



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0124
(916) 319-2800
FAX (916) 319-2810

Assembly
California Legislature
Committee on Rules
RICHARD S. GORDON
CHAIR

Thursday, May 08, 2014
8:50 AM
State Capitol, Room 3162

VICE CHAIR
SCOTT WILK
MEMBERS
CHERYL R. BROWN
ROCKY J. CHÁVEZ
MATTHEW M. DABABNEH
LORENA GONZALEZ
CURT HAGMAN
ADRIN NAZARIAN
BILL QUIRK
SEBASTIAN RIDLEY-THOMAS
MARIE WALDRON

FRANK BIGELOW (R-ALT.)
KEN COOLEY (D-ALT.)

CONSENT AGENDA

Bill Referrals

1. Consent Bill Referrals
2. Bill Re-referrals

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Resolutions

3. ACR 127 (Bonta) Relative to Bataan Death March Veterans Commemoration Day.
4. ACR 140 (Weber) Relative to 60th Anniversary of Brown v. Board of Education.

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REFERRAL OF BILLS TO COMMITTEE

05/08/2014

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

Assembly Bill No.	Committee:
ACR 146	RLS.
AJR 43	W.,P. & W.
AJR 46	V.A.
AJR 47	PUB. S.
HR 36	RLS.
HR 40	RLS.
SB 593	J., E.D. & E.
SB 663	PUB. S.
SB 673	P.E.,R. & S.S.
SB 674	NAT. RES.
SB 674	L. GOV.
SB 711	U. & C.
SB 712	E.S. & T.M.
SB 782	REV. & TAX.
SB 785	L. GOV.
SB 792	L. GOV.
SB 794	PUB. S.
SB 803	L. GOV.
SB 808	PUB. S.
SB 812	E.S. & T.M.
SB 833	PUB. S.
SB 852	BUDGET
SB 853	BUDGET
SB 854	BUDGET
SB 855	BUDGET
SB 856	BUDGET
SB 857	BUDGET
SB 858	BUDGET
SB 859	BUDGET
SB 860	BUDGET
SB 861	BUDGET
SB 862	BUDGET
SB 863	BUDGET
SB 864	BUDGET
SB 865	BUDGET
SB 866	BUDGET
SB 867	BUDGET
SB 868	BUDGET

<u>SB 869</u>	BUDGET
<u>SB 870</u>	BUDGET
<u>SB 871</u>	BUDGET
<u>SB 872</u>	BUDGET
<u>SB 873</u>	BUDGET
<u>SB 874</u>	BUDGET
<u>SB 875</u>	BUDGET
<u>SB 876</u>	BUDGET
<u>SB 877</u>	BUDGET
<u>SB 878</u>	BUDGET
<u>SB 879</u>	BUDGET
<u>SB 880</u>	BUDGET
<u>SB 881</u>	BUDGET
<u>SB 882</u>	BUDGET
<u>SB 883</u>	BUDGET
<u>SB 884</u>	BUDGET
<u>SB 885</u>	BUDGET
<u>SB 886</u>	BUDGET
<u>SB 887</u>	BUDGET
<u>SB 888</u>	BUDGET
<u>SB 889</u>	BUDGET
<u>SB 890</u>	BUDGET
<u>SB 891</u>	BUDGET
<u>SB 907</u>	JUD.
<u>SB 971</u>	ED.
<u>SB 1033</u>	H. & C.D.
<u>SB 1033</u>	L. GOV.
<u>SB 1051</u>	B. & F.
<u>SB 1051</u>	JUD.
<u>SCR 75</u>	RLS.
<u>SCR 82</u>	J., E.D. & E.
<u>SCR 90</u>	NAT. RES.
<u>SCR 95</u>	AGRI.
<u>SCR 97</u>	RLS.
<u>SCR 98</u>	RLS.
<u>SCR 100</u>	RLS.
<u>SCR 101</u>	RLS.
<u>SCR 103</u>	J., E.D. & E.
<u>SCR 105</u>	RLS.
<u>SCR 109</u>	RLS.
<u>SCR 110</u>	RLS.
<u>SCR 111</u>	RLS.

[SCR 112](#)

RLS.

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Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 5/7/14
Re: Consent Bill Referrals

Since you received the preliminary the referral for AJR 43 has changed and ACR 146 has been added.



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RE-REFERRAL OF BILLS

05/08/2014

RE-REFERRAL OF BILLS

Assembly Bill
No.

Committee:

[SB 445](#)

ENVIRONMENTAL SAFETY AND TOXIC
MATERIALS

[*SB 611](#)

TRANSPORTATION

[**SB 611](#)

UTILITIES AND COMMERCE



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FRANK BIGELOW (R-ALT.)
KEN COOLEY (D-ALT.)

Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 5/7/14
Re: Consent Bill Re-referrals

Since you received the preliminary there have been no changes.



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Assembly Concurrent Resolution

No. 127

Introduced by Assembly Member Bonta

April 1, 2014

Assembly Concurrent Resolution No. 127—Relative to Bataan Death March Veterans Commemoration Day.

LEGISLATIVE COUNSEL'S DIGEST

ACR 127, as introduced, Bonta. Bataan Death March Veterans Commemoration Day.

This measure would declare April 9, 2014, and every April 9 thereafter, as Bataan Death March Veterans Commemoration Day.

Fiscal committee: no.

- 1 WHEREAS, On April 9, 1942, during World War II, the
- 2 Japanese Army forced 78,000 Filipino and American soldiers to
- 3 march 82 miles from Bataan to Camp O'Donnell; and
- 4 WHEREAS, These soldiers endured brutal conditions and
- 5 suffered heinous war crimes along the march; and
- 6 WHEREAS, Approximately 10,000 soldiers, both Filipino and
- 7 American, lost their lives during the march; and
- 8 WHEREAS, The Bataan Death March was the greatest loss of
- 9 American and Filipino prisoners of war during World War II; and
- 10 WHEREAS, Californians owe a debt of gratitude to the soldiers
- 11 who gave up their freedom and perished in service of their countries
- 12 to preserve our freedoms and our lives; and
- 13 WHEREAS, Knowledge of this historic event is passing out of
- 14 living memory as survivors pass away; and

1 WHEREAS, The sacrifices made by American and Filipino
2 veterans during the Bataan Death March have received little state
3 recognition in California; and

4 WHEREAS, The United States Federal Government annually
5 recognizes April 9th as National Former Prisoner of War Day;
6 now, therefore, be it

7 *Resolved by the Assembly of the State of California, the Senate*
8 *thereof concurring*, That the Legislature declares that a day be set
9 aside for appreciation of the veterans of the Bataan Death March
10 and a memoriam of the deceased; and be it further

11 *Resolved*, That April 9, 2014, and each 9th day of April
12 hereafter, is hereby designated and commemorated as Bataan Death
13 March Veterans Commemoration Day; and be it further

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

O

Date of Hearing: May 8, 2014

ASSEMBLY COMMITTEE ON RULES

Richard S. Gordon, Chair

ACR 127 (Bonta) – As Introduced: April 1, 2014

SUBJECT: Bataan Death March Veterans Commemoration Day.

SUMMARY: Declares April 9, 2014, and every April 9 thereafter, as Bataan Death March Veterans Commemoration Day. Specifically, this resolution makes the following legislative findings:

- 1) On April 9, 1942, during World War II, the Japanese Army forced 78,000 Filipino and American soldiers to march 82 miles from Bataan to Camp O'Donnell; and, during this march these soldiers endured brutal conditions and suffered heinous war crimes resulting in the death of 10,000 soldiers.
- 2) The Bataan Death March was the greatest loss of American and Filipino prisoners of war during World War II; and Californians owe a debt of gratitude to the soldiers who gave up their freedom and perished in service of their countries to preserve our freedoms and our lives.

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. 140

Introduced by Assembly Member Weber
(Coauthors: Assembly Members Bradford, Brown, Hall, Holden,
Jones-Sawyer, and Ridley-Thomas)
(Coauthor: Senator Mitchell)

April 23, 2014

Assembly Concurrent Resolution No. 140—Relative to the 60th Anniversary of Brown v. Board of Education.

LEGISLATIVE COUNSEL’S DIGEST

ACR 140, as introduced, Weber. 60th Anniversary of Brown v. Board of Education.

This measure would commemorate the 60th Anniversary of the Brown v. Board of Education decision, and would urge the State Department of Education to provide model instructional materials to schools that encourage schools to observe the decision with appropriate educational activities that help pupils understand the importance of tolerance, humanity, and equality of opportunity.

Fiscal committee: yes.

- 1 WHEREAS, High-quality education is essential to an informed
2 citizenry, and is the foundation for democracy in the United States;
3 and
4 WHEREAS, Access to a high-quality education is the gateway
5 to opportunity, America’s promise to all; and
6 WHEREAS, A high-quality education for every citizen
7 regardless of race, religion, ethnic background, or economic

1 circumstance is a fundamental civil right under the American form
2 of government; and

3 WHEREAS, Education is the passport of opportunity that needs
4 to be equally available for all; and

5 WHEREAS, In 1896, the United States Supreme Court ruled
6 in *Plessy v. Ferguson* (1896) 163 U.S. 537 that segregation of the
7 races at public facilities was legal so long as these facilities were
8 “separate but equal,” which legitimized segregated public schools;
9 and

10 WHEREAS, In 1952 and 1953, the United States Supreme Court
11 heard oral arguments on consolidated cases on appeal from United
12 States District Courts of Kansas, Delaware, Virginia, and South
13 Carolina under the name of *Brown v. Board of Education of*
14 *Topeka* (1954) 347 U.S. 483, alleging similar arguments to those
15 offered by famed National Association for the Advancement of
16 Colored People (NAACP) legal counsel Charles H. Houston, who
17 played a role in nearly every civil rights desegregation case before
18 the United States Supreme Court between 1930 and *Brown v.*
19 *Board of Education*, that “separate but equal” schools were, in
20 fact, never equal and that these schools violated individual rights
21 to equal protection under the law guaranteed by the 14th
22 Amendment to the United States Constitution; and

23 WHEREAS, The arguments were presented on behalf of the
24 NAACP by its Chief Counsel, Thurgood Marshall, who eventually
25 became the first African American United States Supreme Court
26 Justice; and

27 WHEREAS, Thurgood Marshall argued that segregated schools,
28 many of which were substandard, were psychologically damaging
29 to black children, causing low self-esteem and low self-worth,
30 inherently depriving these children of equal protection under the
31 law guaranteed by the 14th Amendment to the United States
32 Constitution, and that under that amendment states had no legally
33 valid reason to segregate and “use race as a factor in affording
34 educational opportunities to its citizens”; and

35 WHEREAS, Chief Justice of the United States Earl Warren
36 wrote that “education is perhaps the most important function of
37 state and local governments,” and he persuaded each of the other
38 eight justices of the Supreme Court that, even if schools were
39 theoretically equal, the effect of segregation on black pupils
40 “generates a feeling of inferiority as to their status in the

1 community that may affect their hearts and minds in a way unlikely
2 ever to be undone”; and

3 WHEREAS, On May 17, 1954, the United States Supreme Court
4 in *Brown v. Board of Education* unanimously overturned the
5 “separate but equal” doctrine of law; and

6 WHEREAS, The United States Supreme Court’s decision
7 became the legal impetus to school desegregation throughout the
8 United States, and led to one of the most profound social
9 movements in the history of the United States; and

10 WHEREAS, The reaction to the *Brown v. Board of Education*
11 decision fueled emotions from both sides of the segregation
12 argument, leading to the “Little Rock Nine,” a group of nine black
13 high school students who were the first black students to attend
14 the all white Little Rock High School in Arkansas. One of those
15 students was Melba Pattillo Beals, who finished her high school
16 education at the public Montgomery High School in Santa Rosa,
17 California, and later received her bachelor’s degree from San
18 Francisco State University; and

19 WHEREAS, The activism generated to enforce the *Brown v.*
20 *Board of Education* decision was a catalyst to the Civil Rights
21 Movement for equality that gained momentum in the 1960s and
22 led to further desegregation of public facilities; and

23 WHEREAS, The struggle for equal access to high-quality
24 education continues today; now, therefore, be it

25 *Resolved by the Assembly of the State of California, the Senate*
26 *thereof concurring*, That the Legislature commemorates the 60th
27 Anniversary of the historic *Brown v. Board of Education* decision,
28 one of the landmark United States Supreme Court decisions of the
29 20th Century; and be it further

30 *Resolved*, That the State Department of Education is urged to
31 provide model instructional materials to schools that encourage
32 schools to observe the *Brown v. Board of Education* decision with
33 appropriate educational activities that help pupils understand the
34 importance of tolerance, humanity, and equality of opportunity;
35 and be it further

36 *Resolved*, That a copy of this resolution be transmitted to the
37 California School Boards Association, which is encouraged to
38 disseminate copies to local boards of education throughout
39 California; and be it further

- 1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 2 of the resolution to the author for appropriate distribution.

O

Date of Hearing: May 8, 2014

ASSEMBLY COMMITTEE ON RULES

Richard S. Gordon, Chair

ACR 140 (Weber) – As Introduced: April 23, 2014

SUBJECT: 60th Anniversary of Brown v. Board of Education.

SUMMARY: Commemorates the Brown v. Board of Education (1954) 347 U.S. 483 decision and urges the State Department of Education to provide model instructional materials to schools that encourages schools to observe the Brown v. Board of Education decision. Specifically, this resolution makes the following legislative findings:

- 1) In 1896, the United States Supreme Court ruled in Plessy v. Ferguson (1896) 163 U.S. 537 that the segregation of the races is legal as long as facilities are "separate but equal."
- 2) On May 17, 1954, the United States Supreme Court in Brown v. Board of Education of Topeka (1954) 347 U.S. 483 unanimously overturned the "separate but equal" doctrine of law.
- 3) This highly controversial decision became the legal impetus to school desegregation throughout the United States and one of the most profound social revolutions in the country.
- 4) The activism generated to implement the Brown v. Board of Education decision was a catalyst to the Civil Rights Movement for equality that gained momentum in the 1960's which led to further desegregation of public facilities and which continues today.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California School Boards Association (CSBA)

Opposition

None on file

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



May 7, 2014

The Honorable Richard Gordon
Chair, Assembly Committee on Rules
California State Assembly
State Capitol, Room 3013
Sacramento, CA 95814

ACR 140 (Weber): SPONSOR
Assembly Committee on Rules
Hearing Date: May 12, 2014

Dear Assembly Member Gordon:

On behalf of the California School Boards Association (CSBA), which represents nearly 1,000 school district and county boards of education statewide, I am writing to respectfully ask for your support of ACR 140 (Weber) when it comes before the Assembly Rules Committee on Monday, May 12, 2014.

ACR 140 commemorates the 60th anniversary of the groundbreaking U.S. Supreme Court decision in *Brown v. Board of Education*. On May 17, 1954, the court overturned a previous decision that segregation of races in public facilities was legal as long as the facilities were "separate but equal." That decision, *Plessy v. Ferguson*, legitimized segregated public schools. But in overturning that decision, the court in *Brown v. Board of Education* agreed that separate was not equal and that segregated schools caused harm to African American children. *Brown v. Board of Education* provided a critical catalyst for the Civil Rights Movement that continued well into the 1960s.

ACR 140 is certainly a celebration of what we have come through as a nation and a reminder of the struggles that people have experienced in their fight for equality. ACR 140 is especially important to school boards throughout California who are charged with serving our incredibly diverse population and providing all students with the education that they need to be successful in our democratic society.

Please support ACR 140 when it is heard in the Assembly Rules Committee on May 12, 2014.

Sincerely,

Dennis Meyers, CAE
Assistant Executive Director
Office of Governmental Relations

cc: The Honorable Shirley N. Weber
Members, Assembly Rules Committee
Mukhtar Ali, Bill Referral Consultant, Assembly Rules Committee

California School Boards Association | 3251 Beacon Boulevard, West Sacramento, CA 95691 | (800) 266-3382