



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

**CHIEF ADMINISTRATIVE OFFICER**  
LIA LOPEZ

**Assembly  
California Legislature  
Committee on Rules**

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CHAIR**

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PAPAN, DIANE  
PELLERIN, GAIL  
RUBIO, BLANCA E.  
VALENCIA, AVELINO

CERVANTES, SABRINA (D-ALT)  
ZBUR, RICK CHAVEZ (D-ALT)  
DIXON, DIANE (R-ALT)

Thursday, April 20, 2023  
15 minutes prior to Session  
State Capitol, Room 126

**CONSENT AGENDA**

**BILL REFERRALS**

1. Bill Referrals

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**BILLS**

2. AB-298 (Mathis)
3. AB-1452 (Mathis)
4. AB-1459 (Ramos)

Honoring Our Blind Veterans Act.  
State Capitol: Iraq Afghanistan Kuwait Veterans Memorial monument.  
State Capitol: mural honoring Native Americans.

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**RESOLUTIONS**

5. ACR-25 (Ramos)
6. ACR-53 (Weber)
7. ACR-55 (Irwin)
8. ACR-57 (Alanis)
9. ACR-58 (Reyes)
10. ACR-61 (Waldron)
11. ACR-63 (Wood)
12. HR-29 (Cervantes)
13. SCR-40 (Menjivar)

Missing and Murdered Indigenous People Awareness Month.  
Black Health Equity Advocacy Week.  
California Moves for Physical and Mental Fitness Month.  
School Bus Drivers' Day.  
Arab American Heritage Month. (refer/hear)  
Alcohol Awareness Month. (refer/hear)  
Mosquito Awareness Week. (refer/hear)  
Cinco De Mayo Week.  
Social Work Month.

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**REQUEST TO ADD URGENCY CLAUSE**

14. AB 1533 (Committee on Utilities and Energy)

Electricity

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GAIL PELLERIN  
BLANCA E. RUBIO  
AVELINO VALENCIA

SABRINA CERVANTES (D-ALT.)  
RICK CHAVEZ ZBUR (D-ALT.)  
DIANE DIXON (R-ALT.)

# Memo

**To:** Rules Committee Members  
**From:** Michael Erke, Bill Referral Consultant  
**Date:** 4/19/2023  
**Re:** Consent Bill Referrals

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Since you received your preliminary list of bill referrals, the following bills have been added to the referral list: ACR 60, ACR 62, ACR 63, and AJR 5.

REFERRAL OF BILLS TO COMMITTEE

04/20/2023

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

| <u>Assembly Bill No.</u> | <u>Committee:</u> |
|--------------------------|-------------------|
| <u>ACA 2</u>             | W., P., & W.      |
| <u>ACA 2</u>             | NAT. RES.         |
| <u>ACA 8</u>             | PUB. S.           |
| <u>ACA 10</u>            | H. & C.D.         |
| <u>ACR 58</u>            | RLS.              |
| <u>ACR 59</u>            | RLS.              |
| <u>ACR 60</u>            | A., E., S., & T.  |
| <u>ACR 61</u>            | RLS.              |
| <u>ACR 62</u>            | A., E., S., & T.  |
| <u>ACR 63</u>            | RLS.              |
| <u>AJR 4</u>             | HEALTH            |
| <u>AJR 5</u>             | JUD.              |
| <u>SCR 16</u>            | TRANS.            |
| <u>SCR 38</u>            | RLS.              |
| <u>SCR 43</u>            | RLS.              |
| <u>SCR 51</u>            | RLS.              |

AMENDED IN ASSEMBLY MARCH 30, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**ASSEMBLY BILL**

**No. 298**

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**Introduced by Assembly Members Mathis, Davies, Garcia, and Ramos**

~~(Coauthors: Assembly Members Juan Carrillo, Maienschein, Muratsuchi, Rodriguez, Villapudua, Ward, and Wicks)~~

*(Coauthors: Assembly Members Alanis, Juan Carrillo, Dixon, Flora, Grayson, Jackson, Maienschein, Muratsuchi, Stephanie Nguyen, Rodriguez, Quirk-Silva, Schiavo, Villapudua, Ward, Wicks, and Wilson)*

*(Coauthors: Senators Ochoa Bogh, Nguyen, Niello, Portantino, and Seyarto)*

January 26, 2023

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An act to add Section 14635.5 to the Government Code, relating to the State Capitol.

LEGISLATIVE COUNSEL'S DIGEST

AB 298, as amended, Mathis. ~~State Capitol: Monument to blind veterans.~~ *Honoring Our Blind Veterans Act.*

Existing law provides for various memorials and monuments within the State Capitol Building and on the State Capitol grounds. Existing law prescribes various duties of the Department of General Services in connection with the development and maintenance of the State Capitol Building and grounds.

This bill would authorize a nonprofit organization that represents blind veterans, in consultation with the Department of General Services, to plan, construct, and maintain a braille American flag to serve as a monument to the blind veterans of California and the United States in

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the State Capitol Building. The bill would specify duties for the Department of General Services in connection with the planning, construction, and maintenance of the monument. The bill would prohibit the construction of the monument until the Joint Rules Committee of the California Legislature approves and adopts a plan for the monument and the committee and the Department of Finance determine that sufficient private funding is available to construct and maintain the monument.

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

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

1     SECTION 1. This act shall be known as the Honoring Our  
 2     Blind Veterans Act.

3     SECTION 1.

4     SEC. 2. Section 14635.5 is added to the Government Code, to  
 5     read:

6     14635.5. (a) A recognized nonprofit organization that is tax  
 7     exempt pursuant to Section 501(c)(3) of the Internal Revenue  
 8     Code, and that represents blind veterans, in consultation with the  
 9     Department of General Services, may plan, construct, and maintain  
 10    in the State Capitol Building, in accordance with this section, a  
 11    braille American flag to serve as a monument to the blind veterans  
 12    of California and the United States.

13    (b) The Department of General Services, in consultation with  
 14    the nonprofit organization representing blind veterans, shall do all  
 15    of the following:

16    (1) Review the preliminary design plans to identify potential  
 17    maintenance concerns.

18    (2) Ensure compliance with the federal Americans with  
 19    Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and address  
 20    safety concerns.

21    (3) Review and approve any documents, if applicable, prepared  
 22    pursuant to the California Environmental Quality Act (Division  
 23    13 (commencing with Section 21000) of the Public Resources  
 24    Code) for any work performed on the grounds of the State Capitol  
 25    or within the State Capitol Building.

26    (4) Review final construction documents to ensure that the  
 27    documents comply with all applicable laws.

1 (5) Prepare the right-of-entry permit outlining the final area of  
2 work, final construction documents, construction plans, the  
3 contractor hired to perform the work, insurance, bonding,  
4 provisions for damage to state property, and inspection  
5 requirements.

6 (6) Prepare a maintenance agreement outlining the responsibility  
7 of the nonprofit organization for the long-term maintenance of the  
8 monument due to aging, vandalism, or relocation.

9 (7) Inspect all construction performed pursuant to this section  
10 by the contractor selected by the nonprofit organization.

11 (c) If a nonprofit organization representing blind veterans  
12 undertakes responsibility for planning, constructing, and  
13 maintaining a braille American flag pursuant to this section, it  
14 shall submit a plan to the Joint Rules Committee for its review  
15 and approval. The organization shall not begin construction of the  
16 flag until both of the following have occurred:

17 (1) The Joint Rules Committee has approved and adopted the  
18 plan for the flag.

19 (2) The Joint Rules Committee and the Department of Finance  
20 have determined that sufficient private funding is available to  
21 construct and maintain the flag.

22 (d) The planning, construction, and maintenance of the braille  
23 American flag shall be funded exclusively through private funding.

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Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
AB 298 (Mathis) – As Amended March 30, 2023

**SUBJECT:** Honoring Our Blind Veterans Act

**SUMMARY:** Authorizes the construction and maintenance of a braille American flag in the State Capitol Building to serve as a monument to the blind veterans of California and the United States. Specifically, **this bill:**

- 1) Requires the Department of General Services (DGS) in consultation with a nonprofit organization that represents blind veterans, to be responsible for the planning, construction, and maintenance of a braille American flag in the State Capitol Building to serve as a monument to blind veterans.
- 2) Requires the planning, construction, and maintenance of the braille American flag to be funded exclusively through private funding.
- 3) Prohibits construction of the flag until the Joint Committee on Rules has approved and adopted the plan for the monument; and, the Joint Committee on Rules and the Department of Finance (DOF) have determined that sufficient private funding is available to construct and maintain the flag.
- 4) Provides that this act shall be known as the “Honoring Our Blind Veterans Act”.

**EXISTING LAW:**

- 1) Requires DGS to oversee the buildings and grounds of the state, including the historic State Capitol and the State Capitol Building Annex.
- 2) Requires the Joint Committee on Rules to approve and adopt plans for memorials in the State Capitol Park and statues in the State Capitol Building Annex.
- 3) Defines “Capitol Park” as the area lying between 9th Street on the west, 15th Street on the east, N Street on the south, and L Street on the north.

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) Purpose of the bill: In support of AB 298, the author states:

America’s more than 158,000 blind veterans are often forgotten, despite their permanent sacrifices. This isn’t because blind veterans are becoming less common: A full 13% of wounded troops returning from Iraq and Afghanistan sustained a serious eye injury. It is rather because we haven’t collectively acknowledged those who’ve sacrificed so much. AB 298 is our acknowledgement to blind veterans. It demonstrates that we honor their sacrifice, today and forever, and want them to feel included at our state Capitol. It is the

least we can do because without our blind veterans, we'd have no Capitol, no California, and no United States.

- 2) Location in the Capitol: AB 298 does not specify where the flag would be placed in the State Capitol Building. The location will need final approval from DGS and the Joint Committee on Rules.
- 3) Prior Legislation: AB 1762 (Chapter 205, Statutes of 2022) authorized the construction and maintenance of a monument to the Gold Star Families of California on the grounds of the State Capitol.
- 4) Arguments in Support: The California Optometric Association writes in support of AB 298:

It is significant we honor blinded veterans that bravely served in the United State Armed Forces. Inclusivity and accessibility are vital aspects of our Nation's policies. This monument would allow veterans with vision loss and all visually impaired citizens to "see" the American flag by the touch of their fingertips.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Optometric Association

**Opposition**

None on file

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



# CALIFORNIA OPTOMETRIC ASSOCIATION

2701 DEL PASO ROAD, STE. 130-398 | SACRAMENTO, CA 95835 | 833.206.0598

April 3, 2023

The Honorable James Ramos, Chair  
Assembly Rules Committee  
1021 O Street, Room 6250  
Sacramento, CA 95814

RE: Support for AB 298 (Mathis et al.)

Dear Assemblymember Ramos,

The California Optometric Association is pleased to support AB 298, authorizing a memorial for blind veterans at the State Capital Building. This memorial would be a braille American flag, and its planning, construction, and maintenance shall be done exclusively through a non-profit organization.

It is significant we honor blinded veterans that bravely served in the United States Armed Forces. Inclusivity and accessibility are vital aspects of our Nation's policies. This monument would allow veterans with vision loss and all visually impaired citizens to "see" the American flag by the touch of their fingertips.

For these reasons, please vote "aye" on AB 298. Please contact Lauren Sutherland at (209) 645-4545 or at [lsutherland@coavision.org](mailto:lsutherland@coavision.org) if we can provide any further information.

Sincerely,



Kristine Shultz  
Executive Director

AMENDED IN ASSEMBLY MARCH 30, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1452**

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**Introduced by Assembly Members Mathis and Ramos**

February 17, 2023

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An act to add Section 14636 to the Government Code, relating to the State Capitol.

LEGISLATIVE COUNSEL'S DIGEST

AB 1452, as amended, Mathis. State Capitol: Iraq Afghanistan *Kuwait* Veterans Memorial monument.

Existing law provides for various memorials and monuments on the grounds of the State Capitol. Existing law requires the Department of General Services to maintain state buildings and grounds.

This bill would authorize a nonprofit organization representing veterans of the wars in ~~Iraq and Afghanistan~~, *Iraq, Afghanistan, and Kuwait* in consultation with the Department of General Services, to plan, construct, and maintain a monument to the veterans of the wars in ~~Iraq and Afghanistan~~ *Iraq, Afghanistan, and Kuwait* on the grounds of the State Capitol. The bill would require the nonprofit organization to submit a plan for the monument to the Joint Rules Committee for its review and approval. The bill would require the monument to be funded exclusively from private sources.

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

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

1 SECTION 1. Section 14636 is added to the Government Code,  
 2 to read:  
 3 14636. (a) A recognized 501(c)(3) nonprofit organization  
 4 representing veterans of the wars in ~~Iraq and Afghanistan~~, *Iraq,*  
 5 *Afghanistan, and Kuwait*, in consultation with the Department of  
 6 General Services, may plan, construct, and maintain a monument  
 7 to veterans of the wars in ~~Iraq and Afghanistan~~ *Iraq, Afghanistan,*  
 8 *and Kuwait* on the grounds of the State Capitol in accordance with  
 9 this section.  
 10 (b) The Department of General Services, in consultation with  
 11 the nonprofit organization representing veterans of the wars in ~~Iraq~~  
 12 ~~and Afghanistan~~, *Iraq, Afghanistan, and Kuwait*, shall do all of  
 13 the following:  
 14 (1) Review the preliminary design plans to identify potential  
 15 maintenance concerns.  
 16 (2) Ensure compliance with the federal Americans with  
 17 Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and address  
 18 safety concerns.  
 19 (3) Review and approve any documents prepared pursuant to  
 20 the California Environmental Quality Act (Division 13  
 21 (commencing with Section 21000) of the Public Resources Code)  
 22 for the work on the grounds of the State Capitol.  
 23 (4) Review final construction documents to ensure that the  
 24 documents comply with all applicable laws.  
 25 (5) Prepare the right-of-entry permit outlining the final area of  
 26 work, final construction documents, construction plans, the  
 27 contractor hired to perform the work, insurance, bonding,  
 28 provisions for damage to state property, and inspection  
 29 requirements.  
 30 (6) Prepare a maintenance agreement outlining the responsibility  
 31 of the nonprofit organization representing veterans of the wars in  
 32 ~~Iraq and Afghanistan~~ *Iraq, Afghanistan, and Kuwait* for the  
 33 long-term maintenance of the monument due to aging, vandalism,  
 34 or relocation.  
 35 (7) Inspect all construction performed pursuant to this section  
 36 by the contractor selected by the nonprofit organization  
 37 representing veterans of the wars in ~~Iraq and Afghanistan~~. *Iraq,*  
 38 *Afghanistan, and Kuwait.*

1 (c) If a nonprofit organization representing veterans of the wars  
2 ~~in Iraq and Afghanistan~~ *Iraq, Afghanistan, and Kuwait* undertakes  
3 responsibility for a monument pursuant to this section, it shall  
4 submit a plan for the monument to the Joint Rules Committee for  
5 its review and approval. The organization shall not begin  
6 construction of the monument until both of the following have  
7 occurred:

8 (1) The Joint Rules Committee has approved and adopted the  
9 plan for the monument.

10 (2) The Joint Rules Committee and the Department of Finance  
11 have determined that sufficient private funding is available to  
12 construct and maintain the monument.

13 (d) The planning, construction, and maintenance of the  
14 monument shall be funded exclusively through private funding.

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Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
AB 1452 (Mathis) – As Amended March 30, 2023

**SUBJECT:** State Capitol: Iraq, Afghanistan, Kuwait Veterans Memorial monument

**SUMMARY:** Authorizes the construction and maintenance of a monument to the veterans of the wars in Iraq, Afghanistan, and Kuwait on the grounds of the State Capitol. Specifically, **this bill:**

- 1) Requires the Department of General Services (DGS) in consultation with a nonprofit organization representing veterans of the wars in Iraq, Afghanistan, and Kuwait, to be responsible for the planning, construction, and maintenance of a monument to veterans of those wars on the grounds of the State Capitol.
- 2) Requires the planning, construction, and maintenance of the monument to be funded exclusively through private funding.
- 3) Prohibits construction of the monument until the Joint Committee on Rules has approved and adopted the plan for the monument; and, the Joint Committee on Rules and the Department of Finance (DOF) have determined that sufficient private funding is available to construct and maintain the monument.

**EXISTING LAW:**

- 1) Requires DGS to oversee the buildings and grounds of the state, including the historic State Capitol and the State Capitol Building Annex.
- 2) Requires the Joint Committee on Rules to approve and adopt plans for memorials in the State Capitol Park and statues in the State Capitol Building Annex.
- 3) Defines “Capitol Park” as the area lying between 9th Street on the west, 15th Street on the east, N Street on the south, and L Street on the north.

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) Purpose of the bill: In support of AB 1452, the author states:

As the first millennial combat veteran with a purple heart elected to state office, I am proud to author AB 1452 which would authorize a non-profit organization to plan, construct, and maintain a monument honoring the veterans of the wars in Iraq, Afghanistan and Kuwait. This bill is our acknowledgement to the over 37,000 service members and veterans who died during deployment or upon their return. It demonstrates that we honor their sacrifice, today and forever, and want them to feel included at our State Capitol. It is the least we can do because without our veterans, we'd have no Capitol, no California, and no United States.

- 2) Background on Capitol Park: Capitol Park is widely known as one of the most beautiful parks in the United States, with over 40,000 trees, shrubs, and flowers. Capitol Park stands as one of the finest collections of plant life in the country. Capitol Park is also significant for the many memorials present in the park, which recognize groups and individuals who have contributed to California's history.
- 3) Location in Capitol Park: AB 1452 does not specify where the monument would be placed in Capitol Park. With the ongoing State Capitol Annex Project, the monument will need to be placed outside of the footprint of the new building and in a location that minimizes impact to the existing plant life. The location will require final approval from DGS and the Joint Committee on Rules.
- 4) Prior Legislation: AB 1762 (Chapter 205, Statutes of 2022) authorized the construction and maintenance of a monument to the Gold Star Families of California on the grounds of the State Capitol.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

**ASSEMBLY BILL**

**No. 1459**

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**Introduced by Assembly Member Ramos**

February 17, 2023

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An act to amend Section 9105.5 of the Government Code, relating to the State Capitol.

LEGISLATIVE COUNSEL'S DIGEST

AB 1459, as introduced, Ramos. State Capitol: mural honoring Native Americans.

Existing law, known as the State Capitol Building Annex Act of 2016, authorizes the Joint Rules Committee to pursue the construction of a state capitol building annex or the restoration, rehabilitation, renovation, or reconstruction of the existing State Capitol Building Annex. Existing law requires any construction, restoration, rehabilitation, renovation, or reconstruction work undertaken pursuant to the act to incorporate specified elements.

This bill would require any construction, restoration, rehabilitation, renovation, or reconstruction work undertaken pursuant to the act to also incorporate a mural honoring Native Americans in California in one of the main hearing rooms in the newly constructed state capitol building annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex. The bill would require the mural to be designed in consultation with the Native American Heritage Commission.

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

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

1 SECTION 1. Section 9105.5 of the Government Code is  
 2 amended to read:

3 9105.5. (a) Any work of construction, restoration,  
 4 rehabilitation, renovation, or reconstruction undertaken pursuant  
 5 to Article 5.2 (commencing with Section 9112) shall do all of the  
 6 following:

7 (1) Incorporate elements complementary to the historic State  
 8 Capitol, elements to make the newly constructed state capitol  
 9 building annex or the restored, rehabilitated, renovated, or  
 10 reconstructed State Capitol Building Annex efficient and  
 11 sustainable, and historic elements from the existing State Capitol  
 12 Building Annex described in Section 9105.

13 (2) Integrate within its design elements that educate and impress  
 14 upon visitors the rich heritage of symbolism that earlier generations  
 15 of Californians made a vital part of the palette of the historic State  
 16 Capitol design so as to convey the meaning of California’s  
 17 self-governance and the state’s unique and ever-distinctive heritage.

18 (3) Incorporate symbolic treasures, as is befitting the heritage  
 19 of symbols left by California’s founders for current and future  
 20 generations to enjoy and explore, so as to ensure that the legislative  
 21 and executive branch working spaces in the newly constructed  
 22 state capitol building annex or the restored, rehabilitated, renovated,  
 23 or reconstructed State Capitol Building Annex are no longer barren  
 24 and devoid of the enriching presence of those symbols of  
 25 self-governance.

26 (4) *Incorporate a mural honoring Native Americans in*  
 27 *California in one of the main hearing rooms in the newly*  
 28 *constructed state capitol building annex or the restored,*  
 29 *rehabilitated, renovated, or reconstructed State Capitol Building*  
 30 *Annex. The mural shall be designed in consultation with the Native*  
 31 *American Heritage Commission to ensure that it contains accurate*  
 32 *depictions of Native Americans in California.*

33 (b) It is the intent of the Legislature that any newly constructed  
 34 state capitol building annex or the restored, rehabilitated, renovated,  
 35 or reconstructed State Capitol Building Annex be designed to  
 36 welcome all visitors to a safe, healthful, accessible, and working  
 37 State Capitol, including historic chambers supported by needed  
 38 caucusing spaces, offices for the Chief Clerk of the Assembly, the



1 Secretary of the Senate, and the ~~Legislative Counsel~~, *Counsel*,  
2 hearing spaces to facilitate the convenient conduct of hearings  
3 during sessions, and space for the Sergeants at Arms so that all  
4 Californians may effectively engage with their elected  
5 representatives and their state government in meaningful,  
6 participatory, and deliberative democracy.

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Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
AB 1459 (Ramos) – As Introduced February 17, 2023

**SUBJECT:** State Capitol: mural honoring Native Americans

**SUMMARY:** Requires that any construction, restoration, rehabilitation, renovation or reconstruction of the State Capitol Building Annex incorporate a mural honoring Native Americans in California in one of the main hearing rooms. Specifically, **this bill:**

- 1) Requires that any work of construction, restoration, rehabilitation, renovation, or reconstruction of the State Capitol Building Annex incorporate a mural honoring Native Americans in California in one of the main hearing rooms in the newly constructed state capitol building annex or the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex.
- 2) Requires that the mural shall be designed in consultation with the Native American Heritage Commission to ensure that it contains accurate depictions of Native Americans in California.

**EXISTING LAW:**

- 1) Requires Joint Rules Committee to allocate space in the State Capitol Building Annex.
- 2) Authorizes Joint Rules Committee to pursue the construction of a state capitol building annex or the restoration, rehabilitation, renovation, or reconstruction of the State Capitol Building Annex.
- 3) Requires the Department of General Services to report to the Joint Rules Committee on the scope, budget, delivery method, and schedule for any space to be constructed, restored, rehabilitated, renovated, or reconstructed.
- 4) Establishes the State Project Infrastructure Fund and continuously appropriates money in that fund for state projects, including the State Capitol Building Annex.
- 5) Requires that any work of construction, restoration, rehabilitation, renovation, or reconstruction of the State Capitol Building Annex do all of the following:
  - a) Incorporate elements complementary to the historic State Capitol, elements that make the annex efficient and sustainable, and historic elements from the existing State Capitol Building Annex.
  - b) Integrate within the design elements that educate and impress upon visitors the rich heritage of symbolism that earlier generations of Californians made a vital part of the historic State Capitol design.
  - c) Incorporate symbolic treasures to ensure the annex is no longer barren and devoid of the enriching presence of those symbols that represent California's self-governance.

- 6) States the intent of the Legislature that any newly constructed state capitol building annex or the existing State Capitol Building Annex, be designed to welcome all visitors to a safe, healthful, accessible, and working State Capitol.

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) Purpose of the bill: In support of AB 1459, the author states:

Representation matters. Having a mural honoring California Native Americans in one of the main hearing rooms at the California State Capitol showcases the rich history of California's First People to visitors from all around the world. We have waited so long on that arc of time to take our rightful place in this State Capitol, in the committee rooms, and house floors where decisions are made that directly affect us and our fellow Californians. California's First People have endured genocide, forced assimilation, denial of civil rights, and other grave injustices, but we have also survived and prevailed because we won't quit. This is the history that needs to be showcased to educate visitors and honor California's First People in one of the most historical and important locations in the State of California.

- 2) Prior Legislation: SB 836 (Chapter 31, Statutes of 2016) authorized the Joint Rules Committee to pursue the construction of a state capitol building annex or the restoration, rehabilitation, renovation, or reconstruction of the State Capitol Building Annex. SB 836 also established the State Project Infrastructure Fund and appropriated funds for a report and other work related to the State Capitol Building Annex.

AB 2667 (Chapter 283, Statutes of 2018) required that any construction, restoration, rehabilitation, renovation or reconstruction of the State Capitol Building Annex incorporate elements complementary to the historic State Capitol, integrate design elements that reflect the Capitol's rich heritage of symbolism, and incorporate symbolic treasures.

AB 338 (Chapter 280, Statutes of 2022) authorized the construction and maintenance of a monument to the California Native people of the Sacramento, California, region on the grounds of the State Capitol.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

**Assembly Concurrent Resolution**

**No. 25**

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**Introduced by Assembly Member Ramos**

February 28, 2023

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Assembly Concurrent Resolution No. 25—Relative to Missing and Murdered Indigenous People Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 25, as introduced, Ramos. Missing and Murdered Indigenous People Awareness Month.

This measure would designate the month of May 2023 as Missing and Murdered Indigenous People Awareness Month in California.

Fiscal committee: no.

- 1 WHEREAS, In 2016, 5,712 missing and murdered indigenous  
2 cases were reported to the National Crime Information Center;  
3 and  
4 WHEREAS, According to the federal Centers for Disease  
5 Control and Prevention, homicide is the third leading cause of  
6 death for indigenous women between the ages of 15 and 24; and  
7 WHEREAS, According to a study entitled “Violence Against  
8 American Indian and Alaska Native Women and the Criminal  
9 Justice Response: What is Known,” conducted on behalf of the  
10 United States Department of Justice, in some tribal communities,  
11 indigenous women face murder rates 10 times higher than the  
12 national average. No such study exists for urban areas; and  
13 WHEREAS, Little data exists on the epidemic of missing and  
14 murdered indigenous people, and data that is available is  
15 incomplete and inadequate; and

1 WHEREAS, The data that does exist on this issue focuses  
2 primarily on indigenous women living on reservations, despite  
3 approximately 75 percent of native people living in urban cities;  
4 and

5 WHEREAS, According to the first report conducted by the  
6 Urban Indian Health Institute in 2018 on missing and murdered  
7 indigenous women in urban cities:

8 (1) In 27 percent of the missing and murdered indigenous  
9 women cases, the victims were 18 years of age or younger.

10 (2) The average age for missing and murdered indigenous  
11 women was 29.

12 (3) California has the sixth highest death rate of indigenous  
13 women in urban cities; and

14 WHEREAS, According to the most recent census data,  
15 California has the largest population of American Indians, more  
16 than any other state in the country; and

17 WHEREAS, In 2022, Governor Newsom signed into law AB  
18 1314, the Feather Alert, which is a preventative measure that will  
19 be utilized to reunify missing and endangered indigenous person  
20 to their homes; now, therefore, be it

21 *Resolved by the Assembly of the State of California, the Senate*  
22 *thereof concurring*, That the Legislature hereby designates the  
23 month of May 2023 as California’s Missing and Murdered  
24 Indigenous People Awareness Month; 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 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 25 (Ramos) – As Introduced February 28, 2023

**SUBJECT:** Missing and Murdered Indigenous People Awareness Month.

**SUMMARY:** Designates the month of May 2023 as Missing and Murdered Indigenous People Awareness Month in California. Specifically, **this resolution** makes the following legislative findings:

- 1) In 2016, 5,712 missing and murdered indigenous cases were reported to the National Crime Information Center.
- 2) According to a study conducted on behalf of the United States Department of Justice, in some tribal communities, indigenous women face murder rates 10 times higher than the national average. No such study exists for urban areas.
- 3) Little data exists on the epidemic of missing and murdered indigenous people, and data that is available is incomplete and inadequate. The data that does exist on this issue focuses primarily on indigenous women living on reservations, despite approximately 70 percent of native people living in urban cities.
- 4) According to the first report conducted by the Urban Indian Health Institute in 2018 on missing and murdered indigenous women in urban cities, the victims were 18 years of age or younger in 27 percent of the cases; and, the average age for missing and murdered indigenous women was 29.
- 5) California has the sixth highest death rate of indigenous women in urban cities.
- 6) According to the most census data, California has the largest population of American Indians, more than any other state in the country.

**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. 53**

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**Introduced by Assembly Member Weber**  
**(Coauthors: Assembly Members Bonta, Bryan, Gipson, Holden,**  
**Jackson, Jones-Sawyer, McCarty, McKinnor, and Wilson)**  
(Coauthors: Senators Bradford and Smallwood-Cuevas)

April 10, 2023

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Assembly Concurrent Resolution No. 53—Relative to Black Health Equity Advocacy Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 53, as introduced, Weber. Black Health Equity Advocacy Week.

This measure would recognize May 1, 2023, to May 5, 2023, inclusive, and every first week of May thereafter, as Black Health Equity Advocacy Week, and commend the California Black Health Network and other organizations throughout the state for their efforts to improve the health, well-being, and life expectancy of Black Californians.

Fiscal committee: no.

- 1     WHEREAS, The life expectancy at birth for Black Californians  
2     is 76.2 years of age, five years shorter than the state average and  
3     the lowest life expectancy of all racial and ethnic groups; and  
4     WHEREAS, Black Californians experience the highest death  
5     rates from breast, cervical, colorectal, lung, and prostate cancer  
6     compared to all racial groups; and  
7     WHEREAS, Black birthing people in California were six times  
8     more likely to die from pregnancy-related complications than  
9     White birthing people, 56.2 compared to 9.4 pregnancy-related  
10    deaths per 100,000, respectively; and

1 WHEREAS, Black birthing people experience higher rates of  
2 prenatal depressive symptoms and disproportionately lower use  
3 of postpartum counseling treatments and services than their White  
4 counterparts; and

5 WHEREAS, Black Californians have higher rates of serious  
6 psychological distress than White Californians, 5.4 percent  
7 compared to 2.9 percent; and

8 WHEREAS, Nearly one-half of Black adults in June 2020  
9 reported experiencing an economic challenge because of the  
10 COVID-19 pandemic, three times greater than White adults; and

11 WHEREAS, According to the Robert Wood Johnson Foundation  
12 (RWJF), health equity means that everyone has a fair and just  
13 opportunity to be as healthy as possible, which requires removing  
14 obstacles to health, such as poverty, discrimination, and their  
15 consequences, including powerlessness and lack of access to good  
16 jobs with fair pay, quality education and housing, safe  
17 environments, and health care; and

18 WHEREAS, In an effort to bring awareness to the long-standing  
19 structural inequities that negatively impact the health and  
20 well-being of Black Californians, as well as to uplift existing efforts  
21 to address such inequities and dismantle the environmental and  
22 systemic barriers that contribute to disproportionate health  
23 outcomes and achieve racial justice, social justice, and  
24 environmental justice, the California Black Health Network is  
25 recognizing May 1, 2023, to May 5, 2023, and every first week of  
26 May thereafter, as Black Health Equity Advocacy Week; and

27 WHEREAS, Black Health Equity Advocacy Week will help  
28 bring communities, organizations, and individuals together to  
29 mobilize, strategize, and collaborate on ways to break down the  
30 structural barriers that currently exist in California, while mapping  
31 out a framework to advance Black health equity in the Golden  
32 State; now, therefore, be it

33 *Resolved by the Assembly of the State of California, the Senate*  
34 *thereof concurring*, That the Legislature hereby recognizes May  
35 1, 2023, to May 5, 2023, inclusive, and every first week of May  
36 thereafter, as Black Health Equity Advocacy Week, and commends  
37 the California Black Health Network and other organizations  
38 throughout the state for their efforts to improve the health,  
39 well-being, and life expectancy of Black Californians; and be it  
40 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: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 53 (Weber) – As Introduced April 10, 2023

**SUBJECT:** Black Health Equity Advocacy Week.

**SUMMARY:** Recognizes May 1, 2023, to May 5, 2023, inclusive, and every first week of May thereafter, as Black Health Equity Advocacy Week. Specifically, **this resolution** makes the following legislative findings:

- 1) According to the Robert Wood Johnson Foundation (RWJF), health equity means that everyone has a fair and just opportunity to be as healthy as possible, which requires removing obstacles to health, such as poverty, discrimination, and their consequences, including powerlessness and lack of access to good jobs with fair pay, quality education and housing, safe environments, and health care.
- 2) The life expectancy at birth for Black Californians is 76.2 years of age, five years shorter than the state average and the lowest life expectancy of all racial and ethnic groups. Black Californians experience the highest death rates from breast, cervical, colorectal, lung, and prostate cancer compared to all racial groups.
- 3) Black birthing people in California were six times more likely to die from pregnancy-related complications than White birthing people, 56.2 compared to 9.4 pregnancy-related deaths per 100,000, respectively.
- 4) Black birthing people experience higher rates of prenatal depressive symptoms and disproportionately lower use of postpartum counseling treatments and services than their White counterparts.
- 5) Black Californians have higher rates of serious psychological distress than White Californians, 5.4 percent compared to 2.9 percent. Nearly one-half of Black adults in June 2020 reported experiencing an economic challenge because of the COVID-19 pandemic, three times greater than White adults.
- 6) In an effort to bring awareness to the long-standing structural inequities that negatively impact the health and well-being of Black Californians, as well as to uplift existing efforts to address such inequities and dismantle the environmental and systemic barriers that contribute to disproportionate health outcomes and achieve racial justice, social justice, and environmental justice, the California Black Health Network is recognizing May 1, 2023, to May 5, 2023, as Black Health Equity Advocacy Week.
- 7) Black Health Equity Advocacy Week will help bring communities, organizations, and individuals together to mobilize, strategize, and collaborate on ways to break down the structural barriers that currently exist in California, while mapping out a framework to advance Black health equity in the Golden State.

**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. 55**

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**Introduced by Assembly Member Irwin**

April 10, 2023

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Assembly Concurrent Resolution No. 55—Relative to California Moves for Physical and Mental Fitness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 55, as introduced, Irwin. California Moves for Physical and Mental Fitness Month.

This measure would declare the month of May 2023 as California Moves for Physical and Mental Fitness Month.

Fiscal committee: no.

1 WHEREAS, Regular physical activity offers substantial  
2 improvements in physical health and mental well-being for the  
3 majority of Californians, who are not receiving enough physical  
4 activity; and

5 WHEREAS, Nearly 25 percent of the state’s adults say they  
6 aren’t physically active, and over two-thirds of California’s  
7 children fail to meet the physical activity guidelines of engaging  
8 in at least one hour of physical activity every day, yet moderate  
9 physical activity can substantially reduce the risk of dying from  
10 or developing chronic illnesses and diseases; and

11 WHEREAS, Roughly 40 percent of California adults report  
12 having at least one of the five chronic and largely preventable  
13 conditions: high blood pressure, heart disease, diabetes, serious  
14 psychological distress, or asthma; and

1 WHEREAS, As much as 80 percent of heart disease, stroke,  
2 and diabetes and over 30 percent of cancers could be prevented  
3 by increasing healthy behaviors, including physical activity levels;  
4 and

5 WHEREAS, Californians with chronic conditions report more  
6 days of poor health, which impacts a person’s mental well-being  
7 and productivity in school or at work; and

8 WHEREAS, For children, it is important to develop an active  
9 lifestyle in the early years of life since habits from early childhood  
10 through adolescence may influence habits in adulthood; and

11 WHEREAS, Mental health and physical health are closely  
12 connected, with the many well-established benefits of leading an  
13 active lifestyle including improved brain health and cognitive  
14 function, reduced risk of anxiety and depression, and improved  
15 sleep and overall quality of life; and

16 WHEREAS, Physical activity is 1.5 times more effective at  
17 reducing mild-to-moderate symptoms of depression, psychological  
18 stress, and anxiety than medication or cognitive behavior therapy;  
19 and

20 WHEREAS, All forms of exercise directly produce significant  
21 mental health benefits and improved overall physical health and  
22 well-being; and

23 WHEREAS, The Legislature has the unique opportunity to  
24 educate the public about the benefits of safe physical activity and  
25 places to be active, promote the design of communities and use of  
26 spaces that support safe and convenient ways for people to be  
27 physically active, and promote equitable community programs and  
28 policies that make it safe and easy for people to walk, bike, or  
29 wheelchair roll and be physically active; now, therefore, be it

30 *Resolved by the Assembly of the State of California, the Senate*  
31 *thereof concurring*, That the Assembly recognizes the need to  
32 prioritize, preserve, and promote physical activity in public health  
33 policy to improve the physical and mental fitness of all  
34 Californians; and be it further

35 *Resolved*, That the Assembly recognizes May 2023 as California  
36 Moves for Physical and Mental Fitness Month in conformity with  
37 National Physical Fitness and Sports Month; and be it further

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

O

Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 55 (Irwin) – As Introduced April 10, 2023

**SUBJECT:** California Moves for Physical and Mental Fitness Month.

**SUMMARY:** Declares the month of May 2023 as California Moves for Physical and Mental Fitness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Regular physical activity offers substantial improvements in physical health and mental well-being for the majority of Californians, who are not receiving enough physical activity.
- 2) Nearly 25 percent of the state’s adults say they aren’t physically active, and over two-thirds of California’s children fail to meet the physical activity guidelines of engaging in at least one hour of physical activity every day, yet moderate physical activity can substantially reduce the risk of dying from or developing chronic illnesses and diseases.
- 3) Roughly 40 percent of California adults report having at least one of the five chronic and largely preventable conditions: high blood pressure, heart disease, diabetes, serious psychological distress, or asthma.
- 4) Californians with chronic conditions report more days of poor health, which impacts a person’s mental well-being and productivity in school or at work.
- 5) For children, it is important to develop an active lifestyle in the early years of life since habits from early childhood through adolescence may influence habits in adulthood.
- 6) All forms of exercise directly produce significant mental health benefits and improved overall physical health and well-being.
- 7) The Legislature has the unique opportunity to educate the public about the benefits of safe physical activity and places to be active; promote the design of communities and use of spaces that support safe and convenient ways for people to be physically active; and, promote equitable community programs and policies that make it safe and easy for people to walk, bike, or wheelchair roll, and be physically active.

**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. 57**

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**Introduced by Assembly Member Alanis**

April 11, 2023

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Assembly Concurrent Resolution No. 57—Relative to School Bus Drivers’ Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 57, as introduced, Alanis. School Bus Drivers’ Day.

This measure would designate April 25, 2023, as School Bus Drivers’ Day in California, in order to draw special public attention to school bus drivers for their continued and excellent services to pupils in California.

Fiscal committee: no.

- 1 WHEREAS, Annually, on the fourth Tuesday of April, the  
2 People of California officially recognize all school bus drivers for  
3 their continued and excellent services to the youth of the state, and  
4 these drivers are deserving of special public recognition and the  
5 highest commendations; and  
6 WHEREAS, The California Association of School  
7 Transportation Officials is a professional organization that  
8 promotes safe pupil transportation and advocates for continued  
9 high standards for California’s school bus drivers; and  
10 WHEREAS, The safety of our children rests in the hands of  
11 trained school bus drivers for up to six or seven hours each school  
12 day; and  
13 WHEREAS, Personal time and energy are expended by school  
14 bus drivers in their initial training, maintaining a current license,



1 perfecting their driving skills, and accruing added knowledge of  
2 school bus laws through continuing education classes; and  
3 WHEREAS, School bus drivers, through counseling and  
4 disciplinary techniques, are sometimes asked to assist pupils in  
5 appropriate interactive peer and adult behavior; and  
6 WHEREAS, School bus drivers often face natural and  
7 unexpected hazards in the performance of their duties; and  
8 WHEREAS, School bus drivers exhibit patience and kindness  
9 toward pupils, parents, and school staff in the performance of their  
10 duties; and  
11 WHEREAS, School bus drivers consistently demonstrate an  
12 awareness of, and direct attention to, the mechanical maintenance  
13 of the school bus and safety conditions of the school bus routes;  
14 and  
15 WHEREAS, School bus drivers perform their services for  
16 thousands and thousands of accident-free miles, year after year;  
17 now, therefore, be it  
18 *Resolved by the Assembly of the State of California, the Senate*  
19 *thereof concurring,* That the Legislature hereby designates April  
20 25, 2023, as School Bus Driver’s Day in California, in order to  
21 draw special public attention to school bus drivers for their  
22 continued and excellent services to pupils in California; and be it  
23 further  
24 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
25 of this resolution to the author for appropriate distribution.

O

Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 57 (Alanis) – As Introduced April 11, 2023

**SUBJECT:** School Bus Drivers' Day.

**SUMMARY:** Designates April 25, 2023, as School Bus Drivers' Day in California, in order to draw special public attention to school bus drivers for their continued and excellent services to pupils in California. Specifically, **this resolution** makes the following legislative findings:

- 1) The safety of our children rests in the hands of trained school bus drivers for up to six or seven hours each school day.
- 2) School bus drivers, through counseling and disciplinary techniques, are sometimes asked to assist pupils in appropriate interactive peer and adult behavior.
- 3) Personal time and energy are expended by school bus drivers in their initial training, maintaining a current license, perfecting their driving skills, and accruing added knowledge of school bus laws through continuing education classes.
- 4) School bus drivers often face natural and unexpected hazards in the performance of their duties. They exhibit patience and kindness toward pupils, parents, and school staff in the performance of their duties.
- 5) School bus drivers consistently demonstrate an awareness of, and direct attention to, the mechanical maintenance of the school bus and safety conditions of the school bus routes. They perform their services for thousands and thousands of accident-free miles, year after year.
- 6) Annually, on the fourth Tuesday of April, the People of California officially recognize all school bus drivers for their continued and excellent services to the youth of the state, and these drivers are deserving of special public recognition and the highest commendations.

**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. 58**

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**Introduced by Assembly Member Reyes**

April 13, 2023

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Assembly Concurrent Resolution No. 58—Relative to Arab American Heritage Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 58, as introduced, Reyes. Arab American Heritage Month.

This measure would designate the month of April of each year as Arab American Heritage Month.

Fiscal committee: no.

1 WHEREAS, It is appropriate and right to celebrate a diversity  
2 of cultures and heritages, and such celebration serves as a reminder  
3 that despite our differing backgrounds, everyone in California is  
4 bound by a common hope for a better and more inclusive future  
5 for our children; and

6 WHEREAS, The Arab American community has a long and  
7 integral history in the United States; and

8 WHEREAS, The State of California is home to the largest Arab  
9 American population in the United States with approximately  
10 715,000 people of Arab American descent in California,  
11 represented in the entire state; and

12 WHEREAS, For over a century, Arab Americans have been  
13 making valuable contributions to virtually every aspect of  
14 American society, including medicine, law, business, education,  
15 science, technology, government, arts, and culture; and

1 WHEREAS, Since migrating to America, people of Arab descent  
2 have shared their rich culture and traditions with neighbors and  
3 friends, while also setting fine examples of model citizens and  
4 public servants; and

5 WHEREAS, People of Arab descent have brought with them  
6 to America their resilient family values, strong work ethic,  
7 dedication to education, and diversity in faith and creed that have  
8 added strength to our great democracy; and

9 WHEREAS, Arab Americans have also enriched our society  
10 by sharing in the entrepreneurial American spirit that makes our  
11 nation free and prosperous; and

12 WHEREAS, Arab Americans have a long and proud history of  
13 serving in the United States Armed Forces. From World War I to  
14 the present day, tens of thousands of Arab Americans have put  
15 their lives on the line to defend our nation; and

16 WHEREAS, The history of Arab Americans in the United States  
17 remains neglected or defaced by misconceptions, bigotry, and  
18 anti-Arab hate in the forms of crimes and speech; and

19 WHEREAS, People of Arab descent have shared their rich  
20 culture, strong work ethic, and dedication to education while  
21 embracing the American spirit of opportunity and helping us build  
22 a better nation and state for all; and

23 WHEREAS, We recognize and celebrate the contributions to  
24 cultural diversity, economic growth, and the overall development  
25 of our state and nation made by the Arab American community;  
26 now, therefore, be it

27 *Resolved by the Assembly of the State of California, the Senate*  
28 *thereof concurring*, That the Legislature hereby designates the  
29 month of April of each year as Arab American Heritage Month to  
30 be observed throughout the state as a month to recognize the  
31 valuable contributions of Arab Americans to this state and to the  
32 various aspects of American society; and be it further

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

O

Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 58 (Reyes) – As Introduced April 13, 2023

**SUBJECT:** Arab American Heritage Month.

**SUMMARY:** Designates the month of April of each year as Arab American Heritage Month. Specifically, **this resolution** makes the following legislative findings:

- 1) The Arab American community has a long and integral history in the United States. For over a century, Arab Americans have been making valuable contributions to virtually every aspect of American society, including medicine, law, business, education, science, technology, government, arts, and culture.
- 2) Since migrating to America, people of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples of model citizens and public servants.
- 3) People of Arab descent have brought with them to America their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that have added strength to our great democracy.
- 4) People of Arab descent have shared their rich culture, strong work ethic, and dedication to education while embracing the American spirit of opportunity and helping us build a better nation and state for all.
- 5) California is home to the largest Arab American population in the United States with approximately 715,000 people of Arab American descent, represented in the entire state. We recognize and celebrate the contributions to cultural diversity, economic growth, and the overall development of our state and nation made by the Arab American community
- 6) It is appropriate and right to celebrate a diversity of cultures and heritages, and such celebration serves as a reminder that despite our differing backgrounds, everyone in California is bound by a common hope for a better and more inclusive future for our children.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Arab America Foundation

**Opposition**

None on file

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



April 14, 2023

Mr. James C. Ramos  
Chair of Rules Committee  
State Capitol  
Sacramento, CA

Dear Chair of Rules Committee:

I am writing to express my full support for your proposed resolution ACR58, which aims to permanently designate Arab American Heritage Month in April of each year. This legislation is important to the Arab American community, especially in California, which is home to the largest community in the United States.

As you may know, Arab Americans have made significant contributions to the social, cultural, and economic fabric of the United States. Their contributions to science, art, literature, and politics have enriched the diversity of American society and helped shape the country into what it is today. However, despite their contributions, Arab Americans have faced significant challenges, including discrimination and prejudice, which have often gone unaddressed and unrecognized.

By designating April as Arab American Heritage Month, California has an opportunity to acknowledge and celebrate the Arab American community's contributions to the state and the country. It also provides an opportunity to educate the public about Arab American culture, history, and traditions, which have often been misunderstood or misrepresented.

Furthermore, by passing this resolution, California can send a powerful message of inclusivity and diversity, reaffirming the state's commitment to promoting equality and respect for all its citizens, regardless of their ethnic or cultural background.

I commend you for your leadership and dedication to this important issue, and I urge you to continue to advocate for the passage of this resolution. I believe that by working together, we can create a more inclusive and equitable society that values and celebrates the contributions of all its citizens. Thank you for your time and consideration.

Sincerely,

Dr. Mahbuba N. Hammad  
California State Team Leader  
Arab America Foundation

**Assembly Concurrent Resolution**

**No. 61**

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**Introduced by Assembly Member Waldron**

April 18, 2023

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Assembly Concurrent Resolution No. 61—Relative to Alcohol Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 61, as introduced, Waldron. Alcohol Awareness Month.

This measure would proclaim April 2023 as Alcohol Awareness Month. The measure would request the Governor, the California Health and Human Services Agency, the State Department of Health Care Services, the Department of Corrections and Rehabilitation, and other relevant state entities to prioritize increasing public and provider awareness of the health risks associated with alcohol consumption and the availability of treatment for alcohol use disorder in California, as specified.

Fiscal committee: no.

- 1 WHEREAS, Alcohol Awareness Month is a public health
- 2 program organized by the National Council on Alcoholism and
- 3 Drug Dependence as a way of increasing outreach and education
- 4 regarding the dangers of alcoholism and issues related to alcohol.
- 5 The program started in April 1987; and
- 6 WHEREAS, The disease of addiction continues to devastate
- 7 California’s communities and remains a public health emergency
- 8 that continues to pose a significant public health and safety threat
- 9 to the state, costing over 15,000 lives each year; and

1 WHEREAS, In addition to opioids and heroin, abuse of other  
2 dangerous substances, including alcohol, is on the rise, and the  
3 disease of addiction is not exclusive to any one substance; and

4 WHEREAS, Alcohol use disorder (AUD) is a chronic brain  
5 disorder that is characterized by an impaired ability to stop or  
6 control alcohol use despite adverse social, occupational, or health  
7 consequences and often goes untreated; the number of individuals  
8 affected by AUD during the COVID-19 pandemic has risen  
9 significantly and the dangers of excessive alcohol use should not  
10 be ignored; and

11 WHEREAS, AUD affects every community, and alcohol  
12 consumption is the fourth leading cause of preventable death in  
13 the United States; and

14 WHEREAS, The federal Substance Abuse and Mental Health  
15 Services Administration reports that AUD was the most common  
16 substance use disorder among adults in the United States in 2020,  
17 affecting roughly 28,300,000 people; and

18 WHEREAS, In 2020, the federal Substance Abuse and Mental  
19 Health Services Administration reported that around 3,848,000  
20 California adults qualify as suffering from AUD and around  
21 3,602,000 California adults need, but are not receiving, AUD  
22 treatment at a special facility. This means that approximately 93  
23 percent of California adults suffering from AUD are not receiving  
24 the treatment they need for AUD; and

25 WHEREAS, The Centers for Disease Control and Prevention's  
26 (CDC's) Morbidity and Mortality Weekly Report states that in  
27 California there were approximately 15,443 deaths attributed to  
28 alcohol each year from 2015 to 2019; and

29 WHEREAS, The Department of Health Care Access and  
30 Information reports that from 2008 through 2017 there was a  
31 66.7-percent increase in alcohol-related emergency department  
32 visits and a 36.9-percent increase in alcohol-related emergency  
33 department admissions; and

34 WHEREAS, The CDC has reported that, in 2010, excessive  
35 drinking cost California over \$35,000,000,000, which breaks down  
36 to \$940 per person in California. These costs result from losses in  
37 workplace productivity, health care expenses, criminal justice  
38 expenses, and motor vehicle crashes. About \$2 of every \$5 of the  
39 economic costs of excessive alcohol use were paid by federal,  
40 state, and local governments; and



1 WHEREAS, In 2020, the first year of the COVID-19 pandemic,  
2 sales of alcohol increased by 2.9 percent, the largest annual increase  
3 in over 50 years. For those who were drinking more during the  
4 pandemic, research suggests that stress, anxiety, and previous  
5 alcohol misuse were contributing factors; and

6 WHEREAS, Meeting people where they are in their recovery  
7 journey is a critical component of public health and every setting  
8 of care should be aware of the signs of dangerous alcohol use and  
9 trained in identifying, assessing, and treating alcohol use disorder;  
10 now, therefore, be it

11 *Resolved by the Assembly of the State of California, the Senate*  
12 *thereof concurring*, That the Legislature proclaims April 2023 as  
13 Alcohol Awareness Month to draw attention to the needs of  
14 Californians with AUD and to educate the public, health care  
15 providers, and policymakers about the tools that are available to  
16 prevent alcohol abuse; and be it further

17 *Resolved*, That the Legislature respectfully requests that the  
18 Governor, the California Health and Human Services Agency, the  
19 State Department of Health Care Services, the Department of  
20 Corrections and Rehabilitation, and other relevant state entities  
21 prioritize increasing public and provider awareness of the health  
22 risks associated with alcohol consumption and the consumption  
23 of alcohol with other substances, including the risks of alcohol  
24 overdose and AUD, and the availability of treatment for AUD in  
25 California, including FDA-approved medications and treatment  
26 in primary care, hospital, and criminal justice settings; and be it  
27 further

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

O

Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 61 (Waldron) – As Introduced April 18, 2023

**SUBJECT:** Alcohol Awareness Month.

**SUMMARY:** Proclaims April 2023 as Alcohol Awareness Month to draw attention to the needs of Californians with alcohol use disorder (AUD); and, to educate the public, health care providers, and policymakers about the tools that are available to prevent alcohol abuse. Specifically, **this resolution** makes the following legislative findings:

- 1) Alcohol Awareness Month is a public health program organized by the National Council on Alcoholism and Drug Dependence as a way of increasing outreach and education regarding the dangers of alcoholism and issues related to alcohol. The program started in April 1987.
- 2) Alcohol use disorder (AUD) is a chronic brain disorder that is characterized by an impaired ability to stop or control alcohol use despite adverse social, occupational, or health consequences and often goes untreated. The number of individuals affected by AUD during the COVID-19 pandemic has risen significantly and the dangers of excessive alcohol use should not be ignored.
- 3) The federal Substance Abuse and Mental Health Services Administration reports that AUD was the most common substance use disorder among adults in the United States in 2020, affecting roughly 28,300,000 people.
- 4) In 2020, the federal Substance Abuse and Mental Health Services Administration reported that around 3,848,000 California adults qualify as suffering from AUD and around 3,602,000 California adults need, but are not receiving, AUD treatment at a special facility. This means that approximately 93 percent of California adults suffering from AUD are not receiving the treatment they need for AUD.
- 5) In 2020, the first year of the COVID-19 pandemic, sales of alcohol increased by 2.9 percent, the largest annual increase in over 50 years. For those who were drinking more during the pandemic, research suggests that stress, anxiety, and previous alcohol misuse were contributing factors.
- 6) The disease of addiction continues to devastate California's communities and remains a public health emergency that continues to pose a significant public health and safety threat to the state, costing over 15,000 lives each year. In addition to opioids and heroin, abuse of other dangerous substances, including alcohol, is on the rise, and the disease of addiction is not exclusive to any one substance.
- 7) Meeting people where they are in their recovery journey is a critical component of public health and every setting of care should be aware of the signs of dangerous alcohol use and trained in identifying, assessing, and treating alcohol use disorder.

**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. 63**

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**Introduced by Assembly Member Wood**

April 19, 2023

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Assembly Concurrent Resolution No. 63—Relative to Mosquito Awareness Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 63, as introduced, Wood. Mosquito Awareness Week.

This measure would declare that the week of April 16, 2023, to April 22, 2023, inclusive, be designated as Mosquito Awareness Week.

Fiscal committee: no.

1 WHEREAS, The United States Environmental Protection  
2 Agency recognizes that mosquito-borne diseases are currently  
3 among the world’s leading causes of illness and death; and

4 WHEREAS, The World Health Organization estimates that  
5 more than 300,000,000 clinical cases each year are attributable to  
6 mosquito-borne illnesses; and

7 WHEREAS, Excess numbers of mosquitoes and other vectors  
8 spread diseases, reduce the enjoyment of both public and private  
9 outdoor living spaces, reduce property values, hinder outdoor work,  
10 reduce livestock productivity, and have a negative impact on the  
11 environment; and

12 WHEREAS, Two invasive mosquito species in California, *Aedes*  
13 *albopictus*, the Asian tiger mosquito, which was detected in  
14 southern California in 2011, and *Aedes aegypti*, the yellow fever  
15 mosquito, which was detected in central and northern California  
16 in 2013 and southern California in 2014, are posing new public

1 health threats due to their capability to transmit potentially deadly  
2 or debilitating diseases, such as dengue fever, yellow fever,  
3 chikungunya, and Zika virus, which can cause significant birth  
4 defects; and

5 WHEREAS, Since 2015, there have been 756 travel-associated  
6 cases of Zika virus detected in California, including 243 infections  
7 in pregnant women and 13 infants born with complications; and

8 WHEREAS, Since 2016, there have been 900 travel-associated  
9 cases of dengue fever in 41 counties, leading to an increased risk  
10 of local transmission by invasive mosquitoes; and

11 WHEREAS, In addition to new, emerging diseases, California  
12 must remain vigilant in fighting known diseases. West Nile virus  
13 is a mosquito-borne disease that can result in debilitating cases of  
14 meningitis and encephalitis, and death to humans, horses, avian  
15 species, and other wildlife; and

16 WHEREAS, In 2022, West Nile virus resulted in 13 human  
17 deaths in California and 209 individual cases in 28 counties; and

18 WHEREAS, In 2022, there were 13 human cases of St. Louis  
19 encephalitis virus in 6 counties; and

20 WHEREAS, A 2010 study from the University of California,  
21 Los Angeles, found that low socioeconomic status was an indicator  
22 of the likelihood of West Nile virus cases; and

23 WHEREAS, Adequately funded mosquito and vector control,  
24 disease surveillance, and public awareness programs, coupled with  
25 best management practices on public and private lands, are the  
26 best ways to prevent outbreaks of West Nile virus and other  
27 diseases borne by mosquitoes and other vectors; and

28 WHEREAS, As a result of the threat mosquitoes posed to  
29 California's economic development and health of its citizens, 108  
30 years ago the Legislature enacted California's Mosquito Abatement  
31 Districts Act (Assembly Bill 1590, 1915); and

32 WHEREAS, Professional mosquito and vector control, based  
33 on scientific research, has made great advances in safely reducing  
34 mosquito and vector populations and the diseases they transmit;  
35 and

36 WHEREAS, Established mosquito-borne and vector-borne  
37 diseases such as plague, Lyme disease, flea-borne typhus, and  
38 encephalitis, and new and emerging vector-borne diseases such as  
39 hantavirus, arenavirus, babesiosis, and ehrlichiosis cause illness  
40 and sometimes death every year in California; and

1 WHEREAS, In 2019, the Legislature established the California  
2 Mosquito Surveillance and Research Program to support advanced  
3 data collection and analysis tools, such as the California  
4 Vectorborne Disease Surveillance System (CalSurv), and to foster  
5 collaborative research in vector control; and

6 WHEREAS, Mosquito and vector control districts throughout  
7 California work closely with the United States Environmental  
8 Protection Agency and the State Department of Public Health to  
9 reduce pesticide risks to humans, animals, and the environment  
10 while protecting human health from mosquito-borne and  
11 vector-borne diseases and nuisances; and

12 WHEREAS, Best management practices, emphasizing  
13 nonchemical approaches, have been developed to guide mosquito  
14 control that can significantly reduce mosquito populations for new  
15 developments and on state and private lands; and

16 WHEREAS, The State Department of Public Health maintains  
17 information on how to eliminate risks from vectors at both  
18 [www.cdph.ca.gov](http://www.cdph.ca.gov) and [westnile.ca.gov](http://westnile.ca.gov), which the public is  
19 encouraged to review; and

20 WHEREAS, The public's awareness of the health benefits  
21 associated with safe, professionally applied mosquito and vector  
22 control methods will support these efforts, as well as motivate the  
23 state and the public to eliminate mosquito and vector breeding  
24 sites on public and private property; and

25 WHEREAS, Educational programs have been developed to  
26 include schools, civic groups, private industry, and government  
27 agencies in order to meet the public's need for information about  
28 West Nile virus, other diseases, and mosquito and vector biology  
29 and control; and

30 WHEREAS, Public awareness can result in reduced production  
31 of mosquitoes and other vectors on residential, commercial, and  
32 public lands by responsible parties, avoidance of the bites of  
33 mosquitoes and other vectors when the risk of West Nile virus and  
34 other disease transmission is high, detection of human cases of  
35 mosquito-borne and vector-borne diseases that otherwise may be  
36 misdiagnosed for lack of appropriate laboratory testing, and the  
37 formation of mosquito or vector control agencies where needed;  
38 and

39 WHEREAS, Public awareness can result in action to provide  
40 adequate funding for existing mosquito and vector control agencies,

1 or to create control agencies in areas where there are no existing  
2 controls; and

3 WHEREAS, Mosquito Awareness Week will increase the  
4 public’s awareness of the threat of Zika virus, West Nile virus,  
5 and other diseases, and the activities of the various mosquito vector  
6 research and control agencies working to minimize the health threat  
7 within California, and will highlight the educational programs  
8 currently available; and

9 WHEREAS, The Mosquito and Vector Control Association of  
10 California has designated the week of April 16, 2023, to April 22,  
11 2023, inclusive, as Mosquito and West Nile Virus Awareness  
12 Week in California; now, therefore, be it

13 *Resolved by the Assembly of the State of California, the Senate*  
14 *thereof concurring*, That the Assembly hereby declares that the  
15 week of April 16, 2023, to April 22, 2023, inclusive, be designated  
16 as Mosquito Awareness Week; and be it further

17 *Resolved*, That the Chief Clerk of the Assembly transmit a copy  
18 of this resolution to the Governor, the State Public Health Officer,  
19 and the author for appropriate distribution.

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Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 63 (Wood) – As Introduced April 19, 2023

**SUBJECT:** Mosquito Awareness Week.

**SUMMARY:** Declares that the week of April 16, 2023, to April 22, 2023, inclusive, be designated as Mosquito Awareness Week. Specifically, **this resolution** makes the following legislative findings:

- 1) The United States Environmental Protection Agency recognizes that mosquito-borne diseases are currently among the world's leading causes of illness and death. And, the World Health Organization estimates that more than 300 million clinical cases each year are attributable to mosquito-borne illnesses.
- 2) Excess numbers of mosquitoes and other vectors spread diseases, reduce the enjoyment of both public and private outdoor living spaces, reduce property values, hinder outdoor work, reduce livestock productivity, and have a negative impact on the environment.
- 3) West Nile virus is a mosquito-borne disease that can result in debilitating cases of meningitis and encephalitis, and death to humans, horses, avian species, and other wildlife. In 2022, West Nile virus resulted in 13 human deaths in California and 209 individual cases in 28 counties.
- 4) Adequately funded mosquito and vector control, disease surveillance, and public awareness programs, coupled with best management practices on public and private lands, are the best ways to prevent outbreaks of West Nile virus and other diseases borne by mosquitoes and other vectors.
- 5) Professional mosquito and vector control, based on scientific research, has made great advances in safely reducing mosquito and vector populations and the diseases they transmit.
- 6) In 2019, the Legislature established the California Mosquito Surveillance and Research Program to support advanced data collection and analysis tools, such as the California Vectorborne Disease Surveillance System (CalSurv), and to foster collaborative research in vector control.
- 7) Mosquito and vector control districts throughout California work closely with the United States Environmental Protection Agency and the State Department of Public Health to reduce pesticide risks to humans, animals, and the environment while protecting human health from mosquito-borne and vector-borne diseases and nuisances.
- 8) Best management practices, emphasizing nonchemical approaches, have been developed to guide mosquito control that can significantly reduce mosquito populations for new developments and on state and private lands.



- 9) The public's awareness of the health benefits associated with safe, professionally applied mosquito and vector control methods will support these efforts, as well as motivate the state and the public to eliminate mosquito and vector breeding sites on public and private property.
- 10) Educational programs have been developed to include schools, civic groups, private industry, and government agencies in order to meet the public's need for information about West Nile virus, other diseases, and mosquito and vector biology and control.
- 11) Mosquito Awareness Week will increase the public's awareness of the threat of Zika, West Nile virus, and other diseases, and the activities of the various mosquito vector research and control agencies working to minimize the health threat within California, and will highlight the educational programs currently available.

**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. 29**

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**Introduced by Assembly Member Cervantes**

April 12, 2023

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House Resolution No. 29—Relative to Cinco de Mayo Week.

1 WHEREAS, Cinco de Mayo, or the fifth of May, is  
2 memorialized as a significant date in the history of California and  
3 Mexico in recognition of the courage of the Mexican people, who  
4 defeated a better trained and equipped army at the “Batalla de  
5 Puebla”; and

6 WHEREAS, Since the beginning of the American Civil War,  
7 Latinos in California have shown their support for the institutions  
8 of freedom and democracy by joining the forces of the United  
9 States Army, Cavalry, and Navy, risking their lives to defend free  
10 institutions; and

11 WHEREAS, Those who were unable to join the Armed Forces  
12 of the Union freely offered their support for President Abraham  
13 Lincoln; and

14 WHEREAS, The American Civil War, making it impossible  
15 for the United States to enforce the Monroe Doctrine, provided an  
16 opportunity for the Emperor of France, Napoléon III, to establish  
17 a monarchy in Mexico, thereby attempting to destroy democratic  
18 institutions that derive their power from the consent of the  
19 governed; and

20 WHEREAS, Latinos, including Californians, also offered their  
21 support and risked their lives in Mexico to defend freedom and  
22 democracy in that country by joining the armed forces of that sister  
23 republic; and

1 WHEREAS, Those who were unable to travel to Mexico to  
2 physically defend free institutions freely offered their support to  
3 President Benito Juárez by organizing over 122 Juntas Patrióticas  
4 Mexicanas within California to raise funds that were sent every  
5 month from California to Mexico to defray the costs of war in that  
6 country; and

7 WHEREAS, Cinco de Mayo serves to remind us that the  
8 foundation of any nation and our state is its people, in their spirit  
9 and courage in the face of adversity, in the strength of their drive  
10 to achieve self-determination, and in their willingness to sacrifice  
11 even life itself in the pursuit of freedom and liberty; and

12 WHEREAS, Cinco de Mayo offers an opportunity to reflect on  
13 the courage and achievements not only of the Mexican forces at  
14 Puebla but also on the courage and achievements of Latinos here  
15 in California; and

16 WHEREAS, Latino resilience ensured the eventual triumph of  
17 Union forces, and were it not for Mexico's triumph at the Batalla  
18 de Puebla, the deterrence of possible French support for  
19 Confederate troops may not have occurred, and the outcome of  
20 the Civil War may have been dramatically altered; and

21 WHEREAS, Achievements by Latinos in America and  
22 California include contributions to all facets of our community;  
23 and

24 WHEREAS, Latino voters continue to go to the polls in record  
25 numbers and influence the entrance of newly elected Latino public  
26 officials in both the Democratic and Republican parties and  
27 influence issues that encompass providing affordable housing,  
28 investing in our children, ensuring that higher education is  
29 affordable and accessible, creating well-paying jobs for working  
30 families, and improving the overall quality of life for all  
31 Californians; and

32 WHEREAS, California's Latinos have contributed to the state's  
33 culture and society through their many achievements in music,  
34 food, dance, poetry, literature, architecture, entertainment, sports,  
35 and a broad spectrum of artistic expression; and

36 WHEREAS, Latinos in California have challenged the frontiers  
37 of social and economic justice, thereby improving the working  
38 conditions and lives of countless Californians; and

39 WHEREAS, Latino entrepreneurs in the United States are the  
40 fastest-growing group of business owners in our economy; and

1 WHEREAS, In 2001, the Latino Caucus saw a need to recognize  
2 and honor distinguished Latinos for their contributions and  
3 dedication to the economy and cultural life of California and the  
4 United States with the annual Latino Spirit Awards. These  
5 recipients are outstanding individuals who have greatly contributed  
6 to the wonderful music, poetry, literature, journalism, and  
7 entertainment of California, the United States, and the world; now,  
8 therefore, be it

9 *Resolved by the Assembly of the State of California,* That the  
10 Assembly urges all Californians to join in celebrating Cinco de  
11 Mayo, the historic day when the Mexican people defeated the  
12 French army at the Batalla de Puebla, and to recognize the Latino  
13 noncombatants in California who freely gave their votes and  
14 resources to defend free institutions, and the Latinos of California  
15 who fought to defend the freedom of the United States in every  
16 armed conflict from the Spanish American War to the conflicts in  
17 Iraq and Afghanistan; and be it further

18 *Resolved,* That the Assembly declares May 1, 2023, through  
19 May 7, 2023, as Cinco de Mayo Week; and be it further

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

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Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
HR 29 (Cervantes) – As Introduced April 12, 2023

**SUBJECT:** Cinco de Mayo Week.

**SUMMARY:** Declares May 1, 2023, through May 7, 2023, as Cinco de Mayo Week. Specifically, **this resolution** makes the following legislative findings:

- 1) Cinco de Mayo, or the fifth of May, is memorialized as a significant date in the history of California and Mexico in recognition of the courage of the Mexican people, who defeated a better trained and equipped army at the “Batalla de Puebla”.
- 2) Since the beginning of the American Civil War, Latinos in California have shown their support for the institutions of freedom and democracy by joining the forces of the United States Army, Cavalry, and Navy, risking their lives to defend free institutions.
- 3) Cinco de Mayo serves to remind us that the foundation of any nation and our state is its people, in their spirit and courage in the face of adversity, in the strength of their drive to achieve self-determination, and in their willingness to sacrifice even life itself in the pursuit of freedom and liberty.
- 4) Cinco de Mayo offers an opportunity to reflect on the courage and achievements not only of the Mexican forces at Puebla, but also on the courage and achievements of Latinos here in California.
- 5) Latino resilience ensured the eventual triumph of Union forces, and were it not for Mexico’s triumph at the Batalla de Puebla, the deterrence of possible French support for Confederate troops may not have occurred, and the outcome of the Civil War may have been dramatically altered.
- 6) California’s Latinos have contributed to the state’s culture and society through their many achievements in music, food, dance, poetry, literature, architecture, entertainment, sports, and a broad spectrum of artistic expression.
- 7) Latinos in California have challenged the frontiers of social and economic justice, thereby improving the working conditions and lives of countless Californians. Latino entrepreneurs in the United States are the fastest growing group of business owners in our economy.
- 8) In 2001, the Latino Caucus saw a need to recognize and honor distinguished Latinos for their contributions and dedication to the economy and cultural life of California and the United States with the annual Latino Spirit Awards. These recipients are outstanding individuals who have greatly contributed to the wonderful music, poetry, literature, journalism, and entertainment of California, the United States, and the world.
- 9) Achievements by Latinos in America and California include contributions to all facets of our community.

**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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**Introduced by Senator Menjivar**  
**(Coauthors: Senators Eggman and Wahab)**  
(Coauthor: Assembly Member Jackson)

March 13, 2023

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Senate Concurrent Resolution No. 40—Relative to social workers.

LEGISLATIVE COUNSEL’S DIGEST

SCR 40, as introduced, Menjivar. Social Work Month.

This measure would proclaim the month of March 2023 as Social Work Month.

Fiscal committee: no.

- 1 WHEREAS, March 2023 is recognized nationally as Social  
2 Work Month, and this year’s theme is “Social Work Breaks  
3 Barriers,” which embodies the contributions social workers have  
4 made to this nation for more than a century, and how the services  
5 that they provide are essential as our nation addresses economic  
6 inequality, systemic racism, the need for improved health and  
7 mental health care, COVID-19, and other issues; and  
8 WHEREAS, The social work profession has been dedicated to  
9 improving human well-being and enhancing the basic needs of all  
10 people, and it has risen to meet the most pressing challenges of  
11 our lifetimes; and  
12 WHEREAS, Social workers are the largest group of mental  
13 health care providers in the United States, and work daily to help  
14 people, whether in person or remotely, overcome substance use  
15 disorders and mental illness, such as depression; and  
16 WHEREAS, Social workers have always helped people  
17 overcome issues such as death and grief, and have helped people

1 and communities recover from increasing natural disasters such  
2 as fires, hurricanes, and earthquakes brought on by climate change;  
3 and

4 WHEREAS, Social workers have helped this nation live up to  
5 its values by successfully advocating for equal rights for all, no  
6 matter their race, sexual identity, gender, gender expression,  
7 culture, religion, or disability; and

8 WHEREAS, Social workers work in all facets of our society to  
9 meet people no matter their circumstances and to empower them  
10 to live to their fullest potential, with particular attention to the  
11 needs of, and social justice for, those who are poor, oppressed,  
12 and living in poverty; and

13 WHEREAS, Social workers have continued to push for changes  
14 that have made for a better society, including a liveable wage,  
15 improved workplace safety, and social safety net programs that  
16 help ameliorate poverty, hunger, and homelessness; and

17 WHEREAS, The social work profession is one of the fastest  
18 growing careers in the United States, with more than 715,000 social  
19 workers today, over 86,000 of whom are in California; and  
20 approximately 8,000 graduate students in the social work pipeline  
21 in 24 accredited California State University, University of  
22 California, and private programs throughout the state; and

23 WHEREAS, Professional social workers serve in diverse  
24 settings, including schools, courtrooms, health clinics, senior  
25 centers, homeless shelters, nursing homes, the military, disaster  
26 relief, prisons, corporations, and in political office; now, therefore,  
27 be it

28 *Resolved by the Senate of the State of California, the Assembly*  
29 *thereof concurring*, That March 2023 is proclaimed Social Work  
30 Month in the State of California, and the Legislature commends  
31 the California Chapter of the National Association of Social  
32 Workers for its role in advancing professional social work and  
33 promoting the well-being of the people of California, and also  
34 encourages all Californians to take part in March “Breaking  
35 Barriers” events throughout California; and be it further



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

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4

5     **CORRECTIONS:**                     \_\_\_\_\_

6     **Text—Page 2.**

7   \_\_\_\_\_

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Date of Hearing: April 20, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
SCR 40 (Menjivar) – As Introduced March 13, 2023

**SENATE VOTE:** 36-0

**SUBJECT:** Social Work Month.

**SUMMARY:** Proclaims the month of March 2023 as Social Work Month. Specifically, **this resolution** makes the following legislative findings:

- 1) The social work profession has been dedicated to improving human well-being and enhancing the basic needs of all people, and it has risen to meet the most pressing challenges of our lifetimes.
- 2) Social workers are the largest group of mental health care providers in the United States, and work daily to help people, whether in person or remotely, overcome substance use disorders and mental illness, such as depression.
- 3) Social workers have always helped people overcome issues such as death and grief, and have helped people and communities recover from increasing natural disasters such as fires, hurricanes, and earthquakes brought on by climate change.
- 4) Social workers work in all facets of our society to meet people no matter their circumstances and to empower them to live to their fullest potential, with particular attention to the needs of, and social justice for, those who are poor, oppressed, and living in poverty.
- 5) The social work profession is one of the fastest growing careers in the United States, with more than 715,000 social workers today, over 86,000 of whom are in California; and approximately 8,000 graduate students in the social work pipeline in 24 accredited California State University, University of California, and private programs throughout the state.
- 6) Professional social workers serve in diverse settings, including schools, courtrooms, health clinics, senior centers, homeless shelters, nursing homes, the military, disaster relief, prisons, corporations, and in political office.
- 7) March 2023 is recognized nationally as Social Work Month, and this year's theme is "Social Work Breaks Barriers," which embodies the contributions social workers have made to this nation for more than a century; and, how the services that they provide are essential as our nation addresses economic inequality, systemic racism, the need for improved health and mental health care, COVID-19, and other issues.

**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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GREG WALLIS

April 13, 2023

James Ramos, Chair of the Assembly Committee on Rules  
California Assembly  
1021 O Street, Suite 8310  
Sacramento, CA 95814  
**VIA EMAIL**

**Subject:** Request for Urgency Clause

Dear Chair Ramos,

We write to ask for an urgency designation for AB 1533, our Utilities & Energy Committee omnibus bill. Aside from various code clean-up of the Public Utilities Code, the omnibus addresses the following matter of urgency concerning the Diablo Canyon nuclear power plant. Provisions from SB 846 (Dodd, Chapter 239, Statutes of 2022) were inadvertently chaptered out after the passage of SB 1020 (Laird, Chapter 361, Statutes of 2022). One of these provisions, which is reintroduced in this omnibus bill, requires that electricity produced by the Diablo Canyon nuclear power plant does not count toward California's statutory renewable energy mandates, zero-carbon resource targets, or climate goals beyond its current retirement date of 2025. The second issue is the extension of the Diablo Canyon Independent Safety Committee, which was inadvertently left as ending despite the proposed extension of the powerplant in SB 846. The omnibus proposes to correct this and ensure the Safety Committee remains operational for the lifetime of the plant's extension, in or before 2030. These policies impacts efforts already in the implementation process at state and federal agencies – including the ongoing evaluation of the Diablo Canyon extension by the Nuclear Regulatory Commission – and therefore the policies in this omnibus need to be urgently chaptered.

We appreciate your consideration of granting an urgency clause for AB 1533. Should you have any questions, please contact the committee staff at [laura.shybut@asm.ca.gov](mailto:laura.shybut@asm.ca.gov) or (916) 319-2083.

Sincerely,

Eduardo Garcia, 36<sup>th</sup> Assembly District  
Chair, Assembly Committee on Utilities & Energy

AMENDED IN ASSEMBLY APRIL 13, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1533**

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**Introduced by ~~Assembly Member Garcia~~ *Committee on Utilities  
and Energy***

February 17, 2023

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~~An act to amend Section 1002.3 of, and to repeal Section 353.2 of, the Public Utilities Code, relating to electricity. An act to amend Sections 25305.5 and 25792 of the Public Resources Code, to amend Sections 454.53, 712, 712.1, 712.8, and 910.4 of, and to add Sections 913.11, 913.14, and 913.17 to, the Public Utilities Code, and to amend Section 80710 of the Water Code, relating to electricity.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1533, as amended, ~~Garcia~~ *Committee on Utilities and Energy. Electricity: ultraclean and low-emission distributed generation. Electricity.*

*(1) Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to biennially adopt an integrated energy policy report. Existing law requires the Energy Commission to timely incorporate firm zero-carbon resources into that report, and, for purposes of that requirement, defines "firm zero-carbon resources" as electrical resources that can individually, or in combination, deliver electricity with high availability for the expected duration of multiday extreme or atypical weather events and facilitate integration of eligible renewable energy resources into the electrical grid and the transition to a zero-carbon electrical grid.*

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*This bill would clarify that, for purposes of that requirement, “firm zero-carbon resources” are those electrical resources described above that deliver zero-carbon electricity.*

*Existing law creates the Demand Side Grid Support Program, and requires the Energy Commission to implement and administer the program to incentivize dispatchable customer load reduction and backup generation operation as on-call emergency supply and load reduction for the state’s electrical grid during extreme events. Existing law requires entities with generation or load reduction assets that are incentivized pursuant to the Distributed Electricity Backup Assets Program to participate in the program, and requires all energy produced as a result of the program to be settled at a relevant reference energy price.*

*This bill would delete the requirements that those entities participate in the program and the produced energy be settled at a relevant reference energy price.*

*(2) Existing law prohibits an electrical corporation from beginning the construction of, among other things, a line, plant, or system, or of any extension thereof, without having first obtained from the Public Utilities Commission (PUC) a certificate that the present or future public convenience and necessity require or will require that construction. Under existing law, the extension, expansion, upgrade, or other modification of an existing electrical transmission facility, including transmission lines and substations, does not require a certificate that the present or future public convenience and necessity requires or will require its construction.*

*This bill would require the PUC, in a proceeding evaluating the issuance of a certificate of public convenience and necessity for a proposed transmission project, to establish a rebuttable presumption with regard to need for the proposed transmission project in favor of an Independent System Operator governing board-approved need evaluation if specified requirements are satisfied.*

*(3) Existing law requires the PUC to convene or continue, until August 26, 2025, an independent peer review panel to conduct an independent review of enhanced seismic studies and surveys of the Diablo Canyon Units 1 and 2 powerplant, as specified. Existing law also establishes the Independent Safety Committee for Diablo Canyon until, at least, the United States Nuclear Regulatory Commission operating permit for the Diablo Canyon powerplant has ceased.*

*This bill would extend that requirement on the PUC until August 26, 2030. The bill would require that the Independent Safety Committee for Diablo Canyon continue until the Diablo Canyon powerplant has ceased operations and make other changes related to that committee.*

*(4) Under existing law it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 90% of all retail sales of electricity to California end-use customers by December 31, 2035, 95% of all retail sales of electricity to California end-use customers by December 31, 2040, 100% of all retail sales of electricity to California end-use customers by December 31, 2045, and 100% of electricity procured to serve all state agencies by December 31, 2035, as specified. Existing law requires the PUC, the Energy Commission, and the State Air Resources Board to issue a joint report to the Legislature by January 1, 2021, and every 4 years thereafter, that includes specified information relating to the implementation of that state policy, and, on or before December 1, 2023, and annually thereafter, to issue a joint reliability progress report that reviews system and local reliability within the context of that state policy, as specified.*

*Existing law requires the PUC, in coordination with the Energy Commission, the Independent System Operator, and the Department of Water Resources, to submit a report to the Legislature each year on the status of new resource additions and revisions to the state's electric demand forecast and the impact of these updates on the need for keeping the Diablo Canyon powerplant online.*

*This bill would recodify and reorganize the above reporting requirements.*

*(5) Existing law requires the PUC, by February 1 of each year, to report to the Joint Legislative Budget Committee and appropriate fiscal and policy committees of the Legislature on all sources and amounts of funding and actual and proposed expenditures related to entities or programs established by the PUC, as specified.*

*This bill would require the commission, upon an entity described above ceasing operations, or a program described above ending, because its activities have concluded, to continue reporting on the entity or program for the subsequent 2 fiscal years, and, following those subsequent 2 fiscal years, would require the commission to note in the report described above which entity ceased operations or which program ended and would relieve the commission of future reporting obligations related to the entity or program.*

(6) *This bill would make legislative findings and declarations as to the necessity of a special statute for the Diablo Canyon powerplant.*

(7) *Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the PUC is a crime.*

*Because certain of the above provisions would be part of the act and a violation of a PUC action implementing this bill’s requirements would be a crime, 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 no reimbursement is required by this act for a specified reason.*

~~Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission, in establishing rates and fees, to consider energy efficiency and emissions performance to encourage early compliance with air quality standards established by the State Air Resources Board for ultraclean and low-emission distributed generation. Existing law defines “ultraclean and low-emission distributed generation” for that purpose to mean any electric generation technology meeting specified criteria.~~

~~This bill would repeal that authorization and the definition of “ultraclean and low-emission distributed generation.” The bill would also make a conforming change.~~

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

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

1 *SECTION 1. Section 25305.5 of the Public Resources Code is*  
2 *amended to read:*

3 25305.5. (a) The commission shall timely incorporate firm  
4 zero-carbon resources into the integrated energy policy report  
5 prepared pursuant to Section 25302.

6 (b) For purposes of this section, “firm zero-carbon resources”  
7 are electrical resources that can individually, or in combination,  
8 deliver *zero-carbon* electricity with high availability for the  
9 expected duration of multiday extreme or atypical weather events,



1 including periods of low renewable energy generation, and facilitate  
2 integration of eligible renewable energy resources into the electrical  
3 grid and the transition to a zero-carbon electrical grid.

4 *SEC. 2. Section 25792 of the Public Resources Code is*  
5 *amended to read:*

6 25792. (a) The Demand Side Grid Support Program is hereby  
7 created. The commission shall implement and administer the  
8 program to incentivize dispatchable customer load reduction and  
9 backup generation operation as on-call emergency supply and load  
10 reduction for the state's electrical grid during extreme events.

11 (b) The commission shall allocate moneys to develop a new  
12 statewide program that provides incentives to reduce customer net  
13 load during extreme events with upfront capacity commitments  
14 and for per-unit reductions in net load. Eligible recipients may  
15 include all energy customers in the state, except those enrolled in  
16 demand response or emergency load reduction programs offered  
17 by entities under the jurisdiction of the Public Utilities  
18 Commission. The commission, in consultation with the Public  
19 Utilities Commission, may adopt additional participation  
20 requirements or limitations. Payments shall be made to any of the  
21 following:

- 22 (1) Participating individual entities.
- 23 (2) Participating aggregators of multiple energy customers.
- 24 (3) Participating local publicly owned electric utilities and  
25 load-serving entities.

26 ~~(c) Entities with generation or load reduction assets that are~~  
27 ~~incentivized pursuant to Article 2 (commencing with Section~~  
28 ~~25791) shall participate in the program under this article.~~

29 ~~(d)~~

30 (c) Participants shall provide load reduction or backup  
31 generation service, or both, in response to a dispatch by an  
32 applicable California balancing authority of a California balancing  
33 authority area in which participants are located during extreme  
34 events.

35 ~~(e)~~

36 (d) The commission, in consultation with California balancing  
37 authorities and the state board, shall adopt guidelines to determine  
38 when to implement the program, including which resources are  
39 dispatched first to minimize local pollution and emissions of  
40 greenhouse gases. The dispatch order of resources in the program

1 shall follow a loading order that prioritizes, to the maximum extent  
 2 feasible to ensure electricity reliability, cost-effective demand  
 3 response and efficiency resources, then feasible, cost-effective  
 4 renewable and zero-emission resources, and then feasible,  
 5 cost-effective conventional resources. The guidelines shall also  
 6 consider the anticipated useful life of the resources in relation to  
 7 the state’s climate and air quality requirements.

8 (f)

9 (e) The state board, in consultation with the commission, shall  
 10 develop a plan, including determining the funding amounts  
 11 allocated after the dispatch of resources participating in the  
 12 program, to mitigate impacts from these resources.

13 ~~(g) All energy produced as a result of the program shall be~~  
 14 ~~settled at a relevant reference energy price derived either through~~  
 15 ~~the Independent System Operator market tariff or similar~~  
 16 ~~mechanism established and documented for an applicable~~  
 17 ~~California balancing authority area.~~

18 *SEC. 3. Section 454.53 of the Public Utilities Code is amended*  
 19 *to read:*

20 454.53. (a) It is the policy of the state that eligible renewable  
 21 energy resources and zero-carbon resources supply 90 percent of  
 22 all retail sales of electricity to California end-use customers by  
 23 December 31, 2035, 95 percent of all retail sales of electricity to  
 24 California end-use customers by December 31, 2040, 100 percent  
 25 of all retail sales of electricity to California end-use customers by  
 26 December 31, 2045, and 100 percent of electricity procured to  
 27 serve all state agencies by December 31, 2035. The achievement  
 28 of this policy for California shall not increase carbon emissions  
 29 elsewhere in the western grid and shall not allow resource  
 30 shuffling. The commission and Energy Commission, in  
 31 consultation with the State Air Resources Board, shall take steps  
 32 to ensure that a transition to a zero-carbon electric system for the  
 33 State of California does not cause or contribute to greenhouse gas  
 34 emissions increases elsewhere in the western grid, and is  
 35 undertaken in a manner consistent with clause 3 of Section 8 of  
 36 Article I of the United States Constitution. The commission, the  
 37 Energy Commission, the State Air Resources Board, and all other  
 38 state agencies shall incorporate this policy into all relevant  
 39 planning.

1 (b) The commission, Energy Commission, State Air Resources  
2 Board, and all other state agencies shall ensure that actions taken  
3 in furtherance of subdivision (a) do all of the following:

4 (1) Maintain and protect the safety, reliable operation, and  
5 balancing of the electric system.

6 (2) Prevent unreasonable impacts to electricity, gas, and water  
7 customer rates and bills resulting from implementation of this  
8 section, taking into full consideration the economic and  
9 environmental costs and benefits of renewable energy and  
10 zero-carbon resources.

11 (3) To the extent feasible and authorized under law, lead to the  
12 adoption of policies and taking of actions in other sectors to obtain  
13 greenhouse gas emission reductions that ensure equity between  
14 other sectors and the electricity sector.

15 (4) Not affect in any manner the rules and requirements for the  
16 oversight of, and enforcement against, retail sellers and local  
17 publicly owned utilities pursuant to the California Renewables  
18 Portfolio Standard Program (Article 16 (commencing with Section  
19 399.11) of Chapter 2.3) and Sections 454.51, 454.52, 9621, and  
20 9622.

21 (5) *Not consider the energy, capacity, or any attribute from the*  
22 *Diablo Canyon Unit 1 or Unit 2 powerplant after August 26, 2025,*  
23 *in achieving the policy described in subdivision (a).*

24 (c) Nothing in this section shall affect a retail seller's obligation  
25 to comply with the federal Public Utility Regulatory Policies Act  
26 of 1978 (16 U.S.C. Sec. 2601 et seq.).

27 (d) The commission, Energy Commission, and State Air  
28 Resources Board shall ~~do all of the following~~:

29 ~~(1) Use~~ *use* programs authorized under existing statutes to  
30 achieve the policy described in subdivision (a).

31 ~~(2) In consultation with all California balancing authorities, as~~  
32 ~~defined in subdivision (d) of Section 399.12, as part of a public~~  
33 ~~process, issue a joint report to the Legislature by January 1, 2021,~~  
34 ~~and at least every four years thereafter. The joint report shall~~  
35 ~~include all of the following~~:

36 ~~(A) A review of the policy described in subdivision (a) focused~~  
37 ~~on technologies, forecasts, then-existing transmission, and~~  
38 ~~maintaining safety, environmental and public safety protection,~~  
39 ~~affordability, and system and local reliability.~~

1 ~~(B) An evaluation identifying the potential benefits and impacts~~  
2 ~~on system and local reliability associated with achieving the policy~~  
3 ~~described in subdivision (a).~~

4 ~~(C) An evaluation identifying the nature of any anticipated~~  
5 ~~financial costs and benefits to electric, gas, and water utilities,~~  
6 ~~including customer rate impacts and benefits.~~

7 ~~(D) The barriers to, and benefits of, achieving the policy~~  
8 ~~described in subdivision (a).~~

9 ~~(E) Alternative scenarios in which the policy described in~~  
10 ~~subdivision (a) can be achieved and the estimated costs and benefits~~  
11 ~~of each scenario.~~

12 ~~(3) On or before December 1, 2023, and annually thereafter, in~~  
13 ~~consultation with California balancing authorities, as defined in~~  
14 ~~subdivision (d) of Section 399.12, and as part of, or an interim~~  
15 ~~addendum to, the quadrennial joint report required by paragraph~~  
16 ~~(2), as applicable, issue a joint reliability progress report that~~  
17 ~~reviews system and local reliability within the context of the policy~~  
18 ~~described in subdivision (a), with a particular focus on summer~~  
19 ~~reliability. The joint reliability progress report shall identify~~  
20 ~~challenges and gaps, if any, to achieving system and local reliability~~  
21 ~~and identify the amount and cause of any delays to achieving~~  
22 ~~compliance with all energy and capacity procurement requirements~~  
23 ~~set by the commission.~~

24 ~~(e) In a proceeding evaluating the issuance of a certificate of~~  
25 ~~public convenience and necessity for a proposed transmission~~  
26 ~~project, the commission shall establish a rebuttable presumption~~  
27 ~~with regard to need for the proposed transmission project in favor~~  
28 ~~of an Independent System Operator governing board-approved~~  
29 ~~need evaluation if all of the following are satisfied:~~

30 ~~(1) The Independent System Operator governing board has~~  
31 ~~made explicit findings regarding the need for the proposed~~  
32 ~~transmission project.~~

33 ~~(2) The Independent System Operator is a party to the~~  
34 ~~proceeding.~~

35 ~~(3) The Independent System Operator governing board-approved~~  
36 ~~need evaluation is submitted to the commission within sufficient~~  
37 ~~time to be included within the scope of the proceeding.~~

38 ~~(e) Nothing in this section authorizes~~

39 ~~(f) This section does not authorize the commission to establish~~  
40 ~~any requirements on a nonmobile self-cogeneration or cogeneration~~

1 facility that served onsite load, or that served load pursuant to an  
2 over-the-fence arrangement if that arrangement existed on or before  
3 December 20, 1995.

4 ~~(f)~~

5 (g) This section does not limit any entity, including local  
6 governments, from accelerating their achievement of the state's  
7 electric sector decarbonization targets.

8 *SEC. 4. Section 712 of the Public Utilities Code is amended*  
9 *to read:*

10 712. (a) The commission shall convene, or continue, until  
11 August 26, ~~2025~~, 2030, an independent peer review panel to  
12 conduct an independent review of enhanced seismic studies and  
13 surveys of the Diablo Canyon Units 1 and 2 powerplant, including  
14 the surrounding areas of the facility and areas of nuclear waste  
15 storage.

16 (b) The independent peer review panel shall contract with the  
17 Energy Commission, the California Geological Survey of the  
18 Department of Conservation, the California Coastal Commission,  
19 the Alfred E. Alquist Seismic Safety Commission, the Office of  
20 Emergency Services, and the County of San Luis Obispo to  
21 participate on the panel and provide expertise.

22 (c) The independent peer review panel shall review the seismic  
23 studies and hold public meetings.

24 (d) The commission shall make reports by the independent peer  
25 review panel publicly available on the ~~Internet Web site~~ *internet*  
26 *website* maintained by the commission.

27 *SEC. 5. Section 712.1 of the Public Utilities Code is amended*  
28 *to read:*

29 712.1. (a) The Legislature finds and declares that in  
30 commission Decision 88-12-083 (December 19, 1988) Re Pacific  
31 Gas and Electric Company (30 CPUC.2d 189), the commission  
32 created the Independent Safety Committee for Diablo Canyon to  
33 make recommendations appropriate to enhance the safety of the  
34 operation of the Diablo Canyon powerplant.

35 (b) The Independent Safety Committee for Diablo Canyon ~~is~~  
36 ~~hereby established in the commission and has and~~ shall continue  
37 to have the right of the Independent Safety Committee for Diablo  
38 Canyon *rights* established pursuant to commission Decision  
39 ~~88-12-083~~ 88-12-083, *as amended by Decisions 07-01-028 and*  
40 *21-09-003*, to conduct annual examinations of the Diablo Canyon

1 powerplant and make additional site visits. The committee shall  
2 cease operations no sooner than when the ~~United States Nuclear~~  
3 ~~Regulatory Commission operating permit for the~~ Diablo Canyon  
4 powerplant has ceased *operations* and ~~when~~ all spent nuclear fuel  
5 has been moved to dry storage at the Diablo Canyon Independent  
6 Spent Fuel Storage Installation.

7 (c) The Independent Safety Committee for Diablo Canyon shall  
8 be composed of three experts, one each shall be appointed by the  
9 Governor, the Attorney General, and the Chair of the Energy  
10 Commission, from a list of candidates nominated by the President  
11 of the commission that shall include not more than three qualified  
12 candidates as alternatives to the reappointment of the appointing  
13 authority's designated committee member whose term is expiring,  
14 and which shall also include the incumbent committee member if  
15 the member consents to being an additional candidate. The  
16 incumbent as of August 1, 2022, may continue to serve their current  
17 term until it expires.

18 (d) The commission shall ensure the funding of the Independent  
19 Safety Committee for Diablo Canyon to attract qualified experts  
20 during the period of extended operations of the Diablo Canyon  
21 powerplant, as defined by Section 712.8.

22 (e) In addition to the duties and responsibilities set forth in  
23 commission decisions, the Independent Safety Committee for  
24 Diablo Canyon shall do both of the following:

25 (1) Consult with and incorporate into its assessments and  
26 recommendations the independent peer review panel established  
27 pursuant to Section 712.

28 (2) Transmit annually its findings and recommendations for  
29 improved ~~safety~~ *safety, and any response required pursuant to*  
30 *subdivision (f)*, to the Legislature, the Governor, the commission,  
31 the Energy Commission, the United States Nuclear Regulatory  
32 Commission, and the company licensed to operate the Diablo  
33 Canyon Units 1 and ~~2~~ *2 powerplant*. The report transmitted to the  
34 Legislature shall be in accordance with Section 9795 of the  
35 Government Code.

36 (f) The company licensed to operate the Diablo Canyon Units  
37 1 and 2 *powerplant* shall annually respond to the annual report  
38 provided for in paragraph (2) of subdivision (e) and distribute its  
39 response to the governmental entities specified in that paragraph.

1     *SEC. 6. Section 712.8 of the Public Utilities Code is amended*  
2 *to read:*

3     712.8. (a) For purposes of this section, the following  
4 definitions apply:

5     (1) “Current expiration dates” has the same meaning as defined  
6 in Section 25548.1 of the Public Resources Code.

7     (2) “Diablo Canyon powerplant operations” has the same  
8 meaning as defined in Section 25548.1 of the Public Resources  
9 Code.

10    (3) “Load-serving entity” has the same meaning as defined in  
11 Section 380.

12    (4) “Operator” has the same meaning as defined in Section  
13 25548.1 of the Public Resources Code.

14    (b) (1) Ordering paragraphs (1) and (14) of commission  
15 Decision 18-01-022 (January 11, 2018) Decision Approving  
16 Retirement of Diablo Canyon Nuclear Power Plant, are hereby  
17 invalidated.

18    (2) The commission shall reopen commission Application  
19 16-08-006 and take other actions as are necessary to implement  
20 this section.

21    (c) (1) (A) Notwithstanding any other law, within 120 days of  
22 ~~the effective date of this section, September 2, 2022,~~ the  
23 commission shall direct and authorize the operator of the Diablo  
24 Canyon Units 1 and 2 to take all actions that would be necessary  
25 to operate the powerplant beyond the current expiration dates, so  
26 as to preserve the option of extended operations, until the following  
27 retirement dates, conditional upon continued authorization to  
28 operate by the United States Nuclear Regulatory Commission:

29    (i) For Unit 1, October 31, 2029.

30    (ii) For Unit 2, October 31, 2030.

31    (B) If the loan provided for by Chapter 6.3 (commencing with  
32 Section 25548) of Division 15 of the Public Resources Code is  
33 terminated under that chapter, the commission shall modify its  
34 order under this paragraph and direct an earlier retirement date.

35    (C) Actions taken by the operator pursuant to the commission’s  
36 actions under this paragraph, including in preparation for extended  
37 operations, shall not be funded by ratepayers of any load-serving  
38 entities, but may be funded by the loan provided for by Chapter  
39 6.3 (commencing with Section 25548) of Division 15 of the Public  
40 Resources Code or other nonratepayer funds available to the

1 operator. The commission shall not allow the recovery from  
2 ratepayers of costs incurred by the operator to prepare for, seek,  
3 or receive any extended license to operate by the United States  
4 Nuclear Regulatory Commission.

5 (2) (A) No later than December 31, 2023, and notwithstanding  
6 the 180-day time limitation in subdivision ~~(b)~~ (a) of Section  
7 25548.2 of the Public Resources Code, the commission shall direct  
8 and authorize extended operations at the Diablo Canyon powerplant  
9 until the new retirement dates specified in subparagraph (A) of  
10 paragraph ~~(1)~~ of subdivision ~~(c)~~: (1).

11 (B) The commission shall review the reports and  
12 recommendations of the Independent Safety Committee for Diablo  
13 Canyon described in Section 712.1. If the Independent Safety  
14 Committee for Diablo Canyon's reports or recommendations cause  
15 the commission to determine, in its discretion, that the costs of  
16 any upgrades necessary to address seismic safety or issues of  
17 deferred maintenance that may have arisen due to the expectation  
18 of the plant closing sooner are too high to justify incurring, or if  
19 the United States Nuclear Regulatory Commission's conditions  
20 of license renewal require expenditures that are too high to justify  
21 incurring, the commission may issue an order that reestablishes  
22 the current expiration dates as the retirement date, or that  
23 establishes new retirement dates that are earlier than provided in  
24 subparagraph (A) of paragraph (1), to the extent allowable under  
25 federal law, and shall provide sufficient time for orderly shutdown  
26 and authorize recovery of any outstanding uncollected costs and  
27 fees.

28 (C) If the loan provided for by Chapter 6.3 (commencing with  
29 Section 25548) of Division 15 of the Public Resources Code is  
30 terminated under that chapter, the commission may issue an order  
31 that reestablishes the current expiration dates as the retirement  
32 date, or that establishes new retirement dates that are earlier than  
33 provided in subparagraph (A) of paragraph (1), and shall provide  
34 sufficient time for orderly shutdown and authorize recovery of any  
35 outstanding uncollected costs and fees.

36 (D) If the commission determines that new renewable energy  
37 and zero-carbon resources that are adequate to substitute for the  
38 Diablo Canyon powerplant and that meet the state's planning  
39 standards for energy reliability have already been constructed and  
40 interconnected by the time of its decision, the commission may



1 issue an order that reestablishes the current expiration dates as the  
2 retirement date, or that establishes new retirement dates that are  
3 earlier than provided in subparagraph (A) of paragraph (1), and  
4 shall provide sufficient time for orderly shutdown and authorize  
5 recovery of any outstanding uncollected costs and fees.

6 (E) Any retirement date established under this paragraph shall  
7 be conditioned upon continued authorization to operate by the  
8 United States Nuclear Regulatory Commission. If the United States  
9 Nuclear Regulatory Commission does not extend the current  
10 expiration dates or renews the licenses for Diablo Canyon Units  
11 1 or 2 for a period shorter than the extended operations authorized  
12 by the commission, the commission shall modify any orders issued  
13 under this paragraph to direct a retirement date that is the same as  
14 the United States Nuclear Regulatory Commission license  
15 expiration date.

16 (3) The commission shall do all things necessary and appropriate  
17 to implement this section, including, but not limited to, allocating  
18 financial responsibility for the extended operations of the Diablo  
19 Canyon powerplant to customers of all load-serving entities and  
20 ensuring completion of funding of the community impacts  
21 mitigation settlement described in Section 712.7. The commission  
22 shall not require any funds already disbursed or committed under  
23 the community impacts mitigation settlement described in Section  
24 712.7 to be returned because of extended operations of the Diablo  
25 Canyon powerplant.

26 (4) Except as authorized by this section, customers of  
27 load-serving entities shall have no other financial responsibility  
28 for the costs of the extended operations of the Diablo Canyon  
29 powerplant. In no event shall load-serving entities other than the  
30 operator and their customers have any liability for the operations  
31 of the Diablo Canyon powerplant.

32 (5) Consistent with Section 25548.4 of the Public Resources  
33 Code, the commission shall collaborate with the Department of  
34 Water Resources to oversee the operator's actions that are funded  
35 by the loan provided for by Chapter 6.3 (commencing with Section  
36 25548) of Division 15 of the Public Resources Code.

37 (d) The commission shall not increase cost recovery from  
38 ratepayers for operations and maintenance expenses incurred by  
39 the operator during the period from August 1, 2022, to November  
40 2, ~~2025~~, 2024, for Diablo Canyon Unit 1 and from August 1, 2022,

1 to August 26, 2025, for Diablo Canyon Unit 2, above the amounts  
2 approved in the most recent general rate case for the operator  
3 pursuant to commission proceeding A.21-06-021 (June 30, 2021)  
4 Application of Pacific Gas and Electric Company for Authority,  
5 Among Other Things, to Increase Rates and Charges for Electric  
6 and Gas Service Effective on January 1, 2023.

7 (e) The commission shall order the operator to track all costs  
8 associated with continued and extended operations of Diablo  
9 Canyon Units 1 and 2. The commission shall authorize the operator  
10 to establish accounts as necessary to track all costs incurred under  
11 paragraph (1) of subdivision (c), all costs incurred under the loan  
12 provided for by Chapter 6.3 (commencing with Section 25548) of  
13 Division 15 of the Public Resources Code, all costs to be borne  
14 only by the operator's ratepayers, all costs to be borne by ratepayers  
15 of all load-serving entities, consistent with this section, and any  
16 other costs as determined by the commission. Among these  
17 accounts shall be a Diablo Canyon Extended Operations liquidated  
18 damages balancing account, described in subdivisions (g) and (i).

19 (f) (1) Notwithstanding any approval of extended operations,  
20 the commission shall continue to authorize the operator to recover  
21 in rates all of the reasonable costs incurred to prepare for the  
22 retirement of Diablo Canyon Units 1 and 2, including any  
23 reasonable additional costs associated with decommissioning  
24 planning resulting from the license renewal applications or license  
25 renewals. The reasonable costs incurred to prepare for the  
26 retirement of Diablo Canyon Power Plant Units 1 and 2 shall be  
27 recovered on a fully nonbypassable basis from customers of all  
28 load-serving entities subject to the commission's jurisdiction in  
29 the operator's service territory, as determined by the commission,  
30 except that the reasonable additional costs associated with  
31 decommissioning planning resulting from the license renewal  
32 applications or license renewals shall be recovered on a fully  
33 nonbypassable basis from customers of all load-serving entities  
34 subject to the commission's jurisdiction in the state.

35 (2) The commission shall continue to fund the employee  
36 retention program approved in Decision 18-11-024 (December 2,  
37 2018) Decision Implementing Senate Bill 1090 and Modifying  
38 Decision 18-01-022, as modified to incorporate 2024, 2025, and  
39 additional years of extended operations, on an ongoing basis until  
40 the end of operations of both units with program costs tracked

1 under subdivision (e) and fully recovered in rates. Any additional  
2 funding for the employee retention program beyond what was  
3 already approved in commission Decision 18-11-024 shall be  
4 submitted by the operator in an application for review by the  
5 commission.

6 (3) The commission shall determine the amount or allocation  
7 that the customers of all load-serving entities subject to the  
8 commission's jurisdiction shall contribute towards the reasonable  
9 additional costs of decommissioning planning resulting from the  
10 license renewal applications or license renewals and shall authorize  
11 the operator to recover in rates those costs through a nonbypassable  
12 charge applicable to the customers of all load-serving entities  
13 subject to the commission's jurisdiction in the state as set forth in  
14 paragraph (1) of subdivision (l).

15 (4) The commission shall authorize the operator to recover in  
16 rates all of the reasonable costs incurred to prepare for, respond  
17 to, provide information to, or otherwise participate in or engage  
18 the independent peer review panel under Section 712.

19 (5) In lieu of a rate-based return on investment and in  
20 acknowledgment of the greater risk of outages in an older plant  
21 that the operator could be held liable for, the commission shall  
22 authorize the operator to recover in rates a volumetric payment  
23 equal to six dollars and fifty cents (\$6.50), in 2022 dollars, for  
24 each megawatthour generated by the Diablo Canyon powerplant  
25 during the period of extended operations beyond the current  
26 expiration dates, to be borne by customers of all load-serving  
27 entities, and an additional volumetric payment equal to six dollars  
28 and fifty cents (\$6.50), in 2022 dollars, to be borne by customers  
29 in the service territory of the operator. The amount of the operating  
30 risk payment shall be adjusted annually by the commission using  
31 commission-approved escalation methodologies and adjustment  
32 factors.

33 (6) (A) In lieu of a rate-based return on investment and in  
34 acknowledgment of the greater risk of outages in an older plant  
35 that the operator could be held liable for, the commission shall  
36 authorize the operator to recover in rates a fixed payment of fifty  
37 million dollars (\$50,000,000), in 2022 dollars, for each unit for  
38 each year of extended operations, subject to adjustment in  
39 subparagraphs (B) to (D), inclusive. The amount of the fixed  
40 payment shall be adjusted annually by the commission using

1 commission-approved escalation methodologies and adjustment  
2 factors.

3 (B) In the first year of extended operations for each unit, the  
4 operator shall continue to receive the full fixed payment during  
5 periods in which a unit is out of service due to an unplanned outage  
6 for nine months or less, and shall receive 50 percent of the payment  
7 for months in excess of nine months that a unit is down.

8 (C) In the second year of extended operations, the operator shall  
9 continue to receive the fixed payment during periods in which a  
10 unit is out of service due to an unplanned outage for eight months  
11 or less, and shall receive 50 percent of the payment for months in  
12 excess of eight months that a unit is down.

13 (D) In each subsequent year of extended operations, the period  
14 in which the full fixed payment is received during periods when  
15 a unit out is of service due to an unplanned outage shall decline  
16 by one additional month.

17 (g) The commission shall authorize and fund as part of the  
18 charge under paragraph (1) of subdivision (l), the Diablo Canyon  
19 Extended Operations liquidated damages balancing account in the  
20 amount of twelve million five hundred thousand dollars  
21 (\$12,500,000) each month for each unit until the liquidated  
22 damages balancing account has a balance of three hundred million  
23 dollars (\$300,000,000).

24 (h) (1) The commission shall authorize the operator to recover  
25 all reasonable costs and expenses necessary to operate Diablo  
26 Canyon Units 1 and 2 beyond the current expiration dates,  
27 including those in subdivisions (f) and (g), net of market revenues  
28 for those operations and any production tax credits of the operator,  
29 on a forecast basis in a new proceeding structured similarly to its  
30 annual Energy Resource Recovery Account forecast proceeding  
31 with a subsequent true-up to actual costs and market revenues for  
32 the prior calendar year via an expedited Tier 3 advice letter process,  
33 provided that there shall be no further review of the reasonableness  
34 of costs incurred if actual costs are below 115 percent of the  
35 forecasted costs. All costs shall be recovered as an operating  
36 expense and shall not be eligible for inclusion in the operator's  
37 rate base.

38 (2) As the result of any significant one-time capital expenditures  
39 during the extended operation period, the commission may  
40 authorize, and the operator may propose, cost recovery of these

1 expenditures as operating expenses amortized over more than one  
2 year for the purpose of reducing rate volatility, at an amortization  
3 interest rate determined by the commission. The commission shall  
4 allow cost recovery if the costs and expenses are just and  
5 reasonable. Those costs and expenses are just and reasonable if  
6 the operator's conduct is consistent with the actions that a  
7 reasonable utility would have undertaken in good faith under  
8 similar circumstances, at the relevant point in time and with  
9 information that the operator should have known at the relevant  
10 point in time.

11 (3) If, as a result of the annual true-up for extended operations  
12 in paragraph (1), the commission determines that market revenues  
13 for the prior year exceeded the annual costs and expenses, including  
14 those in subdivisions (f) and (g), the commission shall direct that  
15 any available surplus revenues in an account created under  
16 subdivision (e) be credited solely to customers in the operator's  
17 service territory. For customers outside the operator's service  
18 territory, market revenues may be credited up to, but not to exceed,  
19 their respective annual costs and expenses. If excess funds remain  
20 in an account created under subdivision (e) as a result of market  
21 revenues exceeding costs and expenses in the final year of the  
22 extended operating period, after truing up the final operating year's  
23 market revenues against costs and expenses, the remaining funds  
24 shall be the sole source of loan repayment per the requirements  
25 provided under Chapter 6.3 (commencing with Section 25548) of  
26 Division 15 of the Public Resources Code, except that any federal  
27 funds received as described in paragraph ~~(2)~~ (1) of subdivision ~~(b)~~  
28 (c) of Section 25548.3 of the Public Resources Code shall also be  
29 used to repay the loan. Ratepayer funds shall not otherwise be used  
30 in any manner to repay the loan provided for under Chapter 6.3  
31 (commencing with Section 25548) of Division 15 of the Public  
32 Resources Code.

33 (i) (1) During any unplanned outage periods, the commission  
34 shall authorize the operator to recover reasonable replacement  
35 power costs, if incurred, associated with Diablo Canyon powerplant  
36 operations. If the commission finds that replacement power costs  
37 incurred when a unit is out of service due to an unplanned outage  
38 are the result of a failure of the operator to meet the reasonable  
39 manager standard, then the commission shall authorize payment  
40 of the replacement power costs from the Diablo Canyon Extended

1 Operations liquidated damages balancing account described in  
2 subdivision (g).

3 (2) After commencing payments from the Diablo Canyon  
4 Extended Operations liquidated damages balancing account under  
5 the conditions described in paragraph (1), the commission shall  
6 authorize the replenishment of the Diablo Canyon Extended  
7 Operations liquidated damages balancing account in the amount  
8 of twelve million five hundred thousand dollars (\$12,500,000) for  
9 each unit for each month up to a maximum account balance of  
10 three hundred million dollars (\$300,000,000).

11 (j) If the commission finds that the operator is requesting  
12 recovery of costs that were previously authorized by the  
13 commission or other state or federal agency or paid to the operator  
14 for cost recovery, the commission may fine the operator an amount  
15 up to three times the amount of the penalty provided in Section  
16 2107 for each violation.

17 (k) If at any point during the license renewal process or extended  
18 operations period the operator believes that, as a result of an  
19 unplanned outage, an emergent operating risk, or a new compliance  
20 requirement, the cost of performing upgrades needed to continue  
21 operations of one or both units exceed the benefits to ratepayers  
22 of the continued operation of doing so, the operator shall promptly  
23 notify the commission. The commission shall promptly review  
24 and determine whether expending funds to continue operations is  
25 reasonable, will remain beneficial to ratepayers, and is in the public  
26 interest or direct the operator to cease operations. The operator  
27 shall take all actions necessary to safely operate or maintain the  
28 Diablo Canyon powerplant pending the commission determination.

29 (l) (1) Any costs the commission authorizes the operator to  
30 recover in rates under this section shall be recovered on a fully  
31 nonbypassable basis from customers of all load-serving entities  
32 subject to the commissions's jurisdiction, as determined by the  
33 commission, except as otherwise provided in this section. The  
34 recovery of these nonbypassable costs by the load-serving entities  
35 shall be based on each customer's gross consumption of electricity  
36 regardless of a customer's net metering status or purchase of  
37 electric energy and service from an electric service provider,  
38 community choice aggregator, or other third-party source of electric  
39 energy or electricity service.

1 (2) The commission shall establish mechanisms, including  
2 authorizing balancing and memorandum accounts and, as needed,  
3 agreements with, or orders with respect to, electrical corporations,  
4 community choice aggregators, and electric service providers, to  
5 ensure that the revenues received to pay a charge or cost payable  
6 pursuant to this section are recovered in rates from those entities  
7 and promptly remitted to the entity entitled to those revenues.

8 (m) This section does not alter the recovery of costs, including  
9 those previously approved by the commission, to operate Diablo  
10 Canyon Units 1 and 2 until the current expiration dates.

11 (n) The commission shall halt disbursements from the Diablo  
12 Canyon Nuclear Decommissioning Non-Qualified Trust, excluding  
13 refunds to ratepayers.

14 (o) The commission, in consultation with the relevant federal  
15 and state agencies and appropriate California Native American  
16 tribes, shall, in a new or existing proceeding, determine the  
17 disposition of the Diablo Canyon powerplant real property and its  
18 surrounding real properties owned by the applicable public utility  
19 or any legally related, affiliated, or associated companies, in a  
20 manner that best serves the interests of the local community,  
21 ratepayers, California Native America tribes, and the state. It is  
22 the intent of the Legislature that the existing efforts to transfer  
23 lands owned by the operator and Eureka Energy shall not be  
24 impeded by the extension of the Diablo Canyon powerplant.

25 (p) Except as otherwise provided in this section, this section  
26 does not alter or limit any proceeding of the commission relating  
27 to the decommissioning of the Diablo Canyon powerplant.

28 (q) The Legislature finds and declares that the purpose of the  
29 extension of the Diablo Canyon powerplant operations is to protect  
30 the state against significant uncertainty in future demand resulting  
31 from the state’s greenhouse-gas-reduction efforts involving  
32 electrification of transportation and building energy end uses and  
33 regional climate-related weather phenomenon, and to address the  
34 risk that currently ordered procurement will be insufficient to meet  
35 this supply or that there may be delays in bringing the ordered  
36 resources online on schedule. Consequently, the continued  
37 operation of Diablo Canyon Units 1 and 2 beyond their current  
38 expiration dates shall not be factored into the analyses used by the  
39 commission or by load-serving entities not subject to the  
40 commission’s jurisdiction when determining future generation and

1 transmission needs to ensure electrical grid reliability and to meet  
 2 the state’s greenhouse-gas-emissions reduction goals. To the extent  
 3 the commission decides to allocate any benefits or attributes from  
 4 extended operations of the Diablo Canyon powerplant, the  
 5 commission may consider the higher cost to customers in the  
 6 operator’s service area.

7 ~~(r) Notwithstanding Section 10231.5 of the Government Code,~~  
 8 ~~in coordination with the Energy Commission, the Independent~~  
 9 ~~System Operator, and the Department of Water Resources, the~~  
 10 ~~commission shall submit, in accordance with Section 9795 of the~~  
 11 ~~Government Code, a report to the Legislature each year on the~~  
 12 ~~status of new resource additions and revisions to the state’s electric~~  
 13 ~~demand forecast, and the impact of these updates on the need for~~  
 14 ~~keeping the Diablo Canyon powerplant online.~~

15 ~~(s)~~

16 (r) Any sale, mortgage, transfer of operational control, or any  
 17 other encumbrance of disposition of the Diablo Canyon powerplant  
 18 shall continue to be subject to Article 6 (commencing with Section  
 19 851).

20 ~~(t)~~

21 (s) (1) The operator shall submit to the commission for its  
 22 review, on an annual basis the amount of compensation earned  
 23 under paragraph (5) of subdivision (f), how it was spent, and a  
 24 plan for prioritizing the uses of such compensation the next year.  
 25 Such compensation shall not be paid out to shareholders. Such  
 26 compensation, to the extent it is not needed for Diablo Canyon,  
 27 shall be spent to accelerate, or increase spending on, the following  
 28 critical public purpose priorities:

29 (A) Accelerating customer and generator interconnections.

30 (B) Accelerating actions needed to bring renewable and  
 31 zero-carbon energy online and modernize the electrical grid.

32 (C) Accelerating building decarbonization.

33 (D) Workforce and customer safety.

34 (E) Communications and education.

35 (F) Increasing resiliency and reducing operational and system  
 36 risk.

37 (2) The operator shall not earn a rate of return for any of the  
 38 expenditures described in paragraph (1) so that no profit shall be  
 39 realized by the operator’s shareholders. Neither the operator nor  
 40 any of its affiliates or holding company may increase existing



1 public earning per share guidance as a result of compensation  
2 provided under this section. The commission shall ensure no double  
3 recovery in rates.

4 ~~(t)~~

5 (t) The commission shall verify at the conclusion of extended  
6 operations that the operator's sole compensation during the period  
7 of extended operations is limited to and in accordance with  
8 paragraphs (5) and (6) of subdivision (f) and shall be in lieu of a  
9 rate-based return on investment in the Diablo Canyon powerplant.  
10 Any excess funds remaining in an account created under  
11 subdivision (e) as a result of market revenues exceeding costs and  
12 expenses across the extended operating period, after truing up the  
13 final operating year's market revenues against costs and expenses,  
14 following loan repayment under paragraph (3) of subdivision (h),  
15 shall not be paid out to shareholders. Instead, such excess funds  
16 shall be returned in full to customers in a manner to be determined  
17 by the commission, except that any funds remaining in the Diablo  
18 Canyon Extended Operations liquidated damages balancing account  
19 specified in subdivisions (g) and (i), shall be returned to customers  
20 in the operator's service territory in a manner to be determined by  
21 the commission.

22 ~~(v)~~

23 (u) The efforts to transfer lands owned by the operator and  
24 Eureka Energy, including North Ranch, Parcel P, South Ranch,  
25 and Wild Cherry Canyon, shall not be impeded by the extension  
26 of the operation of the Diablo Canyon powerplant.

27 ~~(w)~~

28 (v) In the event of a final determination by the United States  
29 Department of Energy that the Diablo Canyon powerplant is not  
30 eligible for the Civil Nuclear Credit Program established by Section  
31 18753 of Title 42 of the United States Code, subdivisions (d) to  
32 (m), inclusive, (p), (q), ~~(t)~~, (s), and ~~(t)~~(t) shall cease to be operative,  
33 and the commission shall instead undertake ordinary ratemaking  
34 with respect to the Diablo Canyon powerplant.

35 *SEC. 7. Section 910.4 of the Public Utilities Code is amended*  
36 *to read:*

37 910.4. By February 1 of each year, the commission shall report  
38 to the Joint Legislative Budget Committee and appropriate fiscal  
39 and policy committees of the Legislature, on all sources and  
40 amounts of funding and actual and proposed expenditures, both

1 in the two prior fiscal years and for the proposed fiscal year,  
2 including any costs to ratepayers, related to ~~both~~ *all* of the  
3 following:

4 (a) Entities or programs established by the commission by order,  
5 decision, motion, settlement, or other action, including, but not  
6 limited to, the California Clean Energy Fund, the California  
7 Emerging Technology Fund, and the Pacific Forest and Watershed  
8 Lands Stewardship Council. The report shall contain descriptions  
9 of relevant issues, including, but not limited to, all of the following:

10 (1) Any governance structure established for an entity or  
11 program.

12 (2) Any staff or employees hired by or for the entity or program  
13 and their salaries and expenses.

14 (3) Any staff or employees transferred or loaned internally or  
15 interdepartmentally for the entity or program and their salaries and  
16 expenses.

17 (4) Any contracts entered into by the entity or program, the  
18 funding sources for those contracts, and the legislative authority  
19 under which the commission entered into the contract.

20 (5) The public process and oversight governing the entity or  
21 program's activities.

22 (b) Entities or programs established by the commission, other  
23 than those expressly authorized by statute, under the following  
24 sections:

25 (1) Section 379.6.

26 (2) Section 399.8.

27 (3) Section 739.1.

28 (4) Section 2790.

29 (5) Section 2851.

30 (6) Section 921.1.

31 (7) Section 922.

32 (c) *Upon an entity ceasing operations, or a program ending,*  
33 *because its activities, including receiving revenue or making*  
34 *expenditures, have concluded, commission reporting on the entity*  
35 *or program pursuant to this section shall continue for the*  
36 *subsequent two fiscal years following the entity ceasing operations*  
37 *or the program ending. Following those subsequent two fiscal*  
38 *years, the commission shall note in the report submitted pursuant*  
39 *to this section which entity ceased operations or program ended,*  
40 *and the commission shall not be subject to any other reporting*

1 obligations related to the entity or program pursuant to this  
2 section.

3 SEC. 8. Section 913.11 is added to the Public Utilities Code,  
4 to read:

5 913.11. (a) Notwithstanding Section 10231.5 of the  
6 Government Code, the commission, Energy Commission, and State  
7 Air Resources Board shall, in consultation with all California  
8 balancing authorities, as defined in subdivision (d) of Section  
9 399.12, as part of a public process, issue a joint report to the  
10 Legislature by January 1, 2021, and at least every four years  
11 thereafter.

12 (b) The joint report shall include all of the following:

13 (1) A review of the policy described in subdivision (a) of Section  
14 454.53, focused on technologies, forecasts, then-existing  
15 transmission, and maintaining safety, environmental and public  
16 safety protection, affordability, and system and local reliability.

17 (2) An evaluation identifying the potential benefits and impacts  
18 on system and local reliability associated with achieving the policy  
19 described in subdivision (a) of Section 454.53.

20 (3) An evaluation identifying the nature of any anticipated  
21 financial costs and benefits to electrical, gas, and water utilities,  
22 including customer rate impacts and benefits.

23 (4) The barriers to, and benefits of, achieving the policy  
24 described in subdivision (a) of Section 454.53.

25 (5) Alternative scenarios in which the policy described in  
26 subdivision (a) of Section 454.53 can be achieved and the estimated  
27 costs and benefits of each scenario.

28 SEC. 9. Section 913.14 is added to the Public Utilities Code,  
29 to read:

30 913.14. Notwithstanding Section 10231.5 of the Government  
31 Code, the commission, in coordination with the Energy  
32 Commission, the Independent System Operator, and the  
33 Department of Water Resources, shall annually submit a report  
34 to the Legislature on the status of new resource additions and  
35 revisions to the state's electric demand forecast and the impact of  
36 these new resource additions and revisions to the forecast on the  
37 need for keeping the Diablo Canyon powerplant online.

38 SEC. 10. Section 913.17 is added to the Public Utilities Code,  
39 to read:

1 913.17. *Notwithstanding Section 10231.5 of the Government*  
2 *Code, on or before December 1, 2023, and annually thereafter,*  
3 *the commission, in consultation with California balancing*  
4 *authorities, as defined in subdivision (d) of Section 399.12, and*  
5 *as part of, or an interim addendum to, the quadrennial joint report*  
6 *required pursuant to Section 913.11, as applicable, shall issue a*  
7 *joint reliability progress report that reviews system and local*  
8 *reliability within the context of the policy described in subdivision*  
9 *(a) of Section 454.53, with a particular focus on summer reliability.*  
10 *The joint reliability progress report shall identify challenges and*  
11 *gaps, if any, to achieving system and local reliability and identify*  
12 *the amount and cause of any delays to achieving compliance with*  
13 *all energy and capacity procurement requirements set by the*  
14 *commission.*

15 *SEC. 11. Section 80710 of the Water Code is amended to read:*

16 80710. (a) The department, in consultation with the  
17 commission, shall implement projects, purchases, and contracts  
18 to carry out the purposes of Chapter 8.9 (commencing with Section  
19 25790) of Division 15 of the Public Resources Code, including,  
20 but not limited to, the Distributed Electricity Backup Assets  
21 Program and the Demand Side Grid Support Program.

22 (b) (1) In furtherance of subdivision (a) and notwithstanding  
23 any other law, the department may construct, own and operate, or  
24 contract for the construction and operation of, contract for the  
25 purchase of electricity from, or finance through loans,  
26 reimbursement agreements, or other contracts actions to secure  
27 resources for summer reliability or to preserve the option to extend  
28 the life of only the following facilities:

29 (A) Extension of the operating life of existing nonnuclear  
30 generating facilities planned for retirement.

31 (B) New emergency and temporary power generators of five  
32 megawatts or more. If a generator is operated using diesel fuel,  
33 the department shall not operate it after July 31, 2023.

34 (C) New energy storage systems that are located outside of the  
35 coastal zone and the jurisdiction of the San Francisco Bay  
36 Conservation and Development Commission, of 20 megawatts or  
37 more, that are capable of discharging for at least two hours, and  
38 with an operational date no later than December 31, 2024.

39 (D) Generation facilities that are located outside of the coastal  
40 zone and the jurisdiction of the San Francisco Bay Conservation

1 and Development Commission and use clean, zero-emission fuel  
2 technology of any size to produce electricity.

3 (E) Supporting the development of zero-emission generation  
4 capacity with a point of interconnection at a California balancing  
5 authority, with the majority of its capacity contracted for by a  
6 load-serving entity that has a service area primarily in California,  
7 with an operational date no later than December 31, 2024. For  
8 purposes of this subparagraph, only a facility with a net qualifying  
9 capacity of at least 50 percent of its nameplate capacity, as  
10 estimated at 8:00 p.m. on a date in September, shall be eligible.

11 (2) In furtherance of subdivision (a) of Section 80700, the  
12 department may reimburse electrical corporations, as defined in  
13 Section 218 of the Public Utilities Code, for the value of imported  
14 energy or import capacity products that was (A) delivered or  
15 capable of being delivered between July 1, 2022, and on or before  
16 September 30, 2022, and (B) was procured at above-market costs  
17 or in excess of procurement authorizations set by the Public  
18 Utilities Commission and above the requirements needed to serve  
19 its bundled customers in support of summer electric service  
20 reliability.

21 (c) Facilities constructed by the department or under a contract  
22 with the department pursuant to this division that use any form of  
23 fossil fuel shall only operate as necessary to respond to extreme  
24 events, as defined in subdivision (b) of Section 25790.5 of the  
25 Public Resources Code, and shall not operate at any other time.

26 (d) Facilities constructed by the department or under a contract  
27 with the department pursuant to this division shall not constitute  
28 State Water Resources Development System facilities under  
29 Chapter 8 (commencing with Section 12930) of Part 6 of Division  
30 6.

31 (e) (1) The department shall consult with the commission, the  
32 Public Utilities Commission, the Independent System Operator or  
33 other applicable California balancing authorities, and the State Air  
34 Resources Board in carrying out the purposes of this division.

35 (2) Beginning October 1, 2022, and at least every three months  
36 thereafter, the department shall provide an update on the  
37 investments made and being considered into the strategic reliability  
38 reserve at a commission business meeting. The President of the  
39 Public Utilities Commission or the president's designee and the

1 President of the Independent System Operator or the president’s  
 2 designee shall attend the presentation.

3 (3) The department shall prioritize investments that do not  
 4 compete with generating facilities already planned for development  
 5 and disclosed by load-serving entities or local publicly owned  
 6 electric utilities.

7 (4) In fulfilling the requirements of this division to achieve  
 8 electricity reliability, the department shall prioritize investments  
 9 in feasible, cost-effective zero-emission resources, and then  
 10 feasible, cost-effective conventional resources.

11 (f) The department shall develop, execute, and implement  
 12 contracts covering power generation, operation and maintenance,  
 13 fuel management, site leases, power settlements, invoice  
 14 verification, billing, and other associated items. The department  
 15 shall also enter into contracts for external services to provide  
 16 specialized expertise.

17 (g) (1) Contracts entered into pursuant to this division,  
 18 amendments to those contracts during their terms, or contracts for  
 19 services reasonably related to those contracts, and entered on or  
 20 before December 31, 2023, shall not be subject to competitive  
 21 bidding or any other state contracting requirements, shall not  
 22 require the review, consent, or approval of the Department of  
 23 General Services or any other state department or agency, and are  
 24 not subject to the requirements of the State Contracting Manual,  
 25 the Public Contract Code, or the personal services contracting  
 26 requirements of Article 4 (commencing with Section 19130) of  
 27 Chapter 5 of Part 2 of Division 5 of Title 2 of the Government  
 28 Code.

29 (2) This subdivision shall not apply to any contract, grant, or  
 30 loan entered into for purposes of this chapter that does not directly  
 31 contribute to electrical grid reliability by October 31, 2027.

32 (3) This subdivision is inoperative December 1, 2026.

33 (h) For contracts entered into pursuant to this division,  
 34 amendments to those contracts during their terms, or contracts for  
 35 services reasonably related to those contracts, and executed after  
 36 December 31, 2023, Sections 10295, 10297, and 10340 of the  
 37 Public Contact Code do not apply to a contract that meets the  
 38 conditions established by the department for those contracts.

39 (i) For contracts entered into pursuant to this division by the  
 40 department after October 31, 2022, the department shall notify the

1 commission *through an investment plan* of the terms, costs, and  
2 scope at a commission business meeting and the commission shall  
3 consider the investment plan for approval in a meeting held  
4 consistent with the terms of Chapter 3 (commencing with Section  
5 25200) of Division 15 of the Public Resources Code. No less than  
6 10 days after the commission approves the ~~contract, grant,~~  
7 ~~investment, or loan,~~ *investment plan*, the executive director of the  
8 commission shall give written notice to the Joint Legislative Budget  
9 Committee of the action.

10 (j) A contract entered into, or an approval granted by, the  
11 department pursuant to this division is not subject to the California  
12 Environmental Quality Act (Division 13 (commencing with Section  
13 21000) of the Public Resources Code) and regulations adopted  
14 pursuant to that act.

15 (k) The department may adopt guidelines to implement this  
16 division. The Administrative Procedure Act (Chapter 3.5  
17 (commencing with Section 11340) of Part 1 of Division 3 of Title  
18 2 of the Government Code) does not apply to any regulation or  
19 guidelines adopted by the department pursuant to this division.

20 *SEC. 12. The Legislature finds and declares that a special*  
21 *statute is necessary and that a general statute cannot be made*  
22 *applicable within the meaning of Section 16 of Article IV of the*  
23 *California Constitution because of the unique circumstances*  
24 *impacting the Diablo Canyon powerplant, as described in Chapter*  
25 *6.3 (commencing with Section 25548) of Division 15 of the Public*  
26 *Resources Code.*

27 *SEC. 13. No reimbursement is required by this act pursuant*  
28 *to Section 6 of Article XIII B of the California Constitution because*  
29 *the only costs that may be incurred by a local agency or school*  
30 *district will be incurred because this act creates a new crime or*  
31 *infraction, eliminates a crime or infraction, or changes the penalty*  
32 *for a crime or infraction, within the meaning of Section 17556 of*  
33 *the Government Code, or changes the definition of a crime within*  
34 *the meaning of Section 6 of Article XIII B of the California*  
35 *Constitution.*

36 ~~SECTION 1. Section 353.2 of the Public Utilities Code is~~  
37 ~~repealed.~~

38 ~~SEC. 2. Section 1002.3 of the Public Utilities Code is amended~~  
39 ~~to read:~~

1 ~~1002.3. In considering an application for a certificate for an~~  
2 ~~electric transmission facility pursuant to Section 1001, the~~  
3 ~~commission shall consider cost-effective alternatives to~~  
4 ~~transmission facilities that meet the need for an efficient, reliable,~~  
5 ~~and affordable supply of electricity, including, but not limited to,~~  
6 ~~demand-side alternatives such as targeted energy efficiency and~~  
7 ~~other demand reduction resources.~~

O