



STATE CAPITOL
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CHIEF ADMINISTRATIVE OFFICER
 LIA LOPEZ

**Assembly
 California Legislature
 Committee on Rules**

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 CHAIR**

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 MATHIS, DEVON J.

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 LOW, EVAN
 MAIENSCHIN, BRIAN
 TING, PHILIP Y.
 WALDRON, MARIE

ARAMBULA, JOAQUIN (D-ALT)
 DIXON, DIANE (R-ALT)

Tuesday, January 16, 2024
 10 minutes prior to Session
 State Capitol, Room 126

CONSENT AGENDA

BILL REFERRALS

1. Bill Referrals

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RESOLUTIONS

2. ACR-120 (Garcia) Positive Parenting Awareness Month. (refer/hear)
3. ACR-122 (Weber) Maternal Health Awareness Day. (refer/hear)
4. ACR-125 (Pellerin) National Human Trafficking Awareness Month (refer/hear)
5. HR-60 (Hoover) School Governance. (refer/hear)
6. HR-62 (Quirk-Silva) Korean American Day. (refer/hear)

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REQUEST TO ADD URGENCY CLAUSE

7. AB 805 (Arambula) Drinking water consolidation: sewer service

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JOAQUIN ARAMBULA (D-ALT.)
DIANE B. DIXON (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 1/12/2024
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, ACR 125 has been added to the referral list.

REFERRAL OF BILLS TO COMMITTEE

01/16/2024

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

| <u>Assembly Bill No.</u> | <u>Committee:</u> |
|--------------------------|-------------------|
| <u>AB 1772</u> | PUB. S. |
| <u>AB 1773</u> | TRANS. |
| <u>AB 1774</u> | TRANS. |
| <u>AB 1775</u> | B. & P. |
| <u>AB 1775</u> | G.O. |
| <u>AB 1778</u> | TRANS. |
| <u>AB 1779</u> | PUB. S. |
| <u>AB 1781</u> | L. GOV. |
| <u>AB 1782</u> | H. & C.D. |
| <u>AB 1782</u> | L. GOV. |
| <u>AB 1785</u> | JUD. |
| <u>AB 1789</u> | H. & C.D. |
| <u>AB 1792</u> | E.M. |
| <u>AB 1793</u> | HIGHER ED. |
| <u>AB 1793</u> | M. & V.A. |
| <u>AB 1796</u> | ED. |
| <u>AB 1812</u> | BUDGET |
| <u>ACR 118</u> | RLS. |
| <u>ACR 120</u> | RLS. |
| <u>ACR 121</u> | TRANS. |
| <u>ACR 122</u> | RLS. |
| <u>ACR 125</u> | RLS. |
| <u>HR 60</u> | RLS. |
| <u>HR 62</u> | RLS. |

Assembly Concurrent Resolution

No. 120

Introduced by Assembly Member Garcia

January 8, 2024

Assembly Concurrent Resolution No. 120—Relative to Positive Parenting Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 120, as introduced, Garcia. Positive Parenting Awareness Month.

This measure would declare the month of January 2024 as Positive Parenting Awareness Month in California.

Fiscal committee: no.

- 1 WHEREAS, Raising children and youth in California to become
2 healthy, confident, capable individuals is the most important job
3 parents and caregivers have as their children’s first teachers; and
4 WHEREAS, The quality of parenting or caregiving, starting
5 prenatally, is one of the most powerful predictors of children’s
6 future social, emotional, physical, and behavioral health; and
7 WHEREAS, Positive parenting is a protective factor that
8 strengthens family relationships, increases parents’ confidence,
9 and drives children’s social, emotional, and relational health and
10 development; and
11 WHEREAS, All people have inner strengths or resources, yet
12 many parents, caregivers, children, and youth of every age, race,
13 ethnicity, culture, and social identity feel stressed, isolated, and
14 overwhelmed at times; and

1 WHEREAS, The COVID-19 pandemic, climate-related crises,
2 and racial injustices have exacerbated economic insecurity, mental
3 health challenges, domestic violence, discrimination, and other
4 trauma experienced by many families, particularly Black,
5 Indigenous, Latinx, Asian, and other families of color that already
6 experience inequities rooted in structural racism; and

7 WHEREAS, Research confirms that positive parenting prevents,
8 buffers, and fosters healing from adverse childhood experiences
9 (ACEs), including abuse, neglect, and household challenges, which
10 impair lifelong health and well-being and occur in the context of
11 adverse community environments that lack equity; and

12 WHEREAS, Research also confirms that positive parenting
13 creates positive childhood experiences (PCEs), and children and
14 youth who experience safe, stable, and nurturing relationships and
15 environments learn empathy, impulse control, anger management,
16 communication, and problem-solving skills that help protect against
17 interpersonal, family, and community violence; and

18 WHEREAS, Families in California come in many forms, with
19 children who are raised by parents, grandparents, foster parents,
20 and family members, and supported by other caregivers in a variety
21 of settings such as schools, family childcare, early childhood
22 education centers, health clinics, and home visiting programs; and

23 WHEREAS, Families can benefit from a “toolkit” of proven
24 strategies and receive support from various positive parenting
25 programs in many counties and tribes through numerous
26 organizations and individual practitioners, thanks to local
27 partnerships, including those between First 5 commissions,
28 community-based organizations, local government, tribal nations,
29 health and human service providers, schools, libraries, higher
30 education institutions, child welfare agencies, family resource
31 centers, and parent leaders; and

32 WHEREAS, Governor Gavin Newsom recognized,
33 acknowledged, and identified the Triple P – Positive Parenting
34 Program in the May Revision as one of the evidence-based parent
35 education programs to build supports for children, youth, and
36 parents; and

37 WHEREAS, The Governor’s Master Plan for Kids’ Mental
38 Health highlights investments to address urgent mental health
39 supports for children and youth especially in underserved and
40 marginalized communities; and

1 WHEREAS, The Governor’s master plan creates an inclusive
2 framework for supporting prevention and early intervention of
3 mental health challenges, including the importance of providing
4 more resources for parents to build their knowledge, tools and
5 capacity to support the behavioral health of their children; and

6 WHEREAS, Parent education is an effective early intervention
7 and prevention tool to mitigate ACEs, support parent-child needs
8 to improve behavioral health, and destigmatize and normalize
9 seeking support; and

10 WHEREAS, Counties may implement and encourage positive
11 parenting through a population health approach so that all families
12 have equitable opportunities to access information and support in
13 ways that leverage their unique beliefs, traditions, customs,
14 interests, and racial, ethnic, tribal, and cultural practices; and

15 WHEREAS, Family support professionals and paraprofessionals,
16 recognized for their excellence and compassion across California,
17 provide essential services that support the physical,
18 social-emotional, and behavioral health of children and families;
19 and

20 WHEREAS, California must continue to ensure that accessible
21 and culturally responsive family support programs are readily
22 available to the millions of Californians that rely on these critical
23 services; and

24 WHEREAS, Every individual, community group, business,
25 public agency, nonprofit agency, and tribe in California has a role
26 to play in raising awareness of the importance of positive parenting
27 and supporting the health and well-being of children and families;
28 now, therefore, be it

29 *Resolved by the Assembly of the State of California, the Senate*
30 *thereof concurring*, That the Legislature declares the month of
31 January 2024 as Positive Parenting Awareness Month; and be it
32 further

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

O

Date of Hearing: January 16, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
ACR 120 (Garcia) – As Introduced January 8, 2024

SUBJECT: Positive Parenting Awareness Month.

SUMMARY: Declares the month of January 2024 as Positive Parenting Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Raising children and youth in California to become healthy, confident, capable individuals is the most important job parents and caregivers have as their children’s first teachers.
- 2) The quality of parenting or caregiving, starting prenatally, is one of the most powerful predictors of children’s future social, emotional, and physical health.
- 3) Positive parenting is a protective factor that strengthens family relationships, increases parents’ confidence, and increases children’s social, emotional, relational, and problem-solving skills.
- 4) All people have inner strengths or resources, yet many parents, caregivers, children, and youth of every age, race, ethnicity, culture, and social identity feel stressed, isolated, and overwhelmed at times.
- 5) The COVID-19 pandemic, climate-related crises, and racial injustices have exacerbated economic insecurity, mental health challenges, domestic violence, discrimination, and other trauma experienced by many families, particularly Black, Indigenous, Latinx, Asian, and other families of color that already experience inequities rooted in structural racism.
- 6) Families in California come in many forms, with children who are raised by parents, grandparents, foster parents, and family members, and supported by other caregivers in a variety of settings such as schools, family childcare, early childhood education centers, health clinics, and home visiting programs.
- 7) Families can benefit from a “toolkit” of proven strategies and receive support from various positive parenting programs in many counties and tribes through numerous organizations and individual practitioners, thanks to local partnerships, including those between First 5 Commissions, community-based organizations, local government, tribal nations, health and human service providers, schools, libraries, higher education institutions, child welfare agencies, and parent leaders.
- 8) Counties may implement and encourage positive parenting through a population health approach so that all families have equitable opportunities to access information and support in ways that respect their unique beliefs, traditions, customs, interests, and racial, ethnic, tribal, and cultural practices.
- 9) Family support professionals and paraprofessionals, recognized for their excellence and compassion across California, provide essential services that support the physical, social-emotional, and behavioral health of children and families.

10) Every individual, community group, business, public agency, nonprofit agency, and tribe in California has a role to play in raising awareness of the importance of positive parenting and supporting the health and well-being of children and families.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Michael Erke / RLS. / (916) 319-2800

Assembly Concurrent Resolution

No. 122

Introduced by Assembly Member Weber

January 10, 2024

Assembly Concurrent Resolution No. 122—Relative to Maternal Health Awareness Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 122, as introduced, Weber. Maternal Health Awareness Day.

This measure would proclaim January 23, 2024, as Maternal Health Awareness Day.

Fiscal committee: no.

1 WHEREAS, The United States ranks highest among
2 industrialized nations in maternal mortality; and

3 WHEREAS, More than 700 women die each year in the United
4 States as a result of pregnancy or delivery complications, and more
5 than one-half of these deaths are preventable; and

6 WHEREAS, While the national maternal mortality rate continues
7 to rise, California continues to work diligently and successfully to
8 reverse this alarming trend; and

9 WHEREAS, The California Maternal Quality Care Collaborative
10 (CMQCC), a multistakeholder organization committed to ending
11 preventable morbidity, mortality, and racial disparities in California
12 maternity care, was founded in 2006 at Stanford University School
13 of Medicine, in coordination with the California
14 Pregnancy-Associated Mortality Review (CA-PAMR) and the
15 Public Health Institute, in response to rising maternal mortality
16 and morbidity rates; and

1 WHEREAS, CMQCC uses research, quality improvement
2 toolkits, statewide outreach collaboratives, and its innovative
3 Maternal Data Center to improve health outcomes for mothers and
4 infants; and

5 WHEREAS, Since the inception of CMQCC and CA-PAMR,
6 California has recorded a maternal mortality decline by 55 percent
7 from 2006 to 2013, inclusive, and has successfully decreased the
8 maternal mortality rate to seven deaths per 100,000 live births;
9 and

10 WHEREAS, California's pregnancy-related mortality ratio
11 (PRMR) in 2019 was 12.8 deaths per 100,000 live births and was
12 lower than the California PRMR of 16.1 in 2018. The California
13 PRMR began to rise gradually in 2013 and peaked in 2018. The
14 California PRMR was consistently lower than the United States
15 PRMR from 2011 through 2017; and

16 WHEREAS, CA-PAMR reported that California suicide ratios
17 remained relatively stable from 2008 to 2016, inclusive, regardless
18 of pregnancy status, and women who were pregnant in the year
19 prior to death were significantly less likely to die by suicide than
20 reproductive-age women who were not pregnant within the prior
21 year; and

22 WHEREAS, A woman's maternal mental health condition can
23 also be a factor in maternal mortality. Recent efforts have been
24 made to bring greater awareness to maternal mental health and to
25 ensure more women are screened and treated for postpartum
26 depression or psychosis and remain covered by health insurance
27 upon diagnosis; and

28 WHEREAS, Improved screening alone can reduce the severity
29 of postpartum depression. Obstetric providers are implementing
30 more aggressive screening techniques and making strides to further
31 recognize and, therefore, treat maternal mental health conditions;
32 and

33 WHEREAS, Chronic health conditions increase the risk of
34 pregnancy complications, adverse birth outcomes, and
35 pregnancy-related mortality because the physical demands that
36 pregnancy places on the body's systems can exacerbate existing
37 health conditions; and

38 WHEREAS, While California has set an example for the rest
39 of the country and has made progress to reduce maternal mortality
40 through investment in maternal health programs, strong leadership

1 and engagement of the maternity care community, and targeted
2 hospital quality improvement, more needs to be done to narrow
3 racial and ethnic disparities, especially with Black women whose
4 pregnancy-related mortality ratio was four to six times greater than
5 the mortality ratios for women of other racial or ethnic groups,
6 including White, Hispanic, and Asian and Pacific Islander; and
7 WHEREAS, The State Department of Public Health must
8 continue its surveillance to bring heightened awareness to maternal
9 health; and

10 WHEREAS, California must maintain its efforts to maximize
11 health prior to pregnancy, including, but not limited to, preventing
12 smoking, improving fitness, reducing sexually transmitted diseases,
13 and promoting positive relationships; and

14 WHEREAS, California must continue to address the postpartum
15 needs of women through such efforts as postpartum visits and
16 interconception care, breastfeeding support, and screening for
17 postpartum depression; and

18 WHEREAS, California should continue to promote positive
19 birth outcomes for all women through such actions as maternity
20 care quality improvement and home visiting for vulnerable,
21 pregnant women, to provide additional support for Black women,
22 and to further increase culturally and linguistically relevant public
23 awareness about maternal mental health risk factors, signs,
24 symptoms, treatment, and recovery; and

25 WHEREAS, California should maintain its efforts to improve
26 the coordination of care between obstetrics and psychiatry
27 regarding mental health treatment, as needed, and to continue
28 advancements for improved screening for mental health conditions
29 during and after pregnancy, as well as screening for substance use,
30 adverse childhood experiences, medical diagnoses, including
31 infectious disease, and intimate partner violence; and

32 WHEREAS, The Legislature seeks to bring awareness to
33 maternal health and continue its work to provide positive outcomes
34 for both the mother and the infant; now, therefore, be it

35 *Resolved by the Assembly of the State of California, the Senate*
36 *thereof concurring*, That the Assembly proclaims January 23,
37 2024, as Maternal Health Awareness Day to draw attention to the
38 efforts that have improved maternal health in California and to
39 highlight the need for continued improvement of maternal health
40 for all women; and be it further

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

O

Date of Hearing: January 16, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
ACR 122 (Weber) – As Introduced January 10, 2024

SUBJECT: Maternal Health Awareness Day.

SUMMARY: Proclaims January 23, 2024, as Maternal Health Awareness Day, to draw attention to the efforts that have improved maternal health in California and to highlight the need for continued improvement of maternal health for all pregnant people. Specifically, **this resolution** makes the following legislative findings:

- 1) The United States ranks highest among industrialized nations in maternal mortality.
- 2) While the national maternal mortality rate continues to rise, California continues to work diligently and successfully to reverse this alarming trend.
- 3) The California Maternal Quality Care Collaborative (CMQCC), a multi-stakeholder organization committed to ending preventable morbidity, mortality, and racial disparities in California maternity care, was founded in 2006 at Stanford University School of Medicine, in coordination with the California Pregnancy-Associated Mortality Review (CA-PAMR) and the Public Health Institute, in response to rising maternal mortality and morbidity rates.
- 4) The CMQCC uses research, quality improvement toolkits, statewide outreach collaboratives, and its innovative Maternal Data Center to improve health outcomes for mothers and infants.
- 5) A woman's maternal mental health condition can also be a factor in maternal mortality. Recent efforts have been made to bring greater awareness to maternal mental health and to ensure more women are screened and treated for postpartum depression or psychosis and remain covered by health insurance upon diagnosis.
- 6) Improved screening alone can reduce the severity of postpartum depression. Obstetric providers are implementing more aggressive screening techniques and making strides to further recognize and, therefore, treat maternal mental health conditions.
- 7) The State Department of Public Health must continue its surveillance to bring heightened awareness to maternal health.
- 8) California must maintain its efforts to maximize health prior to pregnancy, including, but not limited to, preventing smoking, improving fitness, reducing sexually transmitted diseases, and promoting positive relationships; and, must continue to address the postpartum needs of women through such efforts as postpartum visits and interconception care, breastfeeding support, and screening for postpartum depression.
- 9) California should maintain its efforts to improve the coordination of care between obstetrics and psychiatry regarding mental health treatment, as needed, and to continue advancements for improved screening for mental health conditions during and after pregnancy, as well as screening for substance use, adverse childhood experiences, medical diagnoses, including infectious disease, and intimate partner violence.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Michael Erke / RLS. / (916) 319-2800

Assembly Concurrent Resolution

No. 125

Introduced by Assembly Member Pellerin

January 12, 2024

Assembly Concurrent Resolution No. 125—Relative to National Human Trafficking Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 125, as introduced, Pellerin. National Human Trafficking Awareness Month

This measure would recognize the month of January 2024 as National Human Trafficking Awareness Month.

Fiscal committee: no.

1 WHEREAS, For more than two centuries, the United States has
2 worked to protect human rights, promoting a just and free society
3 and advancing the dignity of all human beings. The government
4 continues to demonstrate serious and sustained efforts to address
5 human trafficking; and

6 WHEREAS, Classified as a felony, human trafficking is a crime
7 that involves the use of force, fraud, or coercion to recruit, harbor,
8 transport, provide, or obtain a person for the purpose of labor and
9 commercial sexual exploitation; and

10 WHEREAS, According to the United States Department of
11 State’s annual Trafficking in Persons Report, human trafficking
12 cases have been reported in all 50 states, the District of Columbia,
13 and United States territories; and

14 WHEREAS, The International Labour Organization (ILO) has
15 reported that economic and food insecurity are directly linked to

1 an increase of both forced child labor and child sex trafficking;
2 and

3 WHEREAS, Since 2018, the United States Department of Labor
4 reports an increase of 69 percent of children being illegally
5 employed and exploited, and in the last fiscal year, the department
6 found that 835 companies it investigated employed more than
7 3,800 children in violation of federal labor laws; and

8 WHEREAS, The California Child Welfare Council found that
9 anywhere from 50 percent to 80 percent of victims of commercial
10 sexual exploitation, including child sex trafficking, are or were
11 formerly involved with the child welfare system; and

12 WHEREAS, According to the United Nations Office on Drugs
13 and Crime’s (UNODC) 2022 Global Report on Trafficking in
14 Persons, boys represent the fastest growing segment of identified
15 human trafficking victims, and gender norms and masculine
16 stereotypes hinder identification of male trafficking victims. This
17 false perception plays out in several ways that are damaging to
18 boys and men who have experienced trafficking; and

19 WHEREAS, The 2014 U.S. Trafficking in Persons Report
20 highlights labor trafficking by forced criminality (LTFC), yet this
21 problem remains underidentified. LTFC refers to all labor
22 trafficking where the labor or services the victim is being forced,
23 coerced, or defrauded into performing could otherwise be classified
24 as a crime. Because all LTFC victims have committed a crime,
25 they are often misidentified as criminals, and often do not have
26 access to the protections and services that would become accessible
27 to them if they were appropriately identified as victims, and victims
28 of LTFC often do not self-identify and rarely report the crime to
29 law enforcement; and

30 WHEREAS, According to the ILO, of the total number of global
31 human trafficking victims, 4,900,000 are women and girls in forced
32 commercial sexual exploitation; and

33 WHEREAS, According to a 2013 United States Department of
34 Justice study examining the race of sex trafficking victims, 40.4
35 percent were Black, 23.9 percent were Hispanic, and 4.3 percent
36 were Asian; and

37 WHEREAS, The Congressional Black Caucus Foundation’s
38 “Snapshot on the State of Black Women and Girls: Sex Trafficking
39 in the U.S.” states that to better understand the high rates of sex
40 trafficking among Black women and girls, research has indicated

1 the continued sexualization of Black women and girls’ bodies,
2 which has played out since slavery. The myths around Black
3 women and girls’ hypersexuality and the continued treatment of
4 Black girls as older than their age must be explored when looking
5 at the data surrounding the prevalent rates of domestic sex
6 trafficking of Black girls; and

7 WHEREAS, According to the United States Department of
8 State’s annual Trafficking in Persons Report, racial and ethnic
9 minority groups, the LGBTQI+ community, and indigenous
10 populations are extremely vulnerable to exploitation due to social,
11 legal, and cultural marginalization. Studies show that Native
12 American women and girls are victims of human trafficking at a
13 much higher rate compared to the overall population; and

14 WHEREAS, These same groups are more likely to be affected
15 by climate change as it places them in more vulnerable situations,
16 and, consequently, be more vulnerable to human trafficking; and

17 WHEREAS, In 2015, the United States Advisory Council on
18 Human Trafficking was established by Congress and sits as the
19 world’s preeminent human trafficking advisory body. It is led by
20 survivors of human trafficking and advises federal policy makers
21 on antitrafficking policies; and

22 WHEREAS, According to the United States Department of
23 State’s 2022 Trafficking in Persons Report, meaningful inclusion
24 of survivors as antitrafficking experts must be further integrated
25 across global antitrafficking efforts and accepted as a norm.
26 Partnership between governments, multilateral organizations, and
27 survivors of human trafficking not only improves antitrafficking
28 efforts, but also dismantles the risk of misconceptions, shame,
29 retraumatization, and reexploitation of survivors within their
30 communities, empowers survivors, promotes equity within
31 organizations, and reduces vulnerability to revictimization; and

32 WHEREAS, In recent years, there has been an increased
33 emphasis in the anti-human trafficking sector on the value of public
34 health and rights-based approaches to addressing human trafficking.
35 A public health approach to violence prevention is an effective
36 way of ending violence by focusing on the health, safety, and
37 well-being of the entire population, rather than focusing on
38 individual instances of violence and punishment for crime; and

39 WHEREAS, The State of California is dedicated to protecting
40 victims of human trafficking and ensuring they are not themselves

1 criminalized, and the State of California commits to continuing to
2 collaborate with skilled professionals at the local, state, and
3 national levels conducting investigations, collaborations, and
4 trainings, organizing public outreach, promoting awareness, and
5 directly assisting victims of human trafficking; now, therefore, be
6 it

7 *Resolved by the Assembly of the State of California, the Senate*
8 *thereof concurring*, That the Assembly recognizes the month of
9 January 2024 as National Human Trafficking Awareness Month;
10 and be it further

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

O

Date of Hearing: January 16, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
ACR 125 (Pellerin) – As Introduced January 12, 2024

SUBJECT: National Human Trafficking Awareness Month

SUMMARY: Recognizes the month of January 2024 as National Human Trafficking Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) For more than two centuries, the United States has worked to protect human rights, promoting a just and free society and advancing the dignity of all human beings. The government continues to demonstrate serious and sustained efforts to address human trafficking.
- 2) According to the United States Department of State's annual Trafficking in Persons Report, human trafficking cases have been reported in all 50 states, the District of Columbia, and United States territories.
- 3) Since 2018, the United States Department of Labor reports an increase of 69 percent of children being illegally employed and exploited, and in the last fiscal year, the department found that 835 companies it investigated employed more than 3,800 children in violation of federal labor laws.
- 4) The California Child Welfare Council found that anywhere from 50 percent to 80 percent of victims of commercial sexual exploitation, including child sex trafficking, are or were formerly involved with the child welfare system.
- 5) According to the United States Department of State's annual Trafficking in Persons Report, racial and ethnic minority groups, the LGBTQI+ community, and indigenous populations are extremely vulnerable to exploitation due to social, legal, and cultural marginalization. Studies show that Native American women and girls are victims of human trafficking at a much higher rate compared to the overall population.
- 6) In 2015, the United States Advisory Council on Human Trafficking was established by Congress and sits as the world's preeminent human trafficking advisory body. It is led by survivors of human trafficking and advises federal policy makers on antitrafficking policies.
- 7) According to the United States Department of State's 2022 Trafficking in Persons Report, meaningful inclusion of survivors as antitrafficking experts must be further integrated across global antitrafficking efforts and accepted as a norm.
- 8) Partnership between governments, multilateral organizations, and survivors of human trafficking not only improves antitrafficking efforts, but also dismantles the risk of misconceptions, shame, retraumatization, and reexploitation of survivors within their communities, empowers survivors, promotes equity within organizations, and reduces vulnerability to revictimization.

- 9) The State of California is dedicated to protecting victims of human trafficking and ensuring they are not themselves criminalized. And, the State of California commits to continuing to collaborate with skilled professionals at the local, state, and national levels conducting investigations, collaborations, and trainings, organizing public outreach, promoting awareness, and directly assisting victims of human trafficking.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Michael Erke / RLS. / (916) 319-2800

House Resolution

No. 60

Introduced by Assembly Member Hoover

January 8, 2024

House Resolution No. 60—Relative to school governance.

1 WHEREAS, An excellent and continuously improving public
2 education system is vital to the quality of life of all California
3 citizens and communities; and

4 WHEREAS, California has nearly 1,000 school districts and
5 county offices of education throughout the state, represented by
6 nearly 5,000 school board members accounting for the largest
7 number of locally elected officials in the state; and

8 WHEREAS, The first school district in the United States was
9 established in 1721; and

10 WHEREAS, Local school district governing boards and county
11 boards of education are a central part of our democracy; and

12 WHEREAS, The mission of public schools to meet the diverse
13 educational needs of all children and to empower pupils to become
14 productive and thoughtful contributors to a democratic society and
15 an ever-changing world is more important now than ever before;
16 and

17 WHEREAS, Local school boards consistently work to ensure
18 that every pupil’s academic, social-emotional, physical, and mental
19 health needs are a priority; and

20 WHEREAS, Each and every day, school board members
21 continue to advocate to best serve children and parents in our
22 communities; and

23 WHEREAS, Local school board members are committed to
24 pupils and believe that all pupils can be successful learners and

1 that the best education is tailored towards providing every pupil
2 with an opportunity to learn; and

3 WHEREAS, School board members work closely with parents,
4 certificated and classified educational professionals, and other
5 community members to create effective learning environments
6 where all pupils can thrive; and

7 WHEREAS, School board members are responsible for building
8 and maintaining the structures that provide a solid foundation for
9 our public school system; and

10 WHEREAS, School board members are strong advocates for
11 public education who are responsible for communicating the needs
12 of the schools and for understanding the interests and expectations
13 of the diverse communities that they represent; and

14 WHEREAS, School Board Recognition Month is an ideal time
15 to recognize and celebrate the Californians serving on school
16 district governing boards and county boards of education who help
17 guide the education of pupils in kindergarten and grades 1 to 12,
18 inclusive, and who prepare these pupils for the opportunities and
19 challenges of the 21st century and beyond; now, therefore, be it

20 *Resolved by the Assembly of the State of California,* That the
21 Assembly hereby declares the state’s appreciation to every school
22 board and school board member in California and recognizes their
23 dedicated commitment to serving the needs of pupils in our
24 communities by proclaiming the month of January 2024 as School
25 Board Recognition Month; and be it further

26 *Resolved,* That the Assembly of the State of California urges
27 all community members to join the Assembly in recognizing the
28 dedication and hard work of local school board members and to
29 work with local school board members to create an education
30 system that meets the needs of all of our children; and be it further

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

O

Date of Hearing: January 16, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
HR 60 (Hoover) – As Introduced January 8, 2024

SUBJECT: School Governance.

SUMMARY: Proclaims the month of January 2024 as School Board Recognition Month and recognizes the dedicated commitment of every school board and school board member in California to serving the needs of pupils in our communities. Specifically, **this resolution** makes the following legislative findings:

- 1) California has nearly 1,000 school districts and county offices of education throughout the state, represented by nearly 5,000 school board members accounting for the largest number of locally elected officials in the state.
- 2) The mission of public schools to meet the diverse educational needs of all children and to empower pupils to become productive and thoughtful contributors to a democratic society and an ever-changing world is more important now than ever before.
- 3) Local school boards consistently work to ensure that every pupil's academic, social-emotional, physical, and mental health needs are a priority. Each and every day, school board members continue to advocate to best serve children and parents in our communities.
- 4) School board members work closely with parents, certificated and classified educational professionals, and other community members to create effective learning environments where all pupils can thrive. They are responsible for building and maintaining the structures that provide a solid foundation for our public school system.
- 5) An excellent and continuously improving public education system is vital to the quality of life of all California citizens and communities.
- 6) School Board Recognition Month is an ideal time to recognize and celebrate the Californians serving on school district governing boards and county boards of education who help guide the education of pupils in kindergarten and grades 1 to 12, inclusive, and who prepare these pupils for the opportunities and challenges of the 21st century and beyond.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Michael Erke / RLS. / (916) 319-2800

House Resolution

No. 62

**Introduced by Assembly Member Quirk-Silva
(Principal coauthors: Assembly Members Mike Fong, Kalra, Lee,
Low, Muratsuchi, Stephanie Nguyen, and Ting)**

January 9, 2024

House Resolution No. 62—Relative to Korean American Day.

1 WHEREAS, On January 13, 1903, the history of Korean
2 immigration to America began when 102 courageous Korean adults
3 and children landed in the State of Hawaii after venturing across
4 the vast Pacific Ocean aboard the S.S. Gaelic; and
5 WHEREAS, The hopes of these Korean immigrants for America,
6 the land of opportunity, were quickly hindered by social, economic,
7 and language barriers of unforeseen magnitude; and
8 WHEREAS, These Korean immigrants did not falter in their
9 pursuit of the American dream. Through perseverance and sacrifice,
10 they established a new home in a new land and educated their
11 children; and
12 WHEREAS, Between 1904 and 1907, approximately 1,000
13 Korean Americans entered the United States mainland from the
14 State of Hawaii through the city of San Francisco, where the first
15 Korean American political organizations and Korean language
16 publications were established; and
17 WHEREAS, While the city of San Francisco remained the center
18 of the Korean American community, there was a gradual migration
19 from northern California to southern California as more
20 employment opportunities opened up, and a new, burgeoning
21 community of Korean Americans began to thrive in Los Angeles
22 and surrounding areas; and

1 WHEREAS, The city of Los Angeles is currently home to the
2 largest population of Korean Americans in the entire United States,
3 with more than 250,000 Korean Americans; and

4 WHEREAS, Korean Americans are the largest and the fastest
5 growing citizens of Orange County, making Orange County the
6 second largest Korean population in any county in the nation; and

7 WHEREAS, While the first Korean immigrants to the United
8 States fought and sacrificed to establish themselves, their children
9 grew up to be patriotic citizens, many of whom went on to serve
10 in the Armed Forces of the United States during World War II and
11 to make other important contributions to mainstream American
12 society; and

13 WHEREAS, The 1965 amendments to the Federal Immigration
14 and Nationality Act (Public Law 89-236) opened the door for a
15 new wave of Korean immigrants to enter the United States. Since
16 its enactment, Korean Americans have become one of the fastest
17 growing groups of Asian Americans in the United States; and

18 WHEREAS, Today, the number of people of Korean ancestry
19 living in the United States has grown to more than 1,700,000,
20 representing more than a 67-fold increase since 1960; and

21 WHEREAS, In 1994, the National Association of Korean
22 Americans (NAKA), was founded in the state of New York,
23 becoming the first national civil and human rights organization of
24 Korean Americans; and

25 WHEREAS, On June 27, 2002, the NAKA was instrumental in
26 the passing of historic resolution S.R. 185 by the United States
27 Senate, recognizing the 100th anniversary of Korean immigration
28 to the United States; and

29 WHEREAS, In accordance with S.R. 185, President George W.
30 Bush included a proclamation recognizing January 13, 2003, as
31 the Centennial of Korean Immigration to the United States,
32 commending Korean Americans for their “important role in
33 building, defending, and sustaining the United States of America”;
34 and

35 WHEREAS, Korean American Day is celebrated on January
36 13 of each year, to not only commemorate the arrival of the first
37 Korean immigrants to the United States but also to honor the
38 Korean American’s immense contributions to every aspect of
39 society; and

1 WHEREAS, Korean Americans have made important
2 contributions as Californians in the fields of finance, technology,
3 law, medicine, education, sports, media, the arts, the military, and
4 government, as well as other areas; and

5 WHEREAS, Korean Americans have been at the forefront of
6 Hallyu (Korean Wave) through K-Pop, K-Drama, and K-Foods,
7 that have become an integral part of mainstream American society
8 and enriched our very diverse State of California; and

9 WHEREAS, With diligence, fortitude, and an enduring belief
10 in the American dream, Korean immigrants have helped to turn
11 emergent areas within the State of California into thriving and
12 respectable communities, while raising their children; and

13 WHEREAS, As the Korean American community prepares for
14 a new era and creates new history, Korean Americans must instill
15 in younger generations the proper appreciation for the courage and
16 values of their forefathers, a deep sense of their roots, and pride
17 in their own cultural heritage so that they may better contribute to
18 the great State of California, which is rich with ethnic and cultural
19 diversity; now, therefore, be it

20 *Resolved by the Assembly of the State of California*, That the
21 Assembly hereby proclaims January 13, 2024, as Korean American
22 Day; and be it further

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

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Date of Hearing: January 16, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
HR 62 (Quirk-Silva) – As Introduced January 9, 2024

SUBJECT: Korean American Day.

SUMMARY: Proclaims January 13, 2024, as Korean American Day. Specifically, **this resolution** makes the following legislative findings:

- 1) On January 13, 1903, the history of Korean immigration to America began when 102 courageous Korean adults and children ventured across the Pacific Ocean aboard the S.S. Gaelic and landed in Hawaii.
- 2) While the first Korean immigrants to the United States fought and sacrificed to establish themselves, their children grew up to be patriotic citizens, served in the Armed Forces of the United States during World War II, and made other important contributions to mainstream American society.
- 3) With diligence, fortitude, and an enduring belief in the American dream, Korean immigrants have helped to turn emergent areas within the State of California into thriving and respectable communities, while raising their children.
- 4) Korean Americans have made important contributions as Californians in the fields of finance, technology, law, medicine, education, sports, media, the arts, the military, and government, as well as other areas.
- 5) The city of Los Angeles is currently home to the largest population of Korean Americans in the entire United States, with more than 250,000 Korean Americans. And, Korean Americans are the largest and the fastest growing citizens of Orange County, making Orange County the second largest Korean population in any county in the nation.
- 6) As the Korean American community prepares for a new era and creates new history, Korean Americans must instill in younger generations the proper appreciation for the courage and values of their forefathers, a deep sense of their roots, and pride in their own cultural heritage so that they may better contribute to the great State of California.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Michael Erke / RLS. / (916) 319-2800

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January 8, 2024

The Honorable Assemblymember Blanca Pacheco
Chair, Assembly Rules Committee
1021 O Street, Suite 6250
Sacramento, CA 95814

Re: AB 805 Urgency Clause Amendment Request

Dear Assemblymember Pacheco:

I write to request your approval to add an urgency clause to AB 805. Over the interim, we worked closely with the State Water Resource Control Board (Board) to craft a bill that provided interim authority to The Board to intervene when an administrator is negligent. This authority is interim while the full Wastewater Needs Assessment is completed by The Board. This process could take 3-5 years. Because of the challenging budget year we are all facing, The Board identified an existing funding source that could be slightly modified to fund this new authority. However, the minor modification to the fund's previous appropriation has triggered a 2/3 vote.

Near my district, residents of a town called East Oroquieta have been forced to live for years under severe mismanagement by the town's wastewater administrator. This interim authority would empower The Board to immediately intervene and provide the residents there some relief. Because the date of enactment would be another full year from now, and because the bill is now a 2/3 vote, I am hoping that you would consider approving an urgency clause to accelerate the time to relief for my constituents should the bill pass the Legislature and be signed by the Governor.

I greatly appreciate your consideration of my request. Should you have any further questions, please feel free to reach out to Jacob Moss, Legislative Director, at (916) 548-0121.

Sincerely,

Assemblymember Dr. Joaquin Arambula
District 31

AMENDED IN ASSEMBLY MARCH 9, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 805

Introduced by Assembly Member Arambula

February 13, 2023

An act to amend Sections 116682 and 116686 of the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

AB 805, as amended, Arambula. ~~Drinking water consolidation.~~ *water consolidation: sewer service.*

Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties. The act authorizes the state board to order consolidation with, or extension of service from, a receiving water system in either of the following circumstances: (1) a public water system or state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water, or is an at-risk water system, or ~~2~~ (2) a disadvantaged community, in whole or in part, is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water, or are at-risk domestic wells.

This bill would authorize the state board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities, including, but not limited to, consulting with the relevant regional water board and the receiving

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water system and conducting outreach to ratepayers and residents served by the receiving and subsumed water systems, as provided.

Existing law authorizes the state board, if sufficient funds are available, to contract with, or provide a grant to, an administrator to provide administrative, technical, operational, legal, or managerial services, or any combination of these services to a designated water system to assist with the provision of an adequate supply of affordable, safe drinking water.

The bill would also authorize the state board to require the administrator to provide administrative, technical, legal, or managerial services for any sewer service provided by the designated water system.

~~This bill would state the intent of the Legislature to enact subsequent legislation to authorize the board to order consolidation of wastewater.~~

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

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

1 SECTION 1. Section 116682 of the Health and Safety Code is
2 amended to read:

3 116682. (a) (1) The state board, in circumstances described
4 in subparagraph (A) or (B), may order consolidation with a
5 receiving water system as provided in this section and Section
6 116684. The consolidation may be physical or operational. The
7 state board may also order the extension of service to an area within
8 a disadvantaged community that does not have access to an
9 adequate supply of safe drinking water so long as the extension of
10 service is an interim extension of service in preparation for
11 consolidation. The consolidation shall occur within six months of
12 the initiation of the extension of service. The state board may set
13 timelines and performance measures to facilitate completion of
14 consolidation.

15 (A) A public water system or a state small water system, serving
16 a disadvantaged community, consistently fails to provide an
17 adequate supply of safe drinking water, or is an at-risk water
18 system.

19 (B) A disadvantaged community, in whole or in part, is
20 substantially reliant on domestic wells that consistently fail to
21 provide an adequate supply of safe drinking water, or are at-risk
22 domestic wells.

1 (2) No later than July 1, 2020, the state board shall develop and
2 adopt a policy that provides a process by which members of a
3 disadvantaged community may petition the state board to consider
4 ordering consolidation. The state board shall adopt the policy in
5 a policy handbook consistent with the process provided for in
6 subdivision (a) of Section 116760.43.

7 (b) Before ordering consolidation or extension of service as
8 provided in this section, the state board shall do all of the
9 following:

10 (1) Encourage voluntary consolidation or extension of service.

11 (2) Consider other enforcement remedies specified in this article.

12 (3) Consult with, and fully consider input from, the relevant
13 local agency formation commission regarding the provision of
14 water service in the affected area, the recommendations for
15 improving service in a municipal service review, whether the
16 consolidation or extension of service is cost effective, and any
17 other relevant information.

18 (4) Consult with, and fully consider input from, the Public
19 Utilities Commission when the consolidation would involve a
20 water corporation subject to the commission's jurisdiction. If a
21 receiving water system is regulated by the Public Utilities
22 Commission, the state board shall inform the commission at least
23 60 days before the consolidation order, and upon issuance of the
24 order the commission shall open a proceeding to determine cost
25 allocation, ratemaking, and commission public participation
26 requirements for the consolidation process.

27 (5) Consult with, and fully consider input from, the local
28 government with land use planning authority over the affected
29 area, particularly regarding any information in the general plan
30 required by Section 65302.10 of the Government Code.

31 (6) Consult with, and fully consider input from, the potentially
32 receiving water system and all public water systems in the chain
33 of distribution of the potentially receiving water system. The input
34 from the potentially receiving water system may include, but is
35 not limited to, information related to the classification of the
36 potentially subsumed water system as an at-risk water system or
37 a state small water system or of at-risk domestic wells.

38 (7) Consult with, and fully consider input from, any groundwater
39 sustainability agency in a basin that provides groundwater supply,
40 in whole or in part, to the affected area.

1 (8) (A) Notify the potentially receiving water system and the
 2 potentially subsumed water system, if any, and establish a
 3 reasonable deadline of no less than six months, unless a shorter
 4 period is justified, for the potentially receiving water system and
 5 the potentially subsumed water system, if any, to negotiate
 6 consolidation or another means of providing an adequate supply
 7 of safe drinking water.

8 (B) During this period, the state board shall provide technical
 9 assistance and work with the potentially receiving water system
 10 and the potentially subsumed water system to develop a financing
 11 package that benefits both the receiving water system and the
 12 subsumed water system.

13 (C) Upon a showing of good cause, the deadline may be
 14 extended by the state board at the request of the potentially
 15 receiving water system, potentially subsumed water system, the
 16 local agency formation commission with jurisdiction over the
 17 potentially subsumed water system, or the Public Utilities
 18 Commission.

19 (9) Consider the affordability of the anticipated monthly rates
 20 for drinking water service to residential customers of the potentially
 21 subsumed water system.

22 (10) (A) Hold at least one public meeting at the initiation of
 23 this process in a place as close as feasible to the affected areas.
 24 The state board shall make reasonable efforts to provide a 30-day
 25 notice of the meeting to the ratepayers, renters, and property owners
 26 to receive water service through service extension or in the area
 27 of the subsumed water system and all affected local government
 28 agencies and drinking water service providers. The 30-day notice
 29 shall include information about water quality concerns in the area,
 30 relevant information about health effects of water contaminants,
 31 and information about opportunities for consolidation or extension
 32 of service to address water quality issues. The meeting shall
 33 provide representatives of the potentially subsumed water system,
 34 affected ratepayers, renters, property owners, the potentially
 35 receiving water system, and the public an opportunity to present
 36 oral and written comments.

37 (B) The state board shall provide an opportunity to submit
 38 comments by mail or electronically during the notice period and
 39 for at least one week after the meeting.

1 (C) The state board shall review comments received during the
2 meeting and received by mail and electronically during the notice
3 period and for one week after the public meeting.

4 (11) If the potentially subsumed water system to be consolidated
5 into the receiving water system is an at-risk water system, the state
6 board shall do all of the following:

7 (A) Conduct outreach to ratepayers and residents served by the
8 at-risk water system, including identifiable local community
9 groups. These outreach efforts shall gauge community support for
10 consolidation of the at-risk water system. The state board shall
11 consider the results of this outreach when deciding whether to
12 order consolidation of the at-risk water system.

13 (B) Consider any petition submitted pursuant to paragraph (2)
14 of subdivision (a) by members of a disadvantaged community
15 served by the at-risk water system.

16 (C) (i) If the potentially subsumed water system contends during
17 the initial written comment period set forth in subparagraph (B)
18 of paragraph (10) that it is not an at-risk water system, the state
19 board shall consider during a public meeting any information
20 provided by the potentially subsumed water system in support of
21 its contention that it is not an at-risk water system.

22 (ii) The state board shall make reasonable efforts to provide a
23 30-day notice of the public meeting described in clause (i) to the
24 ratepayers, renters, and property owners to receive water service
25 through service extension or in the area of the subsumed water
26 system and all affected local government agencies and drinking
27 water service providers.

28 (c) If a consolidation or other means of providing an adequate
29 supply of safe drinking water has not been negotiated by the
30 potentially receiving water system and the potentially subsumed
31 water system before the expiration of the deadline set by the state
32 board pursuant to paragraph (8) of subdivision (b), the state board
33 shall do the following:

34 (1) Consult with the potentially receiving water system and the
35 potentially subsumed water system, if any.

36 (2) (A) If the consolidation has not concluded within six months
37 following the first public meeting held pursuant to paragraph (10)
38 of subdivision (b), conduct a public meeting in a location as close
39 as feasible to the affected communities. The meeting shall be held

1 after the state board has made the findings described in subdivision
2 (d).

3 (B) The state board shall make reasonable efforts to provide a
4 30-day notice of the meeting to the ratepayers, renters, property
5 owners to receive water service through service extension or in
6 the area of the subsumed water system, and the public, and to all
7 affected local government agencies and drinking water service
8 providers.

9 (C) The meeting shall provide representatives of the potentially
10 subsumed water system, affected ratepayers, renters, property
11 owners, and the potentially receiving water system an opportunity
12 to present oral and written comments.

13 (D) The meeting shall provide an opportunity for public
14 comment.

15 (3) The state board shall make reasonable efforts to ensure that
16 a receiving water system and a subsumed water system are
17 informed on a regular basis of progress regarding actions taken
18 pursuant to this section.

19 (d) Before ordering consolidation or extension of service, the
20 state board shall find all of the following:

21 (1) The potentially subsumed water system has consistently
22 failed to provide an adequate supply of safe drinking water or it
23 is at risk of doing so, as determined by the state board.

24 (2) Reasonable efforts to negotiate *voluntary* consolidation or
25 extension of service were made.

26 (3) Consolidation of the receiving water system and subsumed
27 water system or extension of service is appropriate and technically
28 and economically feasible. In making this finding, the state board
29 shall consider how many owners of dwelling units served by
30 domestic wells in the service area have provided, or are likely to
31 provide, written consent to extension of service. The state board
32 need not find that any specific percentage of the owners of dwelling
33 units served by domestic wells in the service area are likely to
34 consent to the consolidation or extension of service to serve their
35 dwelling unit.

36 (4) There is no pending local agency formation commission
37 process that is likely to resolve the problem in a reasonable amount
38 of time.

1 (5) Concerns regarding water rights and water contracts of the
2 subsumed and receiving water systems have been adequately
3 addressed.

4 (6) Consolidation or extension of service is an effective and
5 cost-effective means to provide an adequate supply of safe drinking
6 water.

7 (7) The capacity of the proposed interconnection needed to
8 accomplish the consolidation is limited to serving the current
9 customers of the subsumed water system, infill sites within the
10 community served by the subsumed water system, residents of
11 disadvantaged communities in existence as of the date of
12 consolidation and that are located along the service line connecting
13 the subsumed water system and the receiving water system, and
14 vacant lots within the community served by the subsumed water
15 system that are zoned to allow residential use and have no more
16 than one other vacant lot between that parcel and an infill parcel,
17 including capacity needed for services such as firefighting.

18 (e) Upon ordering consolidation or extension of service, the
19 state board shall do all of the following:

20 (1) As necessary and appropriate, as determined by the state
21 board, compensate the receiving water system for any capacity
22 lost as a result of the consolidation or extension of service either
23 by paying the water system's capacity charge set out in the water
24 system's adopted rate structure or by providing additional capacity
25 needed as a result of the consolidation or extension of service, and
26 by paying legal fees. When the receiving water system is
27 compensated for capacity lost by payment of a capacity charge,
28 the capacity charge shall be paid only to the extent that it does not
29 exceed the reasonable cost of providing the service in accordance
30 with Section 66013 of the Government Code. If capacity beyond
31 what is needed for consolidation is provided by a project funded
32 through the state board, the state board shall retain an option to
33 use that capacity for future consolidations, without paying
34 additional capacity charges, for five years, unless it releases that
35 option in writing. Funding pursuant to this paragraph is available
36 for the general purpose of providing financial assistance for the
37 infrastructure needed for the consolidation or extension of service
38 and does not need to be specific to each individual consolidation
39 project. The state board shall provide appropriate financial
40 assistance for the water infrastructure needed for the consolidation

1 or extension of service. The state board's existing financial
2 assistance guidelines and policies shall be the basis for the financial
3 assistance.

4 (2) Ensure payment of standard local agency formation
5 commission fees caused by state board-ordered consolidation or
6 extension of service.

7 (3) Adequately compensate the owners of a privately owned
8 subsumed water system for the fair market value of the system, as
9 determined by the Public Utilities Commission or the state board.

10 (4) Coordinate with the appropriate local agency formation
11 commission and other relevant local agencies to facilitate the
12 change of organization or reorganization.

13 (5) If ordering consolidation or extension of service between
14 two water systems, consider any existing domestic wells within
15 the service area that could also be subject to consolidation or
16 extension of service pursuant to this section.

17 (6) If ordering consolidation or extension of service to a
18 community containing residences served by domestic wells,
19 promptly take all reasonable steps to obtain written consent to the
20 consolidation or extension of service from an owner of each
21 residence served by a domestic well.

22 (f) If funds are appropriated for this purpose, the state board
23 may make funds available for the purposes of subdivision (e), as
24 necessary and appropriate, to the receiving water system, the
25 subsumed water system, or an administrator providing full
26 oversight of construction or development projects related to a
27 consolidation or extension of service.

28 (g) (1) For purposes of this section, fees, charges, and terms
29 and conditions that may be imposed on new and existing customers
30 of a receiving water system shall be subject to the following
31 limitations:

32 (A) The consolidated water system shall not increase charges
33 on existing customers of the receiving water system solely as a
34 consequence of the consolidation or extension of service unless
35 the customers receive a corresponding benefit.

36 (B) Except as provided in paragraph (2), fees or charges imposed
37 on a customer of a subsumed water system shall not exceed the
38 costs of the service.

39 (C) Except as provided in paragraph (2), the receiving water
40 system shall not charge any fees to, or place conditions on,

1 customers of the subsumed water system that it does not charge
2 to, or impose on, new customers that are not subject to the
3 consolidation with the receiving water system.

4 (2) (A) Notwithstanding subparagraph (B) or (C) of paragraph
5 (1), if costs incurred by the receiving water system in completing
6 the consolidation or extension of service are not otherwise
7 recoverable as provided in subparagraph (B) of this paragraph, the
8 receiving water system may charge fees to customers of the
9 subsumed water system to recover those costs.

10 (B) A receiving water system shall not charge a fee pursuant to
11 subparagraph (A) for costs that are otherwise recoverable from
12 the state, the federal government, programs administered by local
13 agencies, parties responsible for causing contamination that the
14 consolidation or extension of service is designed to address, or
15 other sources, as determined by the state board.

16 (h) The state board shall not, pursuant to this section, fund public
17 works or upgrades unrelated to the delivery of an adequate supply
18 of affordable, safe drinking water, including, but not limited to,
19 the installation of streetlights, sidewalks, curbs, and gutters. A
20 local agency's decision whether to provide these public works or
21 upgrades shall not delay the consolidation or extension of service.

22 (i) When a public water system is operated by a local educational
23 agency, the state board may order a receiving water system to
24 consolidate or extend service to a public water system operated
25 by a local educational agency pursuant to this section if both the
26 following additional conditions are met:

27 (1) The local educational agency serves students from one or
28 more census blocks that are disadvantaged communities.

29 (2) The state board obtains a written determination from the
30 local educational agency that the state board's analysis in the
31 financing package, developed pursuant to subparagraph (B) of
32 paragraph (8) of subdivision (b), indicates that consolidating or
33 extending service would not result in additional unacceptable costs
34 to the local educational agency and would result in safe drinking
35 water being available to the local educational agency.

36 (j) An order pursuant to this section shall not require
37 consolidation or extension of service to a residence served solely
38 by a domestic well until an owner of the affected residence provides
39 written consent to the consolidation or extension of service. Any
40 domestic well owner within the consolidation or extended service

1 area that does not provide written consent shall be ineligible, until
2 the consent is provided, for any future water-related grant funding
3 from the state other than funding to mitigate a well failure, disaster,
4 or other emergency.

5 (k) A finding that a disadvantaged community, in whole or in
6 part, is substantially reliant on at-risk domestic wells shall be based
7 on the maps created pursuant to paragraph (1) of subdivision (a)
8 of Section 116772 and inspection or testing of the domestic wells
9 showing an imminent risk of failing to provide an adequate supply
10 of safe drinking water.

11 (l) The state board may prioritize consolidation of an at-risk
12 water system that has historically been overburdened by pollution
13 and industrial development or faced other environmental justice
14 hurdles.

15 (m) Division 3 (commencing with Section 56000) of Title 5 of
16 the Government Code does not apply to an action taken by the
17 state board pursuant to this section.

18 (n) *If sufficient funding is available, the state board may order
19 consolidation of sewer service along with an order of consolidation
20 of drinking water pursuant to this section, when both the subsumed
21 water system and receiving water system provide sewer service,
22 after doing all of the following:*

23 (1) *Consulting with, and fully considering input from, the
24 relevant regional water board.*

25 (2) *Consulting with, and fully considering input from, the
26 receiving water system.*

27 (3) *Conducting outreach to ratepayers and residents served by
28 the receiving water system and subsumed water system, including
29 identifiable local community groups. These outreach efforts shall
30 gauge community support for consolidation of the subsumed water
31 system. The state board shall consider the results of this outreach
32 when deciding whether to order consolidation of the sewer services
33 of the subsumed water system.*

34 *SEC. 2. Section 116686 of the Health and Safety Code is
35 amended to read:*

36 116686. (a) (1) To provide an adequate supply of affordable,
37 safe drinking water to disadvantaged communities, voluntary
38 participants, and public water systems that have demonstrated
39 difficulty in maintaining technical, managerial, and financial

1 capacity and to prevent fraud, waste, and abuse, the state board
2 may do any of the following, if sufficient funding is available:

3 (A) (i) Contract with, or provide a grant to, an administrator to
4 provide administrative, technical, operational, legal, or managerial
5 services, or any combination of those services, to a designated
6 water system to assist the designated water system with the
7 provision of an adequate supply of affordable, safe drinking water,
8 which services may include steps necessary to enable consolidation.

9 (ii) To fulfill the requirements of this section, the state board
10 may contract with more than one administrator, but only one
11 administrator may be assigned to provide services to a given
12 designated water system.

13 (iii) An administrator may provide services to more than one
14 designated water system.

15 (B) Order a designated water system to accept administrative,
16 technical, operational, legal, or managerial services, including full
17 management and control of all aspects of the designated water
18 system, from an administrator selected by the state board.

19 (C) Order a designated water system to accept administrative,
20 technical, operational, legal, or managerial services from an
21 administrator appointed by the state board for full oversight of
22 construction or development projects related to a consolidation or
23 extension of service, including, but not limited to, accepting loans
24 and grants issued by the state board and entering into contracts on
25 behalf of the designated water system.

26 (2) In performing its duties pursuant to paragraph (1), the state
27 board may use criteria from the handbook adopted pursuant to
28 subdivision (g).

29 (3) *When contracting with, or ordering a designated water
30 system to accept, an administrator pursuant to paragraph (1), the
31 state board may also require the administrator to provide
32 administrative, technical, legal, or managerial services for any
33 sewer service provided by the designated water system.*

34 (b) Unless the state board has already held a public meeting
35 pursuant to subdivision (b) of Section 116682, the state board shall
36 do all of the following to determine that a public water system or
37 state small water system is a designated water system:

38 (1) Provide the public water system or state small water system
39 with notice and an opportunity to show either of the following:

1 (A) That the public water system or state small water system
 2 has neither consistently failed to provide an adequate supply of
 3 affordable, safe drinking water nor is it an at-risk water system.
 4 (B) That the public water system or state small water system
 5 has taken steps to timely address its failure to provide an adequate
 6 supply of affordable, safe drinking water and that it is not an at-risk
 7 water system.
 8 (2) (A) Conduct a public meeting in a location as close as
 9 feasible to the affected community.
 10 (B) The state board shall make reasonable efforts to provide a
 11 30-day notice of the public meeting to affected ratepayers, renters,
 12 and property owners.
 13 (C) The state board shall provide representatives of the public
 14 water system or state small water system, affected ratepayers,
 15 renters, and property owners with an opportunity to present oral
 16 and written comments at the public meeting.
 17 (D) The state board shall provide at the meeting an opportunity
 18 for public comment.
 19 (3) Provide the public with an opportunity to submit comments
 20 by mail or electronically during the 30-day notice period and for
 21 at least one week after the public meeting described in paragraph
 22 (2).
 23 (4) If the public water system is operated by a local educational
 24 agency, obtain the local educational agency’s agreement, in writing,
 25 to the appointment of an administrator.
 26 (c) The state board shall make financial assistance available to
 27 an administrator of a designated water system, as appropriate and
 28 to the extent that funding is available.
 29 (d) The authority granted to an administrator by the state board
 30 pursuant to subdivision (a) may include, but shall not be limited
 31 to, the authority to do all of the following:
 32 (1) Expend available moneys for capital infrastructure
 33 improvements that the designated water system needs to provide
 34 an adequate supply of affordable, safe drinking water or to execute
 35 a consolidation ordered pursuant to Section 116682.
 36 (2) Set and collect user water rates and fees, subject to approval
 37 by the state board. The state board shall consider affordability
 38 when approving water rates and fees. The provisions of this section
 39 are subject to all applicable constitutional requirements, including
 40 Article XIII D of the California Constitution.

1 (3) Expend available moneys for operation and maintenance
2 costs of the designated water system.

3 (4) Expend available moneys necessary to achieve consolidation,
4 including conducting feasibility or planning studies, or addressing
5 outstanding technical or legal issues.

6 (e) The state board shall work with the administrator of a
7 designated water system and the communities served by that
8 designated water system to develop, within the shortest practicable
9 time, adequate technical, managerial, and financial capacity to
10 deliver an adequate supply of affordable, safe drinking water so
11 that the services of the administrator are no longer necessary.

12 (f) A designated water system shall not be responsible for any
13 costs associated with an administrator that are higher than the costs
14 necessary to maintain the designated water system and provide an
15 adequate supply of affordable, safe drinking ~~water.~~ *water or*
16 *provision of sewer service.*

17 (g) Before ordering a designated water system to accept
18 administrative, technical, operational, legal, or managerial services
19 from an administrator pursuant to subdivision (a), the state board
20 shall develop standards, terms, and procedures in a handbook
21 adopted consistent with the process provided for in subdivision
22 (a) of Section 116760.43 for all of the following:

23 (1) Ensuring compliance with subdivision (f).

24 (2) Providing opportunity for public comment on the selection
25 of an administrator and the services to be provided.

26 (3) Providing public access to budgets, ownership and financial
27 information, and other documents and records related to the
28 provision of water service to the designated water system or
29 affected residences and to the management of the designated water
30 system by the administrator.

31 (4) Providing regular public meetings, notifications,
32 opportunities for public comment, and other forms of engagement
33 with customers of the designated water system for significant
34 decisions or actions made on behalf of the designated water system,
35 including, but not limited to, establishing operating budgets,
36 altering water rates, adopting system policies, entering into
37 long-term contracts or financing commitments, and developing
38 system projects or plans.

- 1 (5) Formal requests to the state board to reverse or modify a
 2 decision of an administrator or to request substitution of an
 3 administrator.
- 4 (6) Ensuring an administrator acts in the best interests of the
 5 community served.
- 6 (7) Development and approval of a post-administrator drinking
 7 water service plan to ensure compliance with subdivision (e).
 8 Development of the plan shall include, but is not limited to, an
 9 evaluation of long-term public governance or community
 10 ownership options.
- 11 (h) An administrator appointed pursuant to this section for a
 12 designated water system shall not be liable for claims by past or
 13 existing ratepayers, or those who consumed water provided through
 14 the designated water system, if good faith, reasonable effort, and
 15 ordinary care were used by the administrator to assume possession
 16 of, or to operate, the designated water system.
- 17 (i) An administrator appointed pursuant to this section for a
 18 designated water system shall not be liable for claims by past or
 19 existing ratepayers, or those who consumed water provided through
 20 the designated water system, for any injury or damages that
 21 occurred before the commencement of the operation period.
- 22 (j) This section does not limit or supersede any other law
 23 authorizing claims against the state board or providing a defense
 24 to liability, and shall not be construed to create any new or
 25 expanded basis for liability.
- 26 (k) Nothing in this section shall be construed to do any of the
 27 following:
- 28 (1) Relieve a water district, water wholesaler, or any other entity
 29 from complying with any provision of federal or state law,
 30 including those pertaining to drinking water quality.
- 31 (2) Impair any cause of action by the Attorney General, a district
 32 attorney, a city attorney, or other public prosecutor, or impair any
 33 other action or proceeding brought by, or on behalf of, a regulatory
 34 agency.
- 35 (3) Impair any claim alleging the taking of property without
 36 compensation within the meaning of either the Fifth Amendment
 37 to the United States Constitution or Section 19 of Article I of the
 38 California Constitution.
- 39 (4) Relieve any person or entity from liability for action or
 40 inaction in bad faith, or without reasonable effort or ordinary care.

1 (l) Nothing in this section shall absolve, indemnify, or protect
2 a prior operator, designated water system, or individual from
3 liability based on an act or failure to act prior to the operation
4 period.

5 (m) Administrative and managerial contracts pursuant to this
6 section shall be exempt from Chapter 2 (commencing with Section
7 10290) of Part 2 of Division 2 of the Public Contract Code and
8 may be awarded on a noncompetitive bid basis as necessary to
9 implement the purposes of this section.

10 (n) For purposes of this section, a local government, as defined
11 in Article XIII C of the California Constitution, that sets water
12 rates in accordance with Article XIII D of the California
13 Constitution shall be deemed to be providing affordable water.

14 (o) This section does not apply to a charter city, charter county,
15 or charter city and county.

16 (p) (1) For purposes of this section, an administrator is
17 authorized to act on behalf of an affected residence to the same
18 extent, and in the same manner, as a designated water system with
19 the consent of the affected residence.

20 (2) For purposes of this section, where an administrator is
21 authorized to act on behalf of a designated public water system, it
22 may also act on behalf of a voluntary participant.

23 (q) The Legislature finds and declares that the funding provided
24 to a state small water system, affected residence, public water
25 system, voluntary participant, or administrator for purposes of this
26 section serves a public purpose and does not constitute a gift of
27 public funds within the meaning of Section 6 of Article XVI of
28 the California Constitution.

29 (r) For purposes of this section, the following terms have the
30 following meanings:

31 (1) "Administrator" means a person whom the state board has
32 determined is competent to perform the administrative, technical,
33 operational, legal, or managerial services required for purposes of
34 this section, pursuant to criteria set forth in the handbook adopted
35 pursuant to subdivision (g). Notwithstanding any other law, a
36 privately owned public utility may serve as an administrator for
37 purposes of this section.

38 (2) "Designated water system" means any of the following:

39 (A) A public water system or state small water system that has
40 been ordered to consolidate pursuant to Section 116682.

1 (B) A public water system or state small water system that serves
2 a disadvantaged community and that the state board finds
3 consistently fails to provide an adequate supply of affordable, safe
4 drinking water.

5 (C) An at-risk water system.

6 (3) “Voluntary participant” means the owner of a domestic well
7 or state small water system who has agreed to accept financial
8 assistance pursuant to Chapter 4.6 (commencing with Section
9 116765) for the provision of an adequate and affordable supply of
10 safe drinking water.

11 ~~SECTION 1. It is the intent of the Legislature to enact~~
12 ~~subsequent legislation to authorize the State Water Resources~~
13 ~~Control Board to order consolidation of wastewater.~~

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