



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0124
(916) 319-2800
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Assembly
California Legislature
Committee on Rules

RICHARD S. GORDON
CHAIR

VICE CHAIR
LING LING CHANG

MEMBERS
WILLIAM P. BROUGH
KEN COOLEY
JIMMY GOMEZ
CHRIS HOLDEN
BRIAN W. JONES
KEVIN MULLIN
BILL QUIRK
FREDDIE RODRIGUEZ
MARIE WALDRON

PATTY LOPEZ (D-ALT.)
JAY OBERNOLTE (R-ALT.)

Thursday, April 14, 2016
8:50 AM
State Capitol, Room 3162

CONSENT AGENDA

Bill Referrals

- | | |
|---------------------------|------------------------|
| 1. Consent Bill Referrals | Page 2 |
| 2. Bill Re-referrals | Page 4 |

Resolutions

- | | | |
|------------------------|---|-------------------------|
| 3. ACR 162 (Dababneh) | Relative to Financial Aid and Literacy Month. | Page 6 |
| 4. ACR 164 (Patterson) | Relative to Citrus Strong Month. | Page 14 |
| 5. AJR 34 (Achadjian) | Relative to Armenian Genocide. | Page 17 |
| 6. HR 47 (Cooper) | Relative to Walk a Mile in Her Shoes Day. | Page 26 |
| 7. SCR 108 (Monning) | Relative to Rare Disease Day. | Page 30 |

Requests to Add Urgency Clause

- | | | |
|---------------------|---|-------------------------|
| 8. AB 1749 (Mathis) | Relative to California Environmental Quality Act: exemption: recycled water pipe..... | Page 37 |
| 9. SB 10 (Lara) | Relative to Health care coverage: immigration status. | Page 41 |

REFERRAL OF BILLS TO COMMITTEE

04/14/2016

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

Assembly Bill No.

[ACA 9](#)

[ACR 166](#)

[ACR 167](#)

[SCR 121](#)

Committee:

E. & R.

A.,E.,S.,T. & I. M.

REV. & TAX.

RLS.



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Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 4/13/2016
Re: Consent Bill Referrals

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



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RE-REFERRAL OF BILLS

04/14/2016

RE-REFERRAL OF BILLS

Assembly Bill
No.

Committee:

[SB 10](#)

HEALTH

[AB 1840](#)

LABOR AND EMPLOYMENT

[AB 1979](#)

UTILITIES AND COMMERCE

[AB 2452](#)

ACCOUNTABILITY AND ADMINISTRATIVE
REVIEW

[AB 2546](#)

EDUCATION

[AB 2750](#)

HEALTH



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JAY OBERNOLTE (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 4/13/2016
Re: Consent Bill Re-Referrals

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



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AMENDED IN ASSEMBLY APRIL 7, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

Assembly Concurrent Resolution

No. 162

Introduced by Assembly Member Dababneh

March 30, 2016

Assembly Concurrent Resolution No. 162—Relative to Financial Aid and Literacy Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 162, as amended, Dababneh. Financial Aid and Literacy Month.

This measure would declare the month of April 2016 as Financial Aid and Literacy Month, with the theme of “Prosperity Through Education,” to raise public awareness about the continuing need for increased financial literacy.

Fiscal committee: no.

- 1 WHEREAS, California law requires that financial education,
2 including budgeting, managing credit, student loans, consumer
3 debt, and identity theft security, is included in the next revision of
4 the social sciences, health, and mathematics curricula; and
5 WHEREAS, The State of California established the Bank on
6 California Program to raise awareness among unbanked consumers
7 about the benefits of account ownership and to spur Californians
8 to open accounts; and
9 WHEREAS, The Bank on California Program makes quality
10 money management education more easily available to low-income
11 Californians and raises statewide awareness of the unbanked
12 problem and potential solutions; and

1 WHEREAS, Less than 20 percent of teachers feel equipped to
2 teach personal finance and more than one in six pupils in the United
3 States do not reach the baseline level of proficiency in financial
4 literacy; and

5 WHEREAS, According to American Consumer Credit
6 Counseling, the United States ranks 14th on the global list of
7 financially literate countries, behind countries like the Czech
8 Republic and Singapore; and

9 WHEREAS, Nearly one in four adults admit that they do not
10 pay their bills on time; and

11 WHEREAS, According to a GOBankingRates.com survey, 62
12 percent of Americans have less than \$1,000 in their savings
13 accounts; and

14 WHEREAS, According to Sallie Mae's "How America Saves
15 for College 2015," on average, parents saved \$10,040 for college,
16 the lowest level in three years; and

17 WHEREAS, 79 percent of parents believe it is more difficult
18 for today's parents to save and pay for college than it was for their
19 parents' generation; and

20 WHEREAS, Families that do not save for college typically do
21 not save generally. Parents who are not saving for college have
22 had, on average, 65 percent less money saved for all purposes than
23 those who are saving for college; and

24 WHEREAS, The top reason cited for not saving for college is
25 that families do not have enough discretionary money to set aside
26 exclusively for a child's college education. More than 80 percent
27 of parents cite this as a major or minor reason for not having started
28 to save for college; and

29 WHEREAS, Nearly 67 percent of non-college-saving parents
30 are not saving for college because they assume their children will
31 be able to use financial aid or scholarships to cover the cost of
32 paying for college; and

33 WHEREAS, According to the Junior Achievement 2015 Teens
34 & Personal Finance Survey, 48 percent of teenagers think that their
35 parents will help pay for college, but only 16 percent of parents
36 of teenagers report planning to pay for postsecondary education;
37 and

38 WHEREAS, Parents serve as teenagers' biggest teachers when
39 it comes to money management skills. Eighty-four percent of
40 teenagers report looking to their parents for information on how

1 to manage money, but 34 percent of parents say their family's
2 approach to financial matters is to not discuss money with their
3 children; and

4 WHEREAS, Parents who do talk to their children about money
5 are often leaving girls out of the conversation. Teenage girls are
6 more likely than teenage boys to say that their parents do not talk
7 to them enough about money management (40 percent to 24
8 percent) and paying for college (34 percent to 23 percent); and

9 WHEREAS, The number of teenagers who think that their
10 parents do not spend enough time talking to them about managing
11 money rose from 21 percent in 2014 to 32 percent in 2015; and

12 WHEREAS, According to the Council for Economic Education's
13 2016 Survey of the States, student loan debt is more than \$1.3
14 trillion, the second largest class of consumer debt after mortgages;
15 and

16 WHEREAS, The college graduating class of 2014 graduated
17 with an average of nearly \$29,000 in student loan debt; and

18 WHEREAS, Undergraduate students typically can use
19 scholarships and grants to cover only about 31 percent of the total
20 average cost of one year of a college education; and

21 WHEREAS, 75 percent of credit card-carrying college students
22 did not know they would be hit with late payment fees; and

23 WHEREAS, 4 in 10 millennials say they are overwhelmed with
24 debt and more than one-half say they are living
25 paycheck-to-paycheck, leaving them no ability to save for the
26 future; and

27 WHEREAS, According to a study by PwC and the George
28 Washington Global Financial Literacy Excellence Center of
29 millennials ages 23 to 35, inclusive, millennials are the age group
30 with the lowest level of financial literacy. Only 24 percent
31 demonstrated basic financial literacy, and only 8 percent
32 demonstrated high financial literacy; and

33 WHEREAS, Millennials are "financially fragile" in the sense
34 that nearly 50 percent do not believe they could come up with
35 \$2,000 if an unexpected need arose within the next month, nearly
36 30 percent are overdrawing on their checking accounts, and 53
37 percent carried over a credit card balance in the last 12 months;
38 and

39 WHEREAS, Only 36 percent of millennials have a retirement
40 account, 17 percent with an account took a loan in the past 12

1 months, and 14 percent took a hardship withdrawal in the past 12
2 months; and

3 WHEREAS, Many employers, government agencies, schools,
4 service groups, community organizations, libraries, financial
5 institutions, and nonprofit entities, including, but not limited to,
6 FDIC: Money Smart, the Consumer Financial Protection Bureau's
7 Office of Financial Empowerment, the California Jump\$tart
8 Coalition, the CalCPA ~~Financial Literacy Committee~~, *Institute*,
9 the New America Foundation, SparkPoint Centers, America Saves,
10 the United Way Financial Literacy Program, Junior Achievement
11 Finance Park, and the Girl Scouts of America, have created
12 programs to help people improve their financial literacy skills; and

13 WHEREAS, Resolutions similar to this resolution have been
14 introduced and passed with strong bipartisan support to increase
15 awareness of the need for financial literacy for California citizens;
16 now, therefore, be it

17 *Resolved by the Assembly of the State of California, the Senate*
18 *thereof concurring*, That the Legislature hereby declares the month
19 of April 2016 as Financial Aid and Literacy Month, with the theme
20 of "Prosperity Through Education," to raise public awareness about
21 the continuing need for increased financial literacy; and be it further

22 *Resolved*, That legislators, employers, government agencies,
23 schools, service groups, community organizations, libraries,
24 financial institutions, and other nonprofit entities should be
25 encouraged to provide all Californians with the opportunity to
26 obtain or improve their financial literacy skills; and be it further

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

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Date of Hearing: April 14, 2016

ASSEMBLY COMMITTEE ON RULES

Gordon, Chair

ACR 162 (Dababneh) – As Amended April 7, 2016

SUBJECT: Financial Aid and Literacy Month

SUMMARY: Declares the month of April 2016 as Financial Aid and Literacy Month, with the theme of "Prosperity Through Education," to raise public awareness about the continuing need for increased financial literacy. Specifically, **this resolution** makes the following legislative findings:

- 1) California law requires that financial education, including budgeting, managing credit, student loans, consumer debt, and identity theft security, is included in the next revision of the social sciences, health, and mathematics curricula.
- 2) The State of California established the Bank on California Program to raise awareness among unbanked consumers about the benefits of account ownership and to spur Californians to open accounts.
- 3) According to American Consumer Credit Counseling, the United States ranks 14th on the global list of financially literate countries, behind countries like Czech Republic and Singapore.
- 4) Less than 20 percent of teachers feel equipped to teach personal finance and more than one in six pupils in the United States do not reach the baseline level of proficiency in financial literacy.
- 5) Parents serve as teenagers' biggest teachers when it comes to money management skills. Eighty-four percent of teenagers report looking to their parents for information on how to manage money, but 34 percent of parents say their family's approach to financial matters is to not discuss money with their children.
- 6) According to the Council for Economic Education's 2016 Survey of the States, student loan debt is more than \$1.3 trillion, the second largest class of consumer debt after mortgages.
- 7) A study by PwC and the George Washington Global Financial Literacy Excellence Center of millennials ages 23 to 35, inclusive found that millennials are the age group with the lowest level of financial literacy. Only 24 percent demonstrated basic financial literacy, and only 8 percent demonstrated high financial literacy.
- 8) Many employers, government agencies, schools, service groups, community organizations, libraries, financial institutions, and nonprofit entities, including, but not limited to, FDIC: Money Smart, the Consumer Financial Protection Bureau's Office of Financial Empowerment, the California Jump\$tart Coalition, the CalCPA Institute, the New America Foundation, SparkPoint Centers, America Saves, the United Way Financial Literacy Program, Junior Achievement Finance Park, and the Girl Scouts of America, have created programs to help people improve their financial literacy skills.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California Society of Certified Public Accountants (CalCPA)

California State Controller, Betty T. Yee

Opposition

None on file

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



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(916) 441-5351
www.calcpa.org

April 6, 2016

RECEIVED
ASSEMBLY RULES
2016 APR 11 A 8:31

TO: The Assembly Rules Committee
FROM: Jason Fox, Director of Government Relations
RE: **ACR 162 (Dababneh) – Financial Aid and Literacy Month (Support)**

On behalf of over 40,000 members of the California Society of Certified Public Accountants (CalCPA), we are pleased to support Assembly Concurrent Resolution 162 which would designate April 2016 as Financial Aid and Literacy Month, with the theme "Prosperity through Education." ACR 162 helps raise public awareness about the continuing need for improved financial literacy in California.

CalCPA has been a proud supporter of similar financial literacy resolutions. We believe having the tools necessary to understand the complexities of today's financial decisions is imperative for California citizens to lead financially healthy and secure lives. CalCPA members are devoting hundreds of hours to offer the resources and opportunities for California citizens to enhance their own economic understanding by providing free financial education to thousands of Californians annually. Declaring April 2016 as Financial Aid and Literacy Month is an important step to highlight the significance of financial literacy efforts.

In addition, CalCPA is offering pro bono "Dollars and Sense" workshops in all legislative districts with local CPAs. These events provide financial education as well as the opportunity to communicate directly with constituents in your district on this important subject. To schedule a financial literacy workshop, please contact us at (916) 441-5351.

We urge you to support ACR 162 when it comes before you.

cc: The Honorable Matt Dababneh
Kathleen O'Malley, Principal Consultant, Assembly Banking & Finance Committee

[Back to Agenda](#)



BETTY T. YEE
California State Controller

April 6, 2016

The Honorable Richard Gordon, Chair
Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

SUBJECT: Assembly Concurrent Resolution 162 (Dababneh) - SPONSOR/SUPPORT

Dear Chairman Gordon:

I am proud to sponsor Assembly Concurrent Resolution 162 (ACR 162), which proclaims April 2016 as Financial Aid and Literacy Month and embraces the Governor's theme of "Prosperity Through Education."

At its most basic level, financial literacy is the ability to understand how money works in the world. While you and I may take this skill for granted, far too many people – especially young people – do not have the skills and knowledge to make effective decisions with all their financial resources. Helping people become financially fit means teaching them more than just about how to balance a checkbook and live within a budget. True financial fitness includes skills such as long-term vision and planning for the future, avoiding predatory lending or financial scams, and the discipline to use those skills every day.

Using the theme of "Prosperity Through Education," ACR 162 highlights the importance of learning to manage money effectively, the difficulty many Americans face when it comes to saving money, and the impact debt can have on people's lives. Further, this resolution calls upon the state, private businesses, and community organizations to provide additional opportunities for all Californians who want to improve their financial fitness skills.

Thank you for your consideration of this important resolution. If you have any questions, please feel free to contact me at (916) 445-2636 or my Deputy Controller for Legislative Affairs, Evan Goldberg, at egoldberg@sco.ca.gov or (916) 327-1091.

Sincerely,

BETTY T. YEE

cc: The Honorable Matt Dababneh, Chair, Assembly Banking & Finance Committee

[Back to Agenda](#)

300 Capitol Mall, Suite 1850, Sacramento, CA 95814 P.O. Box 942850, Sacramento, CA 94250 Fax: (916) 322-4404
www.sco.ca.gov

Assembly Concurrent Resolution

No. 164

Introduced by Assembly Member Patterson

(Principal coauthor: Senator Vidak)

**(Coauthors: Assembly Members Bigelow, Gray, Lackey, Linder,
Mathis, Olsen, Wagner, and Waldron)**

(Coauthors: Senators Anderson, Bates, Cannella, Huff, and Stone)

April 4, 2016

Assembly Concurrent Resolution No. 164—Relative to Citrus Strong Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 164, as introduced, Patterson. Citrus Strong Month.

This measure would recognize the month of April 2016 as Citrus Strong Month for the purpose of celebrating California’s vibrant citrus industry and the benefits it provides to the state’s environment, economy, and people, and to affirm that California is citrus strong.

Fiscal committee: no.

- 1 WHEREAS, Citrus is an iconic symbol of California’s heritage,
- 2 dating back to the 1840s; and
- 3 WHEREAS, California leads the nation in the production of
- 4 fresh citrus fruit; and
- 5 WHEREAS, Eighty percent of the nation’s supply of fresh citrus
- 6 is grown in California; and
- 7 WHEREAS, Ongoing research shows the many health benefits
- 8 of consuming fresh citrus; and

1 WHEREAS, California citrus is a \$3 billion dollar industry that
2 supports over 20,000 jobs and fuels over \$1.5 billion in economic
3 activity for the state each year; and

4 WHEREAS, Citrus growers are committed to preserving
5 California's precious natural resources by adopting farming
6 practices that conserve water, reduce air pollution, and promote
7 healthy soils; and

8 WHEREAS, California's citrus growers give back to local
9 communities and families in need; and

10 WHEREAS, In 2015, California's citrus growers donated 19
11 million pounds of citrus to the Farm to Family program, which is
12 dedicated to delivering food to individuals, families, and children
13 in need and to strengthening communities by providing food
14 security; and

15 WHEREAS, The first annual Citrus Stride will take place at the
16 State Capitol Building on April 6, 2016, and for every registered
17 participant, the citrus industry will donate 1,000 pounds of citrus
18 to the Farm to Family program; now, therefore, be it

19 *Resolved by the Assembly of the State of California, the Senate*
20 *thereof concurring*, That the Legislature recognizes the month of
21 April 2016 as Citrus Strong Month for the purpose of celebrating
22 California's vibrant citrus industry and the benefits it provides to
23 the state's environment, economy, and people, and to affirm that
24 California is citrus strong; and be it further

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

O

Date of Hearing: April 14, 2016

ASSEMBLY COMMITTEE ON RULES

Gordon, Chair

ACR 164 (Patterson) – As Introduced April 4, 2016

SUBJECT: Citrus Strong Month

SUMMARY: Recognizes the month of April 2016 as Citrus Strong Month for the purpose of celebrating California's vibrant citrus industry and the benefits it provides the state's environment, economy, and people, and to affirm that California is citrus strong. Specifically, **this resolution** makes the following legislative findings:

- 1) Citrus is an iconic symbol of California's heritage, dating back to the 1840's and California leads the nation in the production of fresh citrus fruit.
- 2) Eighty percent of the nation's supply of fresh citrus is grown in California.
- 3) California citrus is a \$3 billion dollar industry that supports over 20,000 jobs and fuels over \$1.5 billion in economic activity for the state each year.
- 4) Citrus growers are committed to preserving California's precious natural resources by adopting farming practices that conserve water, reduce air pollution, and promote healthy soils.
- 5) In 2015, California's citrus growers donated 19 million pounds of citrus to the Farm to Family program, which is dedicated to delivering food to individuals, families, and children in need and to strengthening communities by providing food security.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN ASSEMBLY APRIL 12, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

Assembly Joint Resolution

No. 34

Introduced by Assembly Members Achadjian, Bonta, Brown, Calderon, Chu, Dababneh, Dahle, Beth Gaines, Cristina Garcia, Gatto, Grove, Jones, Levine, Lopez, Nazarian, Olsen, Patterson, Steinorth, Wagner, and Wilk

(Principal coauthor: ~~Senator De León~~ coauthors: *Senators Anderson, De León, Gaines, Hall, Lara, Leno, Liu, Nielsen, and Pan*)

March 16, 2016

Assembly Joint Resolution No. 34—Relative to the Armenian Genocide.

LEGISLATIVE COUNSEL'S DIGEST

AJR 34, as amended, Achadjian. Armenian Genocide.

This measure would, among other things, designate the year of 2016 as “State of California Year of Commemoration of the Anniversary of the Armenian Genocide of 1915–1923,” *would* designate April 24, 2016, as “State of California Day of Commemoration of the 101st Anniversary of the Armenian Genocide of 1915–1923,” and would call upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide.

Fiscal committee: no.

- 1 WHEREAS, Armenians have resided in Asia Minor and the
- 2 Caucasus for approximately four millennia, and have a long and
- 3 rich history in the region, including the establishment of many
- 4 kingdoms, and despite Armenians’ historic presence, stewardship,

1 and autonomy in the region, Turkish rulers of the Ottoman Empire
2 and the Republic of Turkey subjected Armenians to severe and
3 unjust persecution and brutality, including wholesale massacres
4 beginning in the 1890s; and

5 WHEREAS, The Armenian nation was subjected to a systematic
6 and premeditated genocide officially beginning on April 24, 1915,
7 at the hands of the Young Turk Government of the Ottoman Empire
8 from 1915–1919 and continued at the hands of the Kemalist
9 Movement of Turkey from 1920–1923 whereby over 1.5 million
10 Armenian men, women, and children were slaughtered or marched
11 to their deaths in an effort to annihilate the Armenian nation in the
12 first genocide of modern times, while thousands of surviving
13 Armenian women and children were forcibly converted and
14 Islamized, and hundreds of thousands more were subjected to
15 ethnic cleansing during the period of the modern Republic of
16 Turkey from 1924–1937; and

17 WHEREAS, During the genocides of the Christians living in
18 the Ottoman Empire and surrounding regions, which occurred
19 during the first one-half of the 20th century, 1.5 million men,
20 women, and children of Armenian descent, and hundreds of
21 thousands of Assyrians, Greeks, and other Christians, lost their
22 lives at the hands of the Ottoman Turkish Empire and the Republic
23 of Turkey, constituting one of the most atrocious violations of
24 human rights in the history of the world; and

25 WHEREAS, These crimes against humanity also had the
26 consequence of permanently removing all traces of the Armenians
27 and other targeted people from their historic homelands of more
28 than four millennia, and enriching the perpetrators with the lands
29 and other property of the victims of these crimes, including the
30 usurpation of several thousand churches; and

31 WHEREAS, In response to the genocide and at the behest of
32 President Woodrow Wilson and the United States State
33 Department, the Near East Relief organization was founded, and
34 became the first congressionally sanctioned American philanthropic
35 effort created exclusively to provide humanitarian assistance and
36 rescue to the Armenian nation and other Christian minorities from
37 annihilation, who went on to survive and thrive outside of their
38 ancestral homeland all over the world and specifically in this state;
39 and

WHEREAS, Near East Relief succeeded, with the active participation of the citizens from this state, in delivering \$117 million in assistance, and saving more than one million refugees, including 132,000 orphans, between 1915 and 1930, by delivering food, clothing, and materials for shelter, setting up refugee camps, clinics, hospitals, and orphanages; and

WHEREAS, The Armenian nation survived the genocide despite the attempt by the Ottoman Empire to exterminate it; and

WHEREAS, Adolf Hitler, in persuading his army commanders that the merciless persecution and killing of Jews, Poles, and other people would bring no retribution, declared, “Who, after all, speaks today of the annihilation of the Armenians?”; and

WHEREAS, On November 4, 1918, immediately after the collapse of the Young Turk regime and before the founding of the Republic of Turkey by Mustafa Kemal Ataturk in 1923, the Ottoman Parliament considered a motion on the crimes committed by the Committee of Union and Progress (CUP) stating: “A population of one million people guilty of nothing except belonging to the Armenian nation were massacred and exterminated, including even women and children.” The Minister of Interior at the time, Fethi Bey, responded by telling the Parliament: “It is the intention of the government to cure every single injustice done up until now, as far as the means allow, to make possible the return to their homes of those sent into exile, and to compensate for their material loss as far as possible”; and

WHEREAS, On August 1, 1926, in an interview published in the Los Angeles Examiner, Mustafa Kemal Ataturk admitted: “These left-overs from the former Young Turk Party, who should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven en masse, from their homes and massacred, have been restive under the Republican rule. They have hitherto lived on plunder, robbery and bribery and become inimical to any idea or suggestion to enlist in useful labor and earn their living by the honest sweat of their brow”; and

WHEREAS, The Parliamentary Investigative Committee proceeded to collect relevant documents describing the actions of those responsible for the Armenian mass killings and turned them over to the Turkish Military Tribunal. CUP’s leading figures were found guilty of massacring Armenians and hanged or given lengthy prison sentences. The Turkish Military Tribunal requested that

1 Germany extradite to Turkey the masterminds of the massacres
2 who had fled the country. After German refusal, they were tried
3 in absentia and sentenced to death; and

4 WHEREAS, Unlike other people and governments that have
5 admitted and denounced the abuses and crimes of predecessor
6 regimes, and despite the Turkish government's earlier admissions
7 and the overwhelming proof of genocidal intent, the Republic of
8 Turkey inexplicably and adamantly has denied the occurrence of
9 the crimes against humanity committed by the Ottoman and Young
10 Turk rulers for many years, and continues to do so a full century
11 since the first crimes constituting genocide occurred; and

12 WHEREAS, Those denials compound the grief of the few
13 remaining survivors and deprive the surviving Armenian nation
14 of its individual and collective ancestral lands, property, cultural
15 heritage, financial assets, and population growth; and

16 WHEREAS, The Republic of Turkey has escalated its
17 international campaign of Armenian Genocide denial, maintained
18 its blockade of Armenia, and increased its pressure on the small
19 but growing movement in Turkey acknowledging the Armenian
20 Genocide and seeking justice for this systematic campaign of
21 destruction of millions of Armenians, Greeks, Assyrians, and other
22 Christians upon their biblical-era homelands; and

23 WHEREAS, Those citizens of Turkey, both Armenian and
24 non-Armenian, who continue to speak the truth about the Armenian
25 Genocide, such as human rights activist and journalist Hrant Dink,
26 continue to be silenced by violent means; and

27 WHEREAS, There is continued concern about the welfare of
28 Christians in the Republic of Turkey, their right to worship and
29 practice freely, and the legal status and condition of thousands of
30 ancient Armenian churches, monasteries, cemeteries, and other
31 historical and cultural structures, sites, and antiquities in the
32 Republic of Turkey; and

33 WHEREAS, The United States is on record as having officially
34 recognized the Armenian Genocide in the United States
35 government's May 28, 1951, written statement to the International
36 Court of Justice regarding the Reservations to the Convention on
37 the Prevention and Punishment of the Crime of Genocide, through
38 President Ronald Reagan's April 22, 1981, Proclamation No. 4838,
39 and by congressional legislation including House Joint Resolution

1 148 adopted on April 9, 1975, and House Joint Resolution 247
2 adopted on September 12, 1984; and

3 WHEREAS, Prior to the Convention on the Prevention and
4 Punishment of the Crime of Genocide, the United States had a
5 record of seeking just and constructive means to address the
6 consequences of the Ottoman Empire’s intentional destruction of
7 the Armenian people, including through United States Senate
8 Concurrent Resolution 12 adopted on February 9, 1916, United
9 States Senate Resolution 359 adopted on May 11, 1920, and
10 President Woodrow Wilson’s November 22, 1920, decision
11 ~~entitled~~, *titled*, “The Frontier between Armenia and Turkey,” which
12 was issued as a binding arbitral award, yet has not been enforced
13 to this date despite its legally binding status; and

14 WHEREAS, President Barack Obama entered office “calling
15 for Turkey’s acknowledgment of the Armenian Genocide” and on
16 April 24, 2013, and similarly on April 24, 2014, he further stated,
17 “A full, frank, and just acknowledgment of the facts is in all of
18 our interests. Peoples and nations grow stronger, and build a more
19 just and tolerant future, by acknowledging and reckoning with
20 painful elements of the past”; and

21 WHEREAS, California is home to the largest
22 ~~Armenian-American~~ *Armenian American* population in the United
23 States, and Armenians living in California have enriched our state
24 through their leadership and contribution in business, agriculture,
25 academia, government, and the arts, many of whom have family
26 members who experienced firsthand the horror and evil of the
27 Armenian Genocide and its ongoing denial; and

28 WHEREAS, Every person should be made aware and educated
29 about the Armenian Genocide and other crimes against humanity;
30 and

31 WHEREAS, The State of California has been at the forefront
32 of encouraging and promoting a curriculum relating to human
33 rights and genocide in order to empower future generations to
34 prevent the recurrence of genocide; and

35 WHEREAS, April 24, 1915, is globally observed and recognized
36 as the commencement of the Armenian Genocide; and

37 WHEREAS, Armenians in the State of California and throughout
38 ~~the world~~, *world* have not been provided with justice for the crimes
39 perpetrated against the Armenian nation despite the fact that over
40 a century has passed since the crimes were first committed; and

1 WHEREAS, The Armenian people in the State of California
2 and throughout the ~~world~~, *world* remain resolved and their spirit
3 continues to thrive more than a century after their near annihilation;
4 now, therefore, be it

5 *Resolved by the Assembly and the Senate of the State of*
6 *California, jointly*, That the Legislature hereby designates the year
7 of 2016 as “State of California Year of Commemoration of the
8 Anniversary of the Armenian Genocide of 1915–1923” and in
9 doing so, intends, through the enactment of legislation, that the
10 Armenian Genocide is properly commemorated and taught to its
11 citizens and visitors through statewide educational and cultural
12 events; and be it further

13 *Resolved*, That the Legislature hereby designates April 24, 2016,
14 as “State of California Day of Commemoration of the 101st
15 Anniversary of the Armenian Genocide of 1915–1923”; and be it
16 further

17 *Resolved*, That the Legislature commends its conscientious
18 educators who teach about human rights and genocide, and intends
19 for them, through the enactment of legislation, to continue to
20 enhance their efforts to educate students at all levels about the
21 experience of the Armenians and other crimes against humanity;
22 and be it further

23 *Resolved*, That the Legislature hereby commends the
24 extraordinary service which was delivered by Near East Relief to
25 the survivors of the Armenian Genocide and the Assyrian
26 Genocide, including thousands of direct beneficiaries of American
27 philanthropy who are the parents, grandparents, and
28 great-grandparents of many Californian Armenians and Assyrians,
29 and pledges its intent, through the enactment of legislation, to
30 working with community groups, nonprofit organizations, citizens,
31 state personnel, and the community at large to host statewide
32 educational and cultural events; and be it further

33 *Resolved*, That the Legislature deplores the persistent, ongoing
34 efforts by any person, in this country or abroad, to deny the
35 historical fact of the Armenian Genocide; and be it further

36 *Resolved*, That the Legislature respectfully calls upon the
37 President of the United States and the United States Congress to
38 formally and consistently reaffirm the historical truth that the
39 atrocities committed against the Armenian people constituted
40 genocide; and be it further

1 *Resolved*, That the Legislature calls on the President of the
2 United States to work toward equitable, constructive, stable, and
3 durable Armenian-Turkish relations; and be it further

4 *Resolved*, That the Chief Clerk of the Assembly transmit copies
5 of this resolution to the President and Vice President of the United
6 States, to the Speaker of the House of Representatives, to the
7 Majority Leader of the Senate, to each Senator and Representative
8 from California in the Congress of the United States, to the
9 Governor of California, to every member of the California State
10 Legislature, and to the Superintendent of Public Instruction.

O

Date of Hearing: April 14, 2016

ASSEMBLY COMMITTEE ON RULES

Gordon, Chair

AJR 34 (Achadjian) – As Amended April 12, 2016

SUBJECT: Armenian Genocide

SUMMARY: Would, among other things, designate the year of 2016 as "State of California Year of Commemoration of the 101st Anniversary of the Armenian Genocide of 1915-1923," designate April 24, 2016, as "State of California Day of Commemoration of the 101st Anniversary of the Armenian Genocide of 1915-1923," and would call upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide. Specifically, **this resolution** makes the following legislative findings:

- 1) Armenians have resided in Asia Minor and the Caucasus for approximately four millennia, and have a long and rich history in the region, including the establishment of many kingdoms, and despite Armenians' historic presence, stewardship, and autonomy in the region, Turkish rulers of the Ottoman Empire and the Republic of Turkey subjected Armenians to severe and unjust persecution and brutality, including wholesale massacres beginning in the 1890s.
- 2) The Armenian nation was subjected to a systematic and premeditated genocide officially beginning on April 24, 1915, at the hands of the Young Turk Government of the Ottoman Empire from 1915–1919 and continued at the hands of the Kemalist Movement of Turkey from 1920–1923 whereby over 1.5 million Armenian men, women, and children were slaughtered or marched to their deaths in an effort to annihilate the Armenian nation in the first genocide of modern times, while thousands of surviving Armenian women and children were forcibly converted and Islamized, and hundreds of thousands more were subjected to ethnic cleansing during the period of the modern Republic of Turkey from 1924–1937.
- 3) California is home to the largest Armenian-American population in the United States, and Armenians living in California have enriched our state through their leadership and contribution in business, agriculture, academia, government, and the arts, many of whom have family members who experienced firsthand the horror and evil of the Armenian Genocide and its ongoing denial.
- 4) The State of California has been at the forefront of encouraging and promoting a curriculum relating to human rights and genocide in order to empower future generations to prevent the recurrence of genocide.
- 5) The Armenian people, in this state and elsewhere, remain resolved and their spirit continues to thrive more than a century after their near annihilation.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN ASSEMBLY APRIL 12, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

House Resolution

No. 47

**Introduced by Assembly Member Cooper
(Coauthors: Assembly Members Gallagher and Olsen)**

April 4, 2016

House Resolution No. 47—Relative to Walk a Mile in Her Shoes Day.

1 WHEREAS, Sexual assault and sexual exploitation are major
2 public concerns at the local, state, and national levels; and
3 WHEREAS, One in two women and one in five men will
4 experience sexual violence in their lifetimes; and
5 WHEREAS, California’s rape crisis centers serve more than
6 32,000 survivors of sexual assault every year; and
7 WHEREAS, More than 8 million survivors of sexual violence
8 live in California; and
9 WHEREAS, Sexual assault affects Californians of all gender
10 identities, sexual orientations, races, ethnicities, religions, and
11 socioeconomic levels; and
12 WHEREAS, Perpetrators of sexual violence must be held
13 accountable for their crimes; and
14 WHEREAS, Public awareness and education about sexual
15 violence and sexual exploitation are needed for every child, youth,
16 and adult in our communities; and
17 WHEREAS, Building community intolerance for sexual violence
18 requires the collective voices of all citizens; and
19 WHEREAS, Walk a Mile in Her Shoes represents a public
20 testament to the power of men’s voices in supporting survivors,

1 holding perpetrators accountable, and building a community
2 response against gender-based violence; and

3 WHEREAS, The largest Walk a Mile in Her Shoes event in the
4 world is held in Sacramento, California; now, therefore, be it

5 *Resolved by the Assembly of the State of California, That April*
6 *23, 2016, be recognized as Walk a Mile in Her Shoes Day; and be*
7 *it further*

8 *Resolved, That the Assembly urges California's citizens to*
9 *partner with ~~WEAVE~~ or their local rape crisis center to stand with*
10 *survivors of sexual assault and build communitywide responses*
11 *to gender-based violence; and be it further*

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

O

Date of Hearing: April 14, 2016

ASSEMBLY COMMITTEE ON RULES
Gordon, Chair
HR 47 (Cooper) – As Amended April 12, 2016

SUBJECT: Walk a Mile in Her Shoes Day

SUMMARY: Recognizes April 23, 2016, as Walk a Mile in Her Shoes Day and urges California's citizens to partner with their local rape crisis center to stand with survivors of sexual assault and build communitywide responses to gender-based violence. Specifically, **this resolution** makes the following legislative findings:

- 1) Sexual assault affects Californians of all gender identities, sexual orientations, races, ethnicities, religions, and socioeconomic levels.
- 2) There are more than 8 million survivors of sexual violence who live in California and California's rape crisis centers serve more than 32,000 survivors of sexual assault ever year.
- 3) Public awareness and education about sexual violence and sexual exploitation are needed for every child, youth, and adult in our communities.
- 4) Walk a Mile in Her Shoes represents a public testament to the power of men's voices in supporting survivors, holding perpetrators accountable, and building a community response against gender-based violence.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

SMUD

Opposition

None on file

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



April 7, 2016
GM16-074

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

RE: HR 47 (Cooper) Walk a Mile in Her Shoes Day

Dear Chairman Gordon:

SMUD is pleased to support HR 47 that resolves the Assembly supports WEAVE's event and urges citizens to partner with WEAVE to stand with survivors of assault.

As a publicly owned utility, SMUD is very active in our community. One of the many community groups we support is Sacramento's WEAVE an advocate for survivors of domestic violence and sexual assault.

Last year's SMUD team of 126 men raised \$33,000. We look forward to this year's event on April 23, to help strengthen our community and take a stand against violence.

Should you have questions, I am available at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Arlen Orchard".

Arlen Orchard
Chief Executive Officer & General Manager

cc: Members, Assembly Rules Committee

SMUD is the nation's sixth-largest community-owned electric service provider. We have been providing low-cost, reliable electricity for more than 65 years to Sacramento county and small adjoining portions of Placer and Yolo counties.

[Back to Agenda](#)

Arlen Orchard, Chief Executive Officer & General Manager

SMUD | 6301 S Street | P.O. Box 15830 | Sacramento, CA 95852-0830 | 1.888.742.7683 | smud.org

AMENDED IN ASSEMBLY APRIL 12, 2016

Senate Concurrent Resolution

No. 108

Introduced by Senator Monning

(Principal coauthor: Assembly Member Achadjian)

**(Coauthors: Senators Anderson, Bates, Fuller, Glazer, Hall,
Hertzberg, Leno, Runner, Vidak, and Wieckowski)**

(Coauthors: Assembly Members *Baker*, Chang, Dodd, Gallagher,
Cristina Garcia, Kim, Lackey, Levine, *Wagner*, and Waldron)

February 12, 2016

Senate Concurrent Resolution No. 108—Relative to Rare Disease Day.

LEGISLATIVE COUNSEL'S DIGEST

SCR 108, as amended, Monning. Rare Disease Day.

This measure would proclaim February 29, 2016, as Rare Disease Day in California and *would* provide for the recognition of Rare Disease Day in California in subsequent years, as specified.

Fiscal committee: no.

- 1 WHEREAS, There are nearly 7,000 diseases and conditions
- 2 that are considered rare, each affecting fewer than 200,000
- 3 Americans, according to the National Institutes of Health; and
- 4 WHEREAS, While each of these diseases may affect *a* small
- 5 ~~numbers~~ *number* of people, rare diseases as a group affect almost
- 6 30 million Americans; and
- 7 WHEREAS, Many rare diseases are serious and debilitating
- 8 conditions that have a significant impact on the lives of those
- 9 affected; and

1 WHEREAS, While more than 450 drugs and biologics have
2 been approved for the treatment of rare diseases, according to the
3 United States Food and Drug Administration, millions of
4 Americans still have rare diseases for which there is no approved
5 treatment; and

6 WHEREAS, Individuals and families affected by rare diseases
7 often experience problems such as diagnosis delay, difficulty
8 finding a medical expert, and lack of access to treatments or
9 ancillary services; and

10 WHEREAS, While the public is familiar with some rare
11 diseases, many patients and families affected by less widely known
12 rare diseases bear a large share of the burden of funding research
13 and raising public awareness to support the search for treatments;
14 and

15 WHEREAS, Residents of California are among those affected
16 by rare diseases because nearly one in 10 Americans have rare
17 diseases; and

18 WHEREAS, Every year on the last day of February a nationwide
19 observance of rare diseases is organized with patients, medical
20 professionals, researchers, government officials, and companies
21 developing treatments for rare diseases; and

22 WHEREAS, This year's national Rare Disease Day observance
23 will take place on February 29, 2016; now, therefore, be it

24 *Resolved by the Senate of the State of California, the Assembly*
25 *thereof concurring*, That the Legislature hereby proclaims February
26 29, 2016, as Rare Disease Day in California; and be it further

27 *Resolved*, That every year thereafter the Legislature shall
28 recognize Rare Disease Day in California on the last day of
29 February; and be it further

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

O

Date of Hearing: April 14, 2016

ASSEMBLY COMMITTEE ON RULES
Gordon, Chair
SCR 108 (Monning) – As Amended April 12, 2016

SENATE VOTE: 40-0

SUBJECT: Rare Disease Day

SUMMARY: Proclaims February 29, 2016, as Rare Disease Day in California and would provide for the recognition of Rare Disease Day in California in subsequent years, as specified. Specifically, **this resolution** makes the following legislative findings:

- 1) There are nearly 7,000 diseases and conditions that are considered rare; and, rare diseases as a group affect almost 30 million Americans.
- 2) Many rare diseases are serious and debilitating conditions that have a significant impact on the lives of those affected; and, individuals and their families affected by rare diseases struggle with obtaining an accurate and timely diagnosis, few, if any treatment options, and problems related to accessing or being reimbursed for treatment.
- 3) Nearly one in 10 Americans has a rare disease, Californians are among those affected by those diseases.
- 4) Every year on the last day of February a nationwide observance of rare diseases is organized with patients, medical professionals, researchers, government officials, and companies developing treatments for rare diseases.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

Bayer
California Life Sciences Association

Opposition

None on file

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

April 12, 2016

Assemblymember Richard Gordon, Chair

Assembly Rules Committee

State Capitol, Room 3016

Sacramento, CA 95814

RE: Support for SCR 108- Relative to Rare Disease Day

Dear Assemblymember Gordon:

On behalf of the California Life Sciences Association (formerly known as the California Healthcare Institute and BayBio), the statewide public policy association representing the innovative life sciences sector – biotechnology, pharmaceutical, medical device and diagnostics companies, venture capital firms, research universities and institutes, and our sector's 281,000 workers – I write in support of SCR 108, proclaiming February 29, 2016 as Rare Disease Day.

The burden of rare diseases remains significant in this country. According to the National Institutes of Health, a disease is considered rare in the United States if it affects fewer than 200,000 people. It is estimated that there are 7,000 diseases considered rare affecting 30 million Americans, or roughly 1 in 10 people, with the vast majority of those impacted being children. Furthermore, individuals with rare diseases often experience problems with delays in a diagnosis and issues with access to medical experts, new treatments, and needed ancillary services. While nearly 550 drugs and biologics have been approved for the treatment of rare diseases, roughly 95 percent of known rare diseases have no FDA-approved treatment, meaning millions of Americans remain in need of a treatment for their condition.

Our industry is on the front lines of the fight against rare diseases and is making more progress every year. Last year alone, the FDA designated 354 drugs in development as treating rare diseases, known as an orphan drug designation. This represents an astounding 22 percent increase over 2014. Approvals of orphan drugs have also been on a generally upward trend since the program's inception in 1983, and over 550 such drugs have been approved in that time – compared to just 38 before the orphan drug program. We are confident the coming years will see even greater leaps in progress towards finding treatments and cures for many more rare diseases, as advances in gene sequencing and precision gene-editing have brought us into a truly transformational era for the life sciences.

As an industry that continues to find cures and is committed to saving lives, Rare Disease Day serves as a critical reminder that, while millions of patients have benefitted from new treatments, many are still in need of accurate diagnosis and approved treatment options. For these reasons, we are pleased to support SCR 108 Rare Disease Day, a day that brings public awareness to individuals affected by rare diseases and to remind us of our commitment and progress in developing treatments for rare diseases.

Sincerely,

A small rectangular box containing a redacted signature, likely of the California Life Sciences Association representative.

Eve Bukowski

Vice President – State Government Relations

[Back to Agenda](#)

April 12, 2016

Assemblymember Richard Gordon, Chair
Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

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Sincerely,



Eve Bukowski

Vice President – State Government Relations

[Back to Agenda](#)

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1749

Introduced by Assembly Member Mathis
(Coauthors: Assembly Members Harper and Olsen)
(Coauthor: Senator Cannella)

February 2, 2016

An act to amend Section 21080.08 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1749, as amended, Mathis. California Environmental Quality Act: exemption: recycled water ~~pipelines~~: *pipeline*.

Existing law, the California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts from its requirements projects consisting of the construction or expansion of recycled water pipeline and directly related infrastructure within existing rights of way, and directly related groundwater replenishment, if the project does not affect wetlands or sensitive habitat, and where the construction impacts are fully mitigated, and undertaken for the purpose of mitigating drought

conditions for which a state of emergency was proclaimed by the Governor on a certain date. CEQA provides that this exemption remains operative until the state of emergency has expired or until January 1, 2017, whichever occurs first.

This bill would extend that date to January 1, ~~2022~~, 2019.

Because a lead agency's duty to determine the applicability of this exemption would potentially be extended, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 21080.08 of the Public Resources Code
2 is amended to read:

3 21080.08. (a) This division does not apply to a project that
4 satisfies both of the following:

5 (1) The project is approved or carried out by a public agency
6 for the purpose of mitigating drought conditions for which a state
7 of emergency was proclaimed by the Governor on January 17,
8 2014, pursuant to Chapter 7 (commencing with Section 8550) of
9 Division 1 of Title 2 of the Government Code.

10 (2) The project consists of construction or expansion of recycled
11 water pipeline and directly related infrastructure within existing
12 rights of way, and directly related groundwater replenishment, if
13 the project does not affect wetlands or sensitive habitat, and where
14 the construction impacts are fully mitigated consistent with
15 applicable law.

16 (b) This section shall remain operative until the state of
17 emergency due to drought conditions declared by the Governor in
18 the proclamation issued on January 17, 2014, has expired or until
19 January 1, ~~2022~~, 2019, whichever occurs first, and as of January
20 1, ~~2022~~, 2019, is repealed unless a subsequent statute amends or
21 repeals that date.

1 SEC. 2. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 a local agency or school district has the authority to levy service
4 charges, fees, or assessments sufficient to pay for the program or
5 level of service mandated by this act, within the meaning of Section
6 17556 of the Government Code.

O

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0026
(916) 319-2026
FAX (916) 319-2126

DISTRICT OFFICE
100 WEST WILLOW STREET, SUITE 405
VISALIA, CA 93291
(559) 636-3440
FAX (559) 636-4484

Assembly California Legislature



DEVON J. MATHIS
ASSEMBLYMEMBER, TWENTY-SIXTH DISTRICT

April 12, 2016

Assembly Member Richard S. Gordon
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, California 95814

Re: AB 1749 Urgency Clause

Dear Assemblymember Gordon:

I am writing to request an urgency clause for AB 1749, this bill is very important to a city in our district East Porterville. With our district being ground zero for the drought, any assistance to help these citizens getting drinking water is a must. We are currently working with Natural Resources Committee and The Governor's office to try and find a solution to get these people water. AB 1749 will help stream line water projects and give them a fighting chance.

Thank you again for your time and it would be great to have this bill considered for urgency clause.

Take Care,

A handwritten signature in blue ink that reads "D Mathis".

Devon J. Mathis
Assemblyman; District 26

AMENDED IN ASSEMBLY SEPTEMBER 9, 2015

AMENDED IN ASSEMBLY JULY 7, 2015

AMENDED IN SENATE JUNE 2, 2015

SENATE BILL

No. 10

Introduced by Senator Lara

December 1, 2014

An act to add *Section 100522 to the Government Code, and to add Section 14102.1 to the Welfare and Institutions Code, relating to health care coverage.*

LEGISLATIVE COUNSEL'S DIGEST

SB 10, as amended, Lara. Health care coverage: immigration status.

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires each state to establish an American Health Benefit Exchange that facilitates the purchase of qualified health plans by qualified individuals and qualified small employers, and meets certain other requirements. PPACA specifies that an individual who is not a citizen or national of the United States or an alien lawfully present in the United States shall not be treated as a qualified individual and may not be covered under a qualified health plan offered through an exchange. Existing law creates the California Health Benefit Exchange for the purpose of facilitating the enrollment of qualified individuals and qualified small employers in qualified health plans as required under PPACA.

This bill would require the Secretary of California Health and Human Services to apply to the United States Department of Health and Human Services for a waiver to allow individuals who are not eligible to obtain health coverage because of their immigration status to obtain coverage

from the Exchange. The bill would require, after that waiver has been granted, the Exchange to offer California qualified health benefit plans, as specified, to these individuals. The bill would require that individuals eligible to purchase California qualified health plans pay the cost of coverage without federal assistance.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. The federal Medicaid Program provisions prohibit payment to a state for medical assistance furnished to an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law.

This bill would extend eligibility for full-scope Medi-Cal benefits to individuals 19 years of age and older who are otherwise eligible for those benefits but for their immigration status if the department determines that sufficient funding is available, or for limited scope Medi-Cal benefits if funding for full-scope benefits is not available. The bill would require these individuals to enroll into Medi-Cal managed care health plans, and to pay copayments and premium contributions, to the extent required of otherwise eligible Medi-Cal recipients who are similarly situated. The bill would require that benefits for those services be provided with state-only funds only if federal financial participation is not available. Because counties are required to make Medi-Cal eligibility determinations and this bill would expand Medi-Cal eligibility, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

(1) The Legislature and the Governor, through the enactment of the Budget Act of 2015 (Chapter 11 of the Statutes of 2015), expanded Medi-Cal eligibility for children to ensure that no child in California who is income eligible will be denied access to health care coverage on the basis of immigration status.

(2) Expanding access and increasing enrollment in comprehensive health care coverage is of benefit to the health and welfare of all Californians.

(3) Longstanding California law provides full-scope Medi-Cal benefits to United States citizens, lawful permanent residents, and individuals permanently residing in the United States under color of law, including those granted deferred action.

(b) It is the intent of the Legislature in enacting this act to increase opportunities for enrollment in comprehensive health care coverage for adults, regardless of immigration status.

(c) It is further the intent of the Legislature that all Californians who are otherwise eligible for Medi-Cal, a qualified health plan offered through the California Health Benefit Exchange, or affordable employer-based health coverage, enroll in that coverage, and obtain the care that they need.

SEC. 2. Section 100522 is added to the Government Code, to read:

100522. (a) The Secretary of California Health and Human Services shall apply to the United States Department of Health and Human Services for a waiver authorized under Section 1332 of the federal act as defined in subdivision (e) of Section 100501 in order to allow persons otherwise not able to obtain coverage by reason of immigration status through the Exchange to obtain coverage from the Exchange by waiving the requirement that the Exchange offer only qualified health plans solely for the purpose of offering coverage to persons otherwise not able to obtain coverage by reason of immigration status.

(b) The Exchange shall offer California qualified health plans that shall be subject to the requirements of this title, including all of those requirements applicable to qualified health plans. In addition, California qualified health plans shall be subject to the requirements of Section 1366.6 of the Health and Safety Code and Section 10112.3 of the Insurance Code in the same manner as qualified health plans.

1 (c) *Persons eligible to purchase California qualified health*
2 *plans shall pay the cost of coverage without federal advanced*
3 *premium tax credit, federal cost-sharing reduction, or any other*
4 *federal assistance.*

5 (d) *Subdivisions (b) and (c) shall become operative upon federal*
6 *approval of the waiver pursuant to subdivision (a).*

7 (e) *For purposes of this section, a “California qualified health*
8 *plan” means a product offered to persons not otherwise eligible*
9 *to purchase coverage from the Exchange by reason of immigration*
10 *status and that comply with each of the requirements of state law*
11 *and the Exchange for a qualified health plan.*

12 ~~SEC. 2.~~

13 SEC. 3. Section 14102.1 is added to the Welfare and Institutions
14 Code, to read:

15 14102.1. (a) (1) Notwithstanding any other law, an individual
16 19 years of age or older who meets all of the eligibility
17 requirements for full-scope Medi-Cal benefits under this chapter,
18 but for his or her immigration status, may be enrolled for full-scope
19 Medi-Cal benefits, pursuant to paragraph (2).

20 (2) When a county completes the Medi-Cal eligibility
21 determination process for an individual 19 years of age or older
22 who meets all of the eligibility requirements for full-scope
23 Medi-Cal benefits under this chapter, but for his or her immigration
24 status, the county shall transmit this information to the department
25 to determine if sufficient funding is available for this individual
26 to receive full-scope Medi-Cal benefits. If sufficient funding is
27 available, the individual shall be eligible for full-scope benefits.
28 If sufficient funding is not available, the individual shall be eligible
29 for limited scope Medi-Cal benefits.

30 (b) This section shall not apply to individuals eligible for
31 coverage pursuant to Section 14102.

32 (c) An individual who is eligible for coverage under subdivision
33 (a) shall be required to enroll into Medi-Cal managed care health
34 plans to the extent required of otherwise eligible Medi-Cal
35 recipients who are similarly situated.

36 (d) An individual who is eligible for coverage under subdivision
37 (a) shall pay copayments and premium contributions to the extent
38 required of otherwise eligible Medi-Cal recipients who are similarly
39 situated.

1 (e) Benefits for services under this section shall be provided
2 with state-only funds only if federal financial participation is not
3 available for those services. The department shall maximize federal
4 financial participation in implementing this section to the extent
5 allowable.

6 (f) Eligibility for full-scope Medi-Cal benefits for an individual
7 19 years of age or older pursuant to subdivision (a) shall not be an
8 entitlement. The department shall have the authority to determine
9 eligibility, determine the number of individuals who may be
10 enrolled, establish limits on the number enrolled, and establish
11 processes for waiting lists needed to maintain program expenditures
12 within available funds.

13 (g) Notwithstanding Chapter 3.5 (commencing with Section
14 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
15 the department, without taking any further regulatory action, shall
16 implement, interpret, or make specific this section by means of
17 all-county letters, plan letters, plan or provider bulletins, or similar
18 instructions until the time regulations are adopted. The department
19 shall adopt regulations by July 1, 2018, in accordance with the
20 requirements of Chapter 3.5 (commencing with Section 11340) of
21 Part 1 of Division 3 of Title 2 of the Government Code.
22 Commencing July 1, 2016, and notwithstanding Section 10231.5
23 of the Government Code, the department shall provide a status
24 report to the Legislature on a semiannual basis, in compliance with
25 Section 9795 of the Government Code, until regulations have been
26 adopted.

27 ~~SEC. 3.~~

28 *SEC. 4.* If the Commission on State Mandates determines that
29 this act contains costs mandated by the state, reimbursement to
30 local agencies and school districts for those costs shall be made
31 pursuant to Part 7 (commencing with Section 17500) of Division
32 4 of Title 2 of the Government Code.

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California State Senate



**SENATOR
RICARDO LARA**

April 7, 2016

Assembly Member Richard Gordon
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Dear Assembly Member Gordon:

I respectfully request approval from the Assembly Rules Committee to amend my Senate Bill 10 and to add an urgency clause to the bill.

SB 10, as amended, will direct the state to seek permission from the federal government for a waiver to allow undocumented Californians to purchase their own health insurance through the Covered California Health Insurance Exchange. In order to meet the deadlines for federal approval of the waiver, urgent approval of the statute is needed.

Thank you for your consideration of this matter. Should you have any questions, please contact Lawrence Cooper in my office at 916-651-4033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ricardo Lara".

RICARDO LARA
Senator, District 33

[Back to Agenda](#)

