEREAS, Involved fathers help provide financial and in-home
7 support for their families, which leads to better economic outcomes
8 for their children; and
9 WHEREAS, Children who have involved parents are less likely
10 to become homeless, and have higher IQ scores at age three; and
11 WHEREAS, Studies have shown that children whose fathers
12 are involved have a decreased likelihood of becoming obese at a
13 young age; and
14 WHEREAS, Infants of involved fathers have positive cognitive
15 and developmental outcomes, including improved weight gain and
16 improved breastfeeding rates; and

1 WHEREAS, Involved fathers contribute to higher linguistic
2 abilities and academic achievement in their children; and

3 WHEREAS, Fathers are a much needed source of social and
4 emotional support, and reduce the risk of childhood depression in
5 their children; and

6 WHEREAS, Fathers provide structure for adulthood, for
7 productive statesmanship, and for the skills to contribute to the
8 well-being of one's neighbor and the global market; now, therefore,
9 be it

10 *Resolved by the Assembly of the State of California, the Senate*
11 *thereof concurring*, That the Legislature recognizes June 17, 2018,
12 as Father's Day, and commends fathers and father figures who are
13 present in their children's lives; and be it further

14 *Resolved*, That the Legislature honors men that selflessly take
15 up their responsibilities for the full development and maturation
16 of their children; and be it further

17 *Resolved*, That the Legislature recognizes Father's Day as an
18 important day to reflect on the positive contributions of involved
19 fathers and to celebrate fathers in California; and be it further

20 *Resolved*, That the Chief Clerk of the Assembly transmit copies
21 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 249 (Gallagher) – As Introduced June 4, 2018

SUBJECT: Father's Day.

SUMMARY: Recognizes June 17, 2018, as Father's Day and commends fathers and father figures present in their children's lives. Specifically, **this resolution** makes the following legislative findings:

- 1) For the past 100 years, the United States has recognized the contributions of fathers through the celebration of Father's Day on the third Sunday in June.
- 2) Fathers help provide the economic and emotional stability needed for children to succeed in life; and, involved fathers help provide financial and in-home support for their families, which leads to better economic outcomes for their children.
- 3) Children who have involved parents are less likely to become homeless, and have higher IQ scores at age three; and, children whose fathers are involved have a decreased likelihood of becoming obese at a young age.
- 4) Fathers are a much needed source of social and emotional support, and reduce the risk of childhood depression in their children; and, involved fathers contribute to higher linguistic abilities and academic achievement.
- 5) Father's Day is an important day to reflect on the positive contributions of involved fathers and to celebrate fathers in California.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

Assembly Concurrent Resolution

No. 251

Introduced by Assembly Member Gloria

June 7, 2018

Assembly Concurrent Resolution No. 251—Relative to Philippine Independence Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 251, as introduced, Gloria. Philippine Independence Day.

This measure would recognize June 12, 2018, as the 120th Anniversary of Philippine Independence and would call upon the people of the state to observe the month of June with appropriate ceremonies, programs, and activities.

Fiscal committee: no.

1 WHEREAS, On June 12, 2018, the Filipino American
2 community will celebrate the 120th Anniversary of Philippine
3 Independence, and on this occasion it is appropriate to make special
4 recognition of California’s Filipino Americans and thank them for
5 their countless contributions to our nation’s cultural, economic,
6 and political heritage; and
7 WHEREAS, The Philippine Declaration of Independence took
8 place on June 12, 1898, in the town of Cavite El Viejo, now known
9 as Kawit, located in the Philippine province of Cavite, when
10 Filipino revolutionary forces, under the leadership of General
11 Emilio Aguinaldo, publicly read the Act of Declaration of
12 Independence proclaiming the sovereignty and independence of
13 the Philippine Islands from the colonial rule of Spain, after

1 American and Filipino revolutionary forces defeated Spain at the
2 Battle of Manila Bay during the Spanish-American War; and

3 WHEREAS, The declaration was not recognized by the United
4 States or Spain. Spain later ceded the Philippines to the United
5 States in the 1898 Treaty of Paris that ended the Spanish-American
6 War. The United States government did not recognize Philippine
7 independence until the signing of the Treaty of Manila on July 4,
8 1946; and

9 WHEREAS, For nearly two decades, July 4 was observed in
10 the Philippines as Independence Day until President Diosdado
11 Macapagal, upon the advice of historians and the urging of
12 nationalists, signed the Republic Act No. 4166 into law on August
13 4, 1964, designating the country's Independence Day as June 12.
14 June 12 was previously observed as Flag Day and on that day many
15 government buildings were urged to display the Philippine flag in
16 their offices; and

17 WHEREAS, As the years went on, Filipino Americans became
18 very involved in their communities and made numerous
19 contributions in all aspects of American society and culture,
20 especially in California; and

21 WHEREAS, Many people of Filipino descent have contributed
22 to great movements that have helped to shape our country and its
23 role in the world, including the late Larry Dulay Itliong, labor
24 organizer and the first vice president of the United Farm Workers
25 union, the late Philip Vera Cruz, cofounder of the United Farm
26 Workers union, and the late Carlos Bulosan, one of the first Filipino
27 American novelists to gain fame for his work; and

28 WHEREAS, Many Filipino Americans have served with
29 distinction as outstanding soldiers who fought as members of the
30 Armed Forces for over a century and have sacrificed their lives in
31 many wars, including World War II; and

32 WHEREAS, Today there are more than 3.5 million people of
33 Filipino American descent, many of whom have played vital roles
34 in the development of the United States and have paved the way
35 for Filipino Americans to continue to strengthen their roles in the
36 broader society and to contribute to American and California
37 politics, economy, and culture; now, therefore, be it

38 *Resolved by the Assembly of the State of California, the Senate*
39 *thereof concurring*, That the Legislature, in honor of the multitude
40 of contributions that Filipino Americans have made to make this

1 a better country and state for all people, hereby recognizes June
2 12, 2018, as the 120th Anniversary of Philippine Independence
3 and calls upon the people of the state to observe the month of June
4 with appropriate ceremonies, programs, and activities; and be it
5 further

6 *Resolved*, That the Chief Clerk of the Assembly transmit copies
7 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 251 (Gloria) – As Introduced June 7, 2018

SUBJECT: Philippine Independence Day.

SUMMARY: Recognizes June 12, 2018, as the 120th Anniversary of Philippine Independence and calls upon the people of the state to observe the month of June with appropriate ceremonies. Specifically, **this resolution** makes the following legislative findings:

- 1) General Emilio Aguinaldo read the Act of Declaration of Independence on June 12, 1898, proclaiming the sovereignty and independence of the Philippine Islands from Spain, after American and Filipino revolutionary forces defeated Spain at the Battle of Manila Bay during the Spanish-American War.
- 2) The declaration was not recognized by the United States until the signing of the Treaty of Manila on July 4, 1946; and, for nearly two decades, July 4 was observed in the Philippines as Independence Day until President Diosdado Macapagal signed the Republic Act No. 4166 designating the country's Independence Day as June 12.
- 3) As the years went on, Filipino Americans became very involved in the community and made numerous contributions in all aspects of American society and culture, especially in California; and, many Filipino-Americans have served with distinction in the United States Armed Forces for over a century and have sacrificed their lives in many wars, including World War II.
- 4) Today there are more than 3.5 million people of Filipino American decent, many of whom have played vital roles in the development of the United States and have paved the way for Filipino Americans to continue to strengthen their roles in the broader society and to contribute to American and California politics, economy, and culture.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

House Resolution

No. 109

Introduced by Assembly Member Low
(Principal coauthors: Assembly Members Cervantes, Eggman, and Gloria)

May 15, 2018

House Resolution No. 109—Relative to Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month.

1 WHEREAS, Our great state and nation strives to promote the
2 principles of equality and justice and the inalienable rights of all
3 people to life, liberty, and the pursuit of happiness; and
4 WHEREAS, California’s and America’s diversity is one of our
5 greatest strengths; and
6 WHEREAS, To achieve a more just and fair society, we must
7 teach our children to respect one another, to appreciate our
8 differences, and to recognize the common good in all of us; and
9 WHEREAS, Lesbian, gay, bisexual, and transgender people
10 come from all walks of life, regardless of race, ethnicity, color,
11 religion, ancestry, national origin, economic status, physical or
12 mental ability, medical condition, sex, or gender identity or
13 expression; and
14 WHEREAS, More lesbian, gay, bisexual, and transgender people
15 are being elected to public offices across the country, playing in
16 professional sports leagues, occupying the highest positions in
17 business and government, and serving as role models for all; and
18 WHEREAS, Lesbian, gay, bisexual, and transgender people
19 have made important and lasting contributions to our great state
20 and nation in every field of endeavor, including, but not limited
21 to, business, medicine, law, humanities, science, literature, politics,

1 education, music, philanthropy, sports and athletics, arts, and
2 culture, that enrich our national life; and

3 WHEREAS, In 2012, for the first time in the history of the
4 United States, a sitting President, former President Barack Obama,
5 affirmed support for the fundamental right to marry, regardless of
6 sexual orientation or gender; and

7 WHEREAS, The Supreme Court of the United States struck
8 down a provision of the federal Defense of Marriage Act (DOMA),
9 which barred the federal government from recognizing same-sex
10 marriages, affirming that all loving and committed couples who
11 are married deserve equal treatment and respect; and

12 WHEREAS, The Supreme Court of the United States ruled that
13 Proposition 8 sponsors had no standing to appeal the federal trial
14 court's decision that Proposition 8 is unconstitutional, thereby
15 restoring marriage equality in California; and

16 WHEREAS, The Supreme Court of the United States has found
17 a constitutional basis for marriage equality, granting millions of
18 lesbian, gay, bisexual, and transgender individuals across the
19 country the ability to marry people whom they love; and

20 WHEREAS, Married same-sex couples now enjoy the same
21 rights and privileges granted to other married couples, including
22 joint tax filings, military benefits, family and medical leave, and
23 the ability to sponsor a foreign spouse; and

24 WHEREAS, The transgender community in particular, has
25 gained newfound prominence in the media, entertainment, sports,
26 and business, raising awareness about gender identity and the
27 obstacles this community continues to face; and

28 WHEREAS, While our great state and nation have progressed
29 in our journey toward dignity, understanding, and mutual respect
30 for all, we still have a long way to go in eradicating the prejudice
31 and discrimination that lesbian, gay, bisexual, and transgender
32 people and their families encounter, and to this end, we continue
33 working for the passage of the federal Equality Act, federal Do
34 No Harm Act, federal REPEAL HIV Discrimination Act, federal
35 Every Child Deserves a Family Act, federal Health Equity and
36 Accountability Act, comprehensive immigration reform, and
37 increased awareness of the difficulties facing the transgender
38 community; and

39 WHEREAS, Friends and allies of the LGBT community have
40 shown considerable support and commitment to the struggles of

1 lesbian, gay, bisexual, and transgender people at home and abroad;
2 and

3 WHEREAS, To build a stronger and better state and nation, we
4 must continue to help advance the cause of equality for all people;
5 and

6 WHEREAS, Each year, June marks the anniversary of the
7 Stonewall Rebellion that gave birth to the modern lesbian, gay,
8 bisexual, and transgender civil rights movement; and

9 WHEREAS, Lesbian, gay, bisexual, and transgender Americans,
10 their families and friends, and all those committed to justice and
11 equality celebrate, during the month of June, the rich culture, the
12 notable achievements, and the outstanding services that lesbian,
13 gay, bisexual, and transgender Americans make to our great state
14 and nation; now, therefore, be it

15 *Resolved by the Assembly of the State of California*, That the
16 Assembly proclaims June 2018 as Lesbian, Gay, Bisexual, and
17 Transgender (LGBT) Pride Month, urges all residents to join in
18 celebrating the culture, accomplishments, and contributions of
19 lesbian, gay, bisexual, and transgender people, and encourages the
20 people of California to work to help advance the cause of equality
21 for lesbian, gay, bisexual, and transgender people and their
22 families; and be it further

23 *Resolved*, That the Chief Clerk of the Assembly transmit copies
24 of this resolution to the Members of the Legislature and to the
25 author for appropriate distribution.

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 109 (Low) – As Introduced May 15, 2018

SUBJECT: Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month.

SUMMARY: Proclaims June 2018 as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month; urges all residents to join in celebrating the culture, accomplishments and contributions of lesbian, gay, bisexual, and transgender people; and, encourages the people of California to work to help advance the cause of equality for lesbian, gay, bisexual, and transgender people and their families. Specifically, **this resolution** makes the following legislative findings:

- 1) California's and America's diversity is one of our greatest strengths; and, our great state and nation strive to promote the principles of equality and justice and the inalienable rights of all people to life, liberty, and the pursuit of happiness.
- 2) Lesbian, gay, bisexual, and transgender people come from all walks of life, regardless of race, ethnicity, color, religion, ancestry, national origin, economic status, physical or mental ability, medical condition, sex, or gender identity or expression.
- 3) Lesbian, gay, bisexual, and transgender people have made important and lasting contributions to our great state and nation in every field of endeavor including business, medicine, law, humanities, science, literature, politics, education, music, philanthropy, sports, arts and culture that enrich our national life.
- 4) Lesbian, gay, bisexual, and transgender Americans, their family and friends, and all those committed to justice and equality celebrate, during the month of June, the rich culture, the notable achievements and outstanding services that lesbian, gay, bisexual, and transgender Americans make to our great state and nation.
- 5) Friends and allies of the LGBT community have shown considerable support and commitment to the struggles of lesbian, gay, bisexual, and transgender people at home and abroad.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

House Resolution

No. 112

Introduced by Assembly Member Chiu

June 6, 2018

House Resolution No. 112—Relative to Immigrant Heritage Month.

1 WHEREAS, Generations of immigrants from all around the
2 world built our country's economy and created our nation's unique
3 character; and

4 WHEREAS, More than 40 million immigrants are residing in
5 the United States, constituting 15% of the general United States
6 workforce, and they account for around a quarter of United States
7 entrepreneurs; and

8 WHEREAS, Immigrants and their children make up 42% of
9 California's population. Of all children in California, 47% have
10 at least one parent who is an immigrant and 75% of noncitizens
11 live in households with citizens; and

12 WHEREAS, Immigrants continue to develop and expand
13 businesses, innovate, strengthen our economy, and create American
14 jobs in California; and

15 WHEREAS, Immigrants comprise more than 35% of
16 California's civilian workforce, accounting for over two-thirds of
17 all agricultural workers; nearly one-half of all workers in the
18 manufacturing industry; over 40% of all workers in wholesale
19 trade, construction, and other service industries; 41% of all workers
20 in computer and mathematical occupations; and 57% of all software
21 developers and workers in applications and systems software; and

22 WHEREAS, One in three small business owners in California
23 are immigrants, immigrants founded around 45% of all new

1 businesses from 2007 to 2011, inclusive, and immigrants make up
2 36% of the state's business owners; and

3 WHEREAS, Immigrant households make up 28% of the total
4 household income in California, representing a substantial share
5 of spending power in the state; and

6 WHEREAS, Immigrants contribute \$715 billion of California
7 gross domestic product, \$4.6 billion in sales taxes, and \$3.1 billion
8 in local and states taxes; and

9 WHEREAS, Immigrants fundamentally enrich the extraordinary
10 character of our state and nation with their unique cultures,
11 heritages, religious beliefs, and experiences; and

12 WHEREAS, Immigrants have been tireless leaders, not only in
13 securing their own rights and ensuring access to equal
14 opportunities, but also in pursuing a fairer and more just society
15 for all Americans; and

16 WHEREAS, Despite countless contributions made by
17 immigrants, we have frequently overlooked and undervalued the
18 role of immigrants in building and enriching our nation, both
19 throughout our history and in the present day; now, therefore, be
20 it

21 *Resolved by the Assembly of the State of California, That the*
22 *Assembly proclaims the month of June 2018 as Immigrant Heritage*
23 *Month; and be it further*

24 *Resolved, That the Chief Clerk of the Assembly transmit copies*
25 *of this resolution to the author for appropriate distribution.*

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 112 (Chiu) – As Introduced June 6, 2018

SUBJECT: Immigrant Heritage Month.

SUMMARY: Proclaims the month of June 2018 as Immigrant Heritage Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Generations of immigrants from all around the world built our country's economy and created our nation's unique character.
- 2) More than 40 million immigrants are residing in the United States, constituting 15 percent of the general United States workforce, and they account for around a quarter of United States entrepreneurs.
- 3) Immigrants and their children make up 42 percent of California's population.
- 4) Immigrants continue to develop and expand businesses, innovate, strengthen our economy, and create American jobs in California. One in three small business owners in California are immigrants, immigrants founded around 45 percent of all new businesses from 2007 to 2011, inclusive, and immigrants make up 36 percent of the state's business owners.
- 5) Immigrant households make up 28 percent of the total household income in California, representing a substantial share of spending power in the state; and, immigrants contribute \$715 billion of California gross domestic product, \$4.6 billion in sales taxes, and \$3.1 billion in local and state taxes.
- 6) Immigrants fundamentally enrich the extraordinary character of our state and nation with their unique cultures, heritages, religious beliefs, and experiences and have been tireless leaders, not only in securing their own rights and ensuring access to equal opportunities, but also in pursuing a fairer and more just society for all Americans.
- 7) Despite countless contributions made by immigrants, we have frequently overlooked and undervalued the role of immigrants in building and enriching our nation, both throughout history and in the present day.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

I Am An Immigrant

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800



June 11, 2018

The Honorable Ken Cooley
Chair, Assembly Committee on Rules
California State Assembly
State Capitol, Room 3016
Sacramento, CA 95814

Dear Chairman Cooley:

We are writing to share our support for HR 112 "Immigrant Heritage Month" and to urge the Assembly to pass the resolution. This resolution recognizes the innumerable ways immigrants and their children have made - and continue to make - in founding and building our great State and continuing to move our communities forward.

I Am An Immigrant is part of Welcome.us, a 501(c)(3) non-profit organization that coordinates Immigrant Heritage Month each June. I Am An Immigrant is an ongoing public awareness campaign to encourage Americans to share stories of their families' immigrant heritage, and what it means to be an immigrant in America. Every June, Immigrant Heritage Month (IHM) provides people across the United States an opportunity to explore their own heritage, and #CelebrateImmigrants and the diversity that forms the unique American experience. Through digital activations and events, we celebrate the contributions that immigrants have made, and continue to make, to our nation.

This resolution acknowledges the extraordinary contributions immigrants make daily in California as business owners, employees, teachers, entrepreneurs, taxpayers, homemakers, and so much more. It celebrates how they have shaped our shared cultures and how they have fought - tirelessly and often with too little recognition - to defend their dignity and secure rights for themselves, their families, and their communities. In sum, it acknowledges the crucial role of immigrants in making America what it is today.

Too often we talk about immigration as a divisive political issue, but it is so much more than that. Immigration and immigrant heritage are a shared American experience, a cornerstone of our nation's unique character. We hope this June that celebrating immigrants can instead create space for unity and empathy, conversation, shared stories and experiences about those who came from all across the globe to settle here and build this nation. Passing this resolution would be a signal to all Californians and to the rest of the country that our elected officials - regardless of party lines and political differences - stand with immigrants and proudly celebrate our immigrant heritage.

Thank you for your leadership on this issue, and we look forward to celebrating with you in June!

Sincerely,

Keenan Toohey
Director, I Am An Immigrant

Introduced by Senator Dodd
(Coauthor: Assembly Member Kalra)

May 1, 2018

Senate Concurrent Resolution No. 140—Relative to Elder and Vulnerable Adult Abuse Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 140, as introduced, Dodd. Elder and Vulnerable Adult Abuse Awareness Month.

This measure would proclaim the month of June 2018 and June of every year thereafter as Elder and Vulnerable Adult Abuse Awareness Month.

Fiscal committee: no.

- 1 WHEREAS, Elder and vulnerable adult abuse is a serious and
2 growing crisis in California; and
3 WHEREAS, Not a day goes by without reports of horrific cases
4 of abuse or exploitation of elder or vulnerable adults; and
5 WHEREAS, Throughout the United States, 10,000 people a day
6 are turning 65 years of age; and
7 WHEREAS, One in 10 Americans 60 years of age and older
8 experience abuse each year, and the National Council on Aging
9 reports an estimated five million elders who are abused each year,
10 with only 1 in 14 cases of abuse actually being reported to
11 authorities; and
12 WHEREAS, In 60 percent of elder abuse and neglect incidents,
13 the perpetrator is a family member; and

1 WHEREAS, One in every ten individuals over 65 years of age
2 is living with Alzheimer's disease and nearly one in two people
3 with dementia experiences some form of abuse by others; and

4 WHEREAS, Elder and vulnerable adults may be affected by a
5 constellation of physical, mental, pharmaceutical, or medical
6 influences, any one of which could render them unable to protect
7 themselves or self-advocate, to report to authorities when abuse
8 occurs, or to testify against perpetrators; and

9 WHEREAS, A 2009 National Institute of Justice study found
10 that 11 percent of elders reported experiencing at least one form
11 of mistreatment, including emotional, physical, sexual, or neglect,
12 in the past year; and

13 WHEREAS, Elder and vulnerable adult abuse may be physical,
14 emotional, sexual, or fiduciary and consists of crimes that recognize
15 no boundaries of economic, educational, or social status, gender,
16 race, culture, religion, or geographic location; and

17 WHEREAS, Subtle indicators that abuse may be occurring
18 include bruises or pressure marks, unexplained withdrawal from
19 normal activities, a change in alertness, unusual depression, sudden
20 changes in financial situations, strained or tense relationships, or
21 frequent arguments; and

22 WHEREAS, Recognizing these signs is the first step toward the
23 prevention of elder and vulnerable adult abuse; and

24 WHEREAS, Elders who experience abuse or mistreatment face
25 a greater risk of impacting the health system or impacting social
26 service systems; and

27 WHEREAS, The growing rate of elder abuse and vulnerable
28 adult abuse exacts a heavy toll on public resources as elder financial
29 abuse victims often become nursing home residents that are
30 dependent upon Medi-Cal; and

31 WHEREAS, Elder and dependent adult victims have a mortality
32 rate three times that of the general public and are 300 percent more
33 likely to die a premature death as compared to individuals who
34 have not been mistreated; and

35 WHEREAS, The incidence of abuse and exploitation of the
36 developmentally disabled population is shocking. Over 80 percent
37 of women with developmental disabilities and over 30 percent of
38 men with developmental disabilities are sexually abused at least
39 once during their lifetimes; and

1 WHEREAS, Given that one in 68 babies born today has a
2 disorder on the autism spectrum, the rapid growth of special
3 populations in need of enhanced protection will further challenge
4 an overwhelmed patchwork of programs and services intended to
5 protect vulnerable adult populations; and

6 WHEREAS, Current estimates suggest that as few as one in 14
7 cases of elder and vulnerable adult abuse is reported, and fewer
8 than one in 25 incidents of financial abuse, because the victims
9 are ashamed, hopeless, intimidated, or afraid of the perpetrator;
10 and

11 WHEREAS, A comprehensive central data repository of all
12 child abuse investigations has been in existence since 1965, but
13 no similar repository exists for investigations of crimes against
14 vulnerable, elderly, and other dependent adults; and

15 WHEREAS, Even in 2015, with a rapidly expanding population
16 of elderly adults and other adults with disabilities that render them
17 vulnerable to predators, the State of California did not collect or
18 maintain comprehensive data on abuse cases, reports, or
19 investigations, thus inhibiting the government's capacity to be
20 informed about existing trends, and to make informed decisions
21 about the strategic use of existing resources, let alone improve the
22 existing reporting system, enhancing protections, or lending law
23 enforcement partners the tools necessary to secure justice; and

24 WHEREAS, The lack of statewide elder and vulnerable adult
25 abuse data prevents policymakers from measuring the extent of
26 these crimes and tragedies; and

27 WHEREAS, The lack of a statewide strategy that includes a
28 single point of contact to report an incident of abuse contributes
29 to the current state of underreporting, incomplete investigations,
30 lack of resources, ambiguous jurisdiction, and incomplete data;
31 and

32 WHEREAS, The California Commission on Aging and the
33 California Elder Justice Coalition convened an elder justice summit
34 in 2013 during which 140 experts and advocates identified
35 shortcomings in California's response to elder abuse and proposed
36 promising solutions, including an Elder Justice Blue Ribbon Panel
37 to focus on the problem; and

38 WHEREAS, Elder and vulnerable adults have the right to live
39 safely in the least restrictive environment, whether in their homes

1 or health care facilities, and to enjoy an optimum quality of life
2 while being protected from all forms of injustice; and

3 WHEREAS, Private citizens and public agencies must work to
4 combat crime and violence against elders and vulnerable adults,
5 particularly in the face of continued funding reductions in vital
6 services; and

7 WHEREAS, Due to the ubiquitous nature of elder abuse, June
8 15 is recognized internationally as World Elder Abuse Awareness
9 Day. First established in 2006, the day is intended to raise
10 awareness of elder and vulnerable adult abuse and to promote
11 better understanding of the cultural, social, economic, and
12 demographic issues behind the growing incidence of elder and
13 vulnerable adult abuse around the globe; and

14 WHEREAS, All Californians are strongly encouraged to report
15 suspected abuse of an elder or vulnerable adult by calling their
16 local adult protective services agency, Long-Term Care
17 Ombudsman, law enforcement, or emergency services agencies;
18 now, therefore, be it

19 *Resolved by the Senate of the State of California, the Assembly*
20 *thereof concurring,* That the Legislature proclaims and
21 acknowledges the month of June 2018 and June of every year
22 thereafter as Elder and Vulnerable Adult Abuse Awareness Month;
23 and be it further

24 *Resolved,* That California's recognition of elder and vulnerable
25 adult abuse in June is consistent with the World Elder Abuse
26 Awareness Day of June 15; and be it further

27 *Resolved,* That the Secretary of the Senate transmit copies of
28 this resolution to the author for appropriate distribution.

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 140 (Dodd) – As Introduced May 1, 2018

SENATE VOTE: 38-0

SUBJECT: Elder and Vulnerable Adult Abuse Awareness Month.

SUMMARY: Proclaims the month of June 2018 and June of every year thereafter as Elder and Vulnerable Adult Abuse Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Elder and vulnerable adult abuse is a serious and growing crisis in California.
- 2) One in 10 Americans 60 years of age and older experience abuse each year, and the National Council on Aging reports an estimated five million elders who are abused each year, with only 1 in 14 cases of abuse actually being reported to authorities.
- 3) In 60 percent of elder abuse and neglect incidents, the perpetrator is a family member.
- 4) Elder and vulnerable adults may be affected by a constellation of physical, mental, pharmaceutical, or medical influences, any one of which could render them unable to protect themselves or self-advocate, to report to authorities when abuse occurs, or to testify against perpetrators.
- 5) Elder and vulnerable adult abuse may be physical, emotional, sexual, or fiduciary and consists of crimes that recognize no boundaries of economic, educational, or social status, gender, race, culture, religion, or geographic location.
- 6) Subtle indicators that abuse may be occurring include bruises or pressure marks, unexplained withdrawal from normal activities, a change in alertness, unusual depression, sudden changes in financial situations, strained or tense relationships, or frequent arguments.
- 7) The growing rate of elder abuse and vulnerable adult abuse exacts a heavy toll on public resources as elder financial abuse victims often become nursing home residents that are dependent upon Medi-Cal.
- 8) Elder and dependent adult victims have a mortality rate three times that of the general public and are 300 percent more likely to die a premature death as compared to individuals who have not been mistreated.
- 9) The incidence of abuse and exploitation of the developmentally disabled population is shocking. Over 80 percent of women with developmental disabilities and over 30 percent of men with developmental disabilities are sexually abused at least once during their lifetimes.
- 10) All Californians are strongly encouraged to report suspected abuse of an elder or vulnerable adult by calling their local adult protective services agency, Long-Term Care Ombudsman, law enforcement, or emergency services agencies.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

Introduced by Senator Gaines

May 2, 2018

Senate Concurrent Resolution No. 142—Relative to Prostate Cancer Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 142, as introduced, Gaines. Prostate Cancer Awareness Month. This measure would proclaim the month of September 2018 as Prostate Cancer Awareness Month in California.

Fiscal committee: no.

- 1 WHEREAS, Prostate cancer is the most frequently diagnosed
2 cancer in men and the second leading cause of cancer deaths in
3 men; and
4 WHEREAS, The American Cancer Society estimates there will
5 be 164,690 new cases of prostate cancer in the United States in
6 2018, resulting in an estimated 29,430 deaths; and
7 WHEREAS, It is estimated that 15,190 men in California will
8 be diagnosed with prostate cancer this year, and it is estimated that
9 3,490 of these men will die from this disease; and
10 WHEREAS, African American men in the United States and
11 Caribbean have the highest documented prostate cancer incidence
12 rates in the world; and
13 WHEREAS, Early prostate cancer usually has no symptoms
14 and studies suggest strong familial predisposition may be
15 responsible for 5 to 10 percent of the disease cases; and
16 WHEREAS, Advanced prostate cancer commonly spreads to
17 the bones, which can cause pain to the hips, spine, ribs, or other
18 areas of the body; and

1 WHEREAS, The five-year survival rate approaches 100 percent
2 when prostate cancer is diagnosed and treated early, but drops to
3 30 percent when it spreads to other parts of the body; and

4 WHEREAS, Prostate cancer treatment decisions should be based
5 on clinician recommendations and patient values and preferences;
6 and

7 WHEREAS, The American Cancer Society recommends that
8 men should have an opportunity to make an informed decision
9 about whether or not to be tested for prostate cancer based on their
10 personal values and preferences; now, therefore, be it

11 *Resolved by the Senate of the State of California, the Assembly*
12 *thereof concurring*, That the Legislature of the State of California
13 hereby proclaims the month of September 2018 as Prostate Cancer
14 Awareness Month in California; and be it further

15 *Resolved*, That the Legislature joins communities across our
16 nation to increase awareness about the importance for men to make
17 informed decisions with their health care providers about early
18 detection and testing for prostate cancer; and be it further

19 *Resolved*, That the Secretary of the Senate transmit copies of
20 this resolution to the author for appropriate distribution.

O

Date of Hearing: June 14, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 142 (Gaines) – As Introduced May 2, 2018

SENATE VOTE: 39-0

SUBJECT: Prostate Cancer Awareness Month.

SUMMARY: Proclaims the month of September 2018 as Prostate Cancer Awareness Month in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Prostate cancer is the most frequently diagnosed cancer in men, and the second leading cause of cancer deaths in men.
- 2) The American Cancer Society estimates that there will be 164,690 new cases of prostate cancer in the United States in 2018, resulting in an estimated 29,430 deaths.
- 3) It is estimated that 15,190 men in California will be diagnosed with prostate cancer this year, and an estimated 3,490 of these men will die from this disease.
- 4) The five-year survival rate approaches 100 percent when prostate cancer is diagnosed and treated early, but drops to 30 percent when it spreads to other parts of the body.
- 5) The American Cancer Society recommends that men should have an opportunity to make an informed decision about whether or not to be tested for prostate cancer based on their personal values and preferences.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

AMENDED IN ASSEMBLY JUNE 11, 2018

AMENDED IN SENATE APRIL 17, 2017

SENATE BILL

No. 762

Introduced by Senator Hernandez

February 17, 2017

An act to amend Section ~~704~~ 3041 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 762, as amended, Hernandez. ~~Healing arts licensee: license activation fee: waiver. Optometry: administration of immunizations.~~

The Optometry Practice Act provides for the licensure and regulation of the practice of optometry by the State Board of Optometry in the Department of Consumer Affairs. The act requires an optometrist who has been certified to use therapeutical pharmaceutical agents to be certified for the administration of immunizations by complying with specified requirements, including completing an immunization training program endorsed by the federal Centers for Disease Control and Prevention.

This bill would instead require the training program to be endorsed by the federal Centers for Disease Control and Prevention or the Accreditation Council for Pharmacy Education. The bill would also make nonsubstantive changes, including correcting erroneous cross-references.

~~Existing law requires a healing arts board, as defined, to issue, upon application and payment of the normal renewal fee, an inactive license or certificate to a current holder of an active license or certificate whose license or certificate is not suspended, revoked, or otherwise punitively restricted by the board. Existing law requires the holder of an inactive~~

~~license or certificate to, among other things, pay the renewal fee in order to restore his or her license or certificate to an active status. Existing law requires the renewal fee to be waived for a physician and surgeon who certifies to the Medical Board of California that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state.~~

~~This bill would require the renewal fee to be waived for any healing arts licensee who certifies to his or her respective board that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 3041 of the Business and Professions*
2 *Code is amended to read:*

3 3041. (a) The practice of optometry includes the prevention
4 and diagnosis of disorders and dysfunctions of the visual system,
5 and the treatment and management of certain disorders and
6 dysfunctions of the visual system, as well as the provision of
7 habilitative or rehabilitative optometric services, and is the doing
8 of any or all of the following:

9 (1) The examination of the human eye or eyes, or its or their
10 appendages, and the analysis of the human vision system, either
11 subjectively or objectively.

12 (2) The determination of the powers or range of human vision
13 and the accommodative and refractive states of the human eye or
14 eyes, including the scope of its or their functions and general
15 condition.

16 (3) The prescribing or directing the use of, or using, any optical
17 device in connection with ocular exercises, visual training, vision
18 training, or orthoptics.

19 (4) The prescribing of contact and spectacle lenses for, or the
20 fitting or adaptation of contact and spectacle lenses to, the human

1 eye, including lenses that may be classified as drugs or devices by
2 any law of the United States or of this state.

3 (5) The use of topical pharmaceutical agents for the purpose of
4 the examination of the human eye or eyes for any disease or
5 pathological condition.

6 (b) (1) An optometrist who is certified to use therapeutic
7 pharmaceutical agents, pursuant to Section 3041.3, may also
8 diagnose and treat the human eye or eyes, or any of its or their
9 appendages, for all of the following conditions:

10 (A) Through medical treatment, infections of the anterior
11 segment and adnexa, excluding the lacrimal gland, the lacrimal
12 drainage system, and the sclera in patients under 12 years of age.

13 (B) Ocular allergies of the anterior segment and adnexa.

14 (C) Ocular inflammation, nonsurgical in cause except when
15 comanaged with the treating physician and surgeon, limited to
16 inflammation resulting from traumatic iritis, peripheral corneal
17 inflammatory keratitis, episcleritis, and unilateral nonrecurrent
18 nongranulomatous idiopathic iritis in patients over 18 years of age.

19 (D) Traumatic or recurrent conjunctival or corneal abrasions
20 and erosions.

21 (E) Nonmalignant ocular surface disease and dry eye disease.

22 (F) Ocular pain, nonsurgical in cause except when comanaged
23 with the treating physician and surgeon, associated with conditions
24 optometrists are authorized to treat.

25 (G) Hypotrichosis and blepharitis.

26 (H) Pursuant to subdivision (e), glaucoma in patients over 18
27 years of age, as described in subdivision ~~(j)~~: (k).

28 (2) For purposes of this section, “treat” means the use of
29 therapeutic pharmaceutical agents, as described in subdivision (c),
30 and the procedures described in subdivision (d).

31 (c) In diagnosing and treating the conditions listed in subdivision
32 (b), an optometrist certified to use therapeutic pharmaceutical
33 agents pursuant to Section 3041.3 may use or prescribe, including
34 for rational off-label purposes, all of the following therapeutic
35 pharmaceutical agents:

36 (1) Topical pharmaceutical agents for the examination of the
37 human eye or eyes for any disease or pathological condition,
38 including, but not limited to, topical miotics.

39 (2) Topical lubricants.

1 (3) Antiallergy agents. In using topical steroid medication for
2 the treatment of ocular allergies, an optometrist shall consult with
3 an ophthalmologist if the patient's condition worsens 21 days after
4 diagnosis.

5 (4) Topical and oral anti-inflammatories.

6 (5) Topical antibiotic agents.

7 (6) Topical hyperosmotics.

8 (7) Topical and oral antiglaucoma agents pursuant to the
9 certification process defined in subdivision (e).

10 (8) Nonprescription medications used for the rational treatment
11 of an ocular disorder.

12 (9) Oral antihistamines.

13 (10) Prescription oral nonsteroidal anti-inflammatory agents.

14 (11) Oral antibiotics for medical treatment of ocular disease.

15 (12) Topical and oral antiviral medication for the medical
16 treatment of herpes simplex viral keratitis, herpes simplex viral
17 conjunctivitis, periocular herpes simplex viral dermatitis, varicella
18 zoster viral keratitis, varicella zoster viral conjunctivitis, and
19 periocular varicella zoster viral dermatitis.

20 (13) Oral analgesics that are not controlled substances.

21 (14) Codeine with compounds, hydrocodone with compounds,
22 and tramadol as listed in the California Uniform Controlled
23 Substances Act (Division 10 (commencing with Section 11000)
24 of the Health and Safety Code) and the United States Uniform
25 Controlled Substances Act (21 U.S.C. Sec. 801 et seq.). The use
26 of these agents shall be limited to three days, with a referral to an
27 ophthalmologist if the pain persists.

28 (15) Additional therapeutic pharmaceutical agents pursuant to
29 subdivision (f).

30 (d) An optometrist who is certified to use therapeutic
31 pharmaceutical agents pursuant to Section 3041.3 may also perform
32 all of the following procedures:

33 (1) Corneal scraping with cultures.

34 (2) Debridement of corneal epithelia.

35 (3) Mechanical epilation.

36 (4) Collection of blood by skin puncture or venipuncture for
37 testing patients suspected of having diabetes.

38 (5) Suture removal, with prior consultation with the treating
39 physician and surgeon.

40 (6) Treatment or removal of sebaceous cysts by expression.

1 (7) Administration of oral fluorescein to patients suspected as
2 having diabetic retinopathy.

3 (8) Use of an auto-injector to counter anaphylaxis.

4 (9) Ordering of smears, cultures, sensitivities, complete blood
5 count, mycobacterial culture, acid fast stain, urinalysis, tear fluid
6 analysis, and X-rays necessary for the diagnosis of conditions or
7 diseases of the eye or adnexa. An optometrist may order other
8 types of images subject to prior consultation with an
9 ophthalmologist or appropriate physician and surgeon.

10 (10) A clinical laboratory test or examination classified as
11 waived under the federal Clinical Laboratory Improvement
12 Amendments of 1988 (CLIA) (42 U.S.C. Sec. 263a; Public Law
13 100-578) and designated as waived in paragraph (9) necessary for
14 the diagnosis of conditions and diseases of the eye or adnexa, or
15 if otherwise specifically authorized by this chapter.

16 (11) Punctal occlusion by plugs, excluding laser, diathermy,
17 cryotherapy, or other means constituting surgery as defined in this
18 chapter.

19 (12) The use or prescription of diagnostic or therapeutic contact
20 lenses, including lenses or devices that incorporate a medication
21 or therapy the optometrist is certified to prescribe or provide.

22 (13) Removal of foreign bodies from the cornea, eyelid, and
23 conjunctiva with any appropriate instrument other than a scalpel.
24 Corneal foreign bodies shall be nonperforating, be no deeper than
25 the midstroma, and require no surgical repair upon removal.

26 (14) For patients over 12 years of age, lacrimal irrigation and
27 dilation, excluding probing of the nasal lacrimal tract. The board
28 shall certify any optometrist who graduated from an accredited
29 school of optometry before May 1, 2000, to perform this procedure
30 after submitting proof of satisfactory completion of 10 procedures
31 under the supervision of an ophthalmologist as confirmed by the
32 ophthalmologist. Any optometrist who graduated from an
33 accredited school of optometry on or after May 1, 2000, shall be
34 exempt from the certification requirement contained in this
35 paragraph.

36 (15) Intravenous injection for the purpose of performing ocular
37 angiography at the direction of an ophthalmologist as part of an
38 active treatment plan in a setting where a physician and surgeon
39 is immediately available.

1 (16) Skin testing to diagnose ocular allergies, limited to the
2 superficial layer of the skin.

3 (17) Use of any noninvasive medical device or technology
4 authorized pursuant to subdivision (f).

5 (e) An optometrist certified pursuant to Section 3041.3 shall be
6 certified for the treatment of glaucoma, as described in subdivision
7 ~~(j)~~, (k), in patients over 18 years of age after the optometrist meets
8 the following applicable requirements:

9 (1) For licensees who graduated from an accredited school of
10 optometry on or after May 1, 2008, submission of proof of
11 graduation from that institution.

12 (2) For licensees who were certified to treat glaucoma under
13 this section prior to January 1, 2009, submission of proof of
14 completion of that certification program.

15 (3) For licensees who completed a didactic course of not less
16 than 24 hours in the diagnosis, pharmacological, and other
17 treatment and management of glaucoma, submission of proof of
18 satisfactory completion of the case management requirements for
19 certification established by the board.

20 (4) For licensees who graduated from an accredited school of
21 optometry on or before May 1, 2008, and who are not described
22 in paragraph (2) or (3), submission of proof of satisfactory
23 completion of the requirements for certification established by the
24 board under Chapter 352 of the Statutes of 2008.

25 (f) (1) Any topical or oral therapeutic pharmaceutical agent,
26 which is not a controlled substance, or noninvasive medical device
27 or technology that is not expressly authorized for use or
28 prescription by an optometrist certified to use therapeutic
29 pharmaceutical agents pursuant to Section 3041.3 shall be deemed
30 to be authorized if it has received a United States Food and Drug
31 Administration approved indication for the diagnosis or treatment
32 of a condition authorized by this chapter. A licensee shall
33 successfully complete any clinical training imposed by a related
34 manufacturer prior to using any of those therapeutic pharmaceutical
35 agents or noninvasive medical devices or technologies.

36 (2) Any other topical or oral therapeutic pharmaceutical agent,
37 which is not a controlled substance, or noninvasive medical device
38 or technology that is not expressly authorized for use or
39 prescription by an optometrist certified to use therapeutic
40 pharmaceutical agents pursuant to Section 3041.3 and does not

1 meet the requirements in paragraph (1) shall be deemed authorized
2 if approved by the board through regulation for the rational
3 treatment of a condition authorized by this chapter. Any regulation
4 under this paragraph shall require a licensee to successfully
5 complete an appropriate amount of clinical training to qualify to
6 use each topical or oral therapeutic pharmaceutical agent or
7 noninvasive medical device or technology approved by the board
8 pursuant to this paragraph.

9 (3) This subdivision shall not be construed to authorize any of
10 the following:

11 (A) Any therapeutic pharmaceutical agent, medical device, or
12 technology involving cutting, altering, or otherwise infiltrating
13 human tissue by any means.

14 (B) A clinical laboratory test or imaging study not authorized
15 by paragraphs (1) to (16), inclusive, of subdivision (d).

16 (C) Treatment of any disease or condition that could not be
17 treated by an optometrist before January 1, 2018.

18 (g) (1) An optometrist certified pursuant to Section ~~3014.3~~
19 ~~3041.3~~ shall be certified for the administration of immunizations
20 after the optometrist meets all of the following requirements:

21 (A) Completes an immunization training program endorsed by
22 the federal Centers for Disease Control and Prevention (CDC) *or*
23 *the Accreditation Council for Pharmacy Education* that, at a
24 minimum, includes hands-on injection technique, clinical
25 evaluation of indications and ~~contradictions~~ *contraindications* of
26 vaccines, and the recognition and treatment of emergency reactions
27 to vaccines, and maintains that training.

28 (B) Is certified in basic life support.

29 (C) Complies with all state and federal recordkeeping and
30 reporting requirements, including providing documentation to the
31 patient's primary care provider and entering information in the
32 appropriate immunization registry designated by the immunization
33 branch of the State Department of Public Health.

34 (D) Applies for an immunization certificate on a board-approved
35 form.

36 (2) For the purposes of this section, "immunization" means the
37 administration of immunizations for influenza, herpes zoster virus,
38 and pneumococcus in compliance with individual Advisory
39 Committee on Immunization Practices (ACIP) vaccine

1 recommendations published by the CDC for persons 18 years of
2 age or older.

3 (h) Other than for prescription ophthalmic devices described in
4 subdivision (b) of Section 2541, any dispensing of a therapeutic
5 pharmaceutical agent by an optometrist shall be without charge.

6 (i) The practice of optometry does not include performing
7 surgery. “Surgery” means any procedure in which human tissue
8 is cut, altered, or otherwise infiltrated by mechanical or laser
9 means. “Surgery” does not include those procedures specified in
10 paragraphs (1) to (15), inclusive, of subdivision (d). This
11 subdivision does not limit an optometrist’s authority to utilize
12 diagnostic laser and ultrasound technology within his or her scope
13 of practice.

14 (j) An optometrist licensed under this chapter is subject to the
15 provisions of Section 2290.5 for purposes of practicing telehealth.

16 (k) For purposes of this chapter, “glaucoma” means either of
17 the following:

18 (1) All primary open-angle glaucoma.

19 (2) Exfoliation and pigmentary glaucoma.

20 (3) (A) Steroid induced glaucoma.

21 (B) If an optometrist treats a patient for steroid induced
22 glaucoma the optometrist shall promptly notify the prescriber of
23 the steroid medication if the prescriber did not refer the patient to
24 the optometrist for treatment.

25 (l) For purposes of this chapter, “adnexa” means ocular adnexa.

26 (m) In an emergency, an optometrist shall stabilize, if possible,
27 and immediately refer any patient who has an acute attack of angle
28 closure to an ophthalmologist.

29 ~~SECTION 1. Section 704 of the Business and Professions Code~~
30 ~~is amended to read:~~

31 ~~704. In order for the holder of an inactive license or certificate~~
32 ~~issued pursuant to this article to restore his or her license or~~
33 ~~certificate to an active status, the holder of an inactive license or~~
34 ~~certificate shall comply with both the following:~~

35 ~~(a) Pay the renewal fee; provided, that the renewal fee shall be~~
36 ~~waived for a healing arts licensee who certifies to the board that~~
37 ~~license restoration is for the sole purpose of providing voluntary,~~
38 ~~unpaid service to a public agency, not-for-profit agency, institution,~~
39 ~~or corporation that provides medical services to indigent patients~~

1 in medically underserved or critical-need population areas of the
2 state.
3 (b) If the board requires completion of continuing education for
4 renewers of an active license or certificate, complete continuing
5 education equivalent to that required for a single license renewal
6 period.

O

California State Senate

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SENATOR
ED HERNANDEZ, O.D.

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June 12, 2018

Honorable Ken Cooley
Chair, Assembly Committee on Rules
Capitol Room 3016
Sacramento, CA 95814

Dear Chair Cooley,

I respectfully request permission from the Assembly Rules Committee to add an urgency clause to SB 762. The Legislature recently expanded the optometric scope of practice to include administration of three immunizations. The law requires optometrists to first take an immunization training course that is endorsed by the Center for Disease Control and Prevention. The problem is no such course exists. The urgency clause would allow optometrists to administer these three immunizations once they have received *appropriate* training and protect the health and well-being of the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Hernandez", with a long horizontal line extending to the right.

ED HERNANDEZ, O.D.
Senator
22nd District