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CHIEF ADMINISTRATIVE OFFICER
DEBRA GRAVERT

Assembly
California Legislature
Committee on Rules

KEN COOLEY
CHAIR

Thursday, April 21, 2022
8:45 a.m.
State Capitol, Room 437

CONSENT AGENDA

VICE CHAIR
WALDRON, MARIE

MEMBERS
BENNETT, STEVE
FLORA, HEATH
FONG, MIKE
GIPSON, MIKE A.
LEE, ALEX
MAIENSCHIN, BRIAN
MATHIS, DEVON J.
RUBIO, BLANCA E.
VILLAPUDUA, CARLOS

LEVINE, MARC (D-ALT)
VALLADARES, SUZETTE
MARTINEZ (R-ALT)

BILL REFERRALS

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RESOLUTIONS

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REGULAR AGENDA

7. AJR-27 (Nazarian) Armenian, Assyrian, and Greek Genocide. [Page 34](#)



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BLANCA E. RUBIO
CARLOS VILLAPUDUA

MARC LEVINE (D-ALT.)
SUZETTE VALLADARES (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 4/20/2022
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, ACR 178 and ACR 179 have been added to the list of referrals.

REFERRAL OF BILLS TO COMMITTEE

04/21/2022

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

<u>Assembly Bill No.</u>	<u>Committee:</u>
<u>ACR 174</u>	A.,E.,S.,T., & I.M.
<u>ACR 175</u>	RLS.
<u>ACR 177</u>	TRANS.
<u>ACR 178</u>	RLS.
<u>ACR 179</u>	RLS.
<u>HR 105</u>	RLS.
<u>HR 106</u>	RLS.
<u>SCA 2</u>	H. & C.D.
<u>SCA 2</u>	APPR.
<u>SCR 85</u>	RLS.
<u>SCR 87</u>	RLS.
<u>SJR 11</u>	P.E. & R.

Assembly Concurrent Resolution

No. 170

Introduced by Assembly Members Gabriel, Bauer-Kahan, Berman, Bloom, Friedman, Levine, Medina, Nazarian, Blanca Rubio, and Ward

(Principal coauthors: Senators Allen, Becker, Glazer, Hertzberg, Newman, Rubio, Stern, and Wiener)

March 30, 2022

Assembly Concurrent Resolution No. 170—Relative to California Holocaust Memorial Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 170, as introduced, Gabriel. California Holocaust Memorial Day.

This measure would proclaim April 28, 2022, as California Holocaust Memorial Day, and would urge all Californians to observe this day of remembrance for the victims of the Holocaust in an appropriate manner.

Fiscal committee: no.

- 1 WHEREAS, The Holocaust was a tragedy of proportions the
2 world had never before witnessed; and
3 WHEREAS, More than 70 years have passed since the tragic
4 events that we now refer to as the Holocaust transpired, in which
5 the dictatorship of Nazi Germany murdered six million Jews as
6 part of a systematic program of genocide known as “The Final
7 Solution to the Jewish Question”; and
8 WHEREAS, Jews were the primary victims of the Holocaust,
9 but they were not alone. Millions of other people were murdered
10 in Nazi concentration camps as part of a carefully orchestrated,

1 state-sponsored program of cultural, social, and political
2 annihilation under the Nazi regime; and

3 WHEREAS, We must recognize the heroism of those who
4 resisted the Nazis and provided assistance to the victims of the
5 Nazi regime, including the many American soldiers who liberated
6 concentration camps and provided comfort to those suffering; and

7 WHEREAS, We must teach our children, and future generations,
8 that the individual and communal acts of heroism during the
9 Holocaust serve as a powerful example of how our nation and its
10 citizens can, and must, respond to acts of hatred and inhumanity;
11 and

12 WHEREAS, We must always remind ourselves of the horrible
13 events of the Holocaust and remain vigilant against antisemitism,
14 racism, hatred, persecution, and tyranny of all forms lest these
15 atrocities be repeated; and

16 WHEREAS, In recent years, public displays of antisemitism
17 and antisemitic incidents have increase dramatically in California
18 and around the world; and

19 WHEREAS, We, the people of California, should actively
20 rededicate ourselves to the principles of equality, human rights,
21 individual freedom, and equal protection under the laws of a just
22 and democratic society; and

23 WHEREAS, Each person in California should set aside moments
24 of their time every year to give remembrance to those who lost
25 their lives in the Holocaust; and

26 WHEREAS, The United States Holocaust Memorial Council
27 recognizes the Days of Remembrance of the Victims of the
28 Holocaust, including Holocaust Remembrance Day, known as
29 Yom Hashoah; and

30 WHEREAS, According to Elie Wiesel, a Holocaust survivor
31 and nationally recognized scholar, “a memorial unresponsive to
32 the future would violate the memory of the past”; now, therefore,
33 be it

34 *Resolved by the Assembly of the State of California, the Senate*
35 *thereof concurring*, That the Legislature proclaims April 28, 2022,
36 as “California Holocaust Memorial Day,” and that Californians
37 are urged to observe this day of remembrance for victims of the
38 Holocaust in an appropriate manner; and be it further

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

O

Date of Hearing: April 21, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 170 (Gabriel) – As Introduced March 30, 2022

SUBJECT: California Holocaust Memorial Day.

SUMMARY: Proclaims April 28, 2022, as “California Holocaust Memorial Day,” and urges Californians to observe this day of remembrance for victims of the Holocaust in an appropriate manner. Specifically, **this resolution** makes the following legislative findings:

- 1) More than 70 years have passed since the tragic events we now refer to as the Holocaust transpired, in which six million Jews and five million other people were murdered as part of a carefully orchestrated, state-sponsored program of cultural, social, and political annihilation under the Nazi regime.
- 2) We must recognize the heroism of those who resisted the Nazis and provided assistance to the victims of the Nazi regime, including the many American soldiers who liberated concentration camps and provided comfort to those suffering.
- 3) We must teach our children, and future generations, that the individual and communal acts of heroism during the Holocaust serve as a powerful example of how our nation and its citizens can, and must, respond to acts of hatred and inhumanity.
- 4) The people of California should actively rededicate ourselves to the principles of equality, human rights, individual freedom, and equal protection under the laws of a just and democratic society. Each person in California should set aside moments of their time every year to give remembrance to those who lost their lives in the Holocaust.
- 5) The United States Holocaust Memorial Council recognizes the Days of Remembrance of the Victims of the Holocaust, including Holocaust Remembrance Day, known as Yom Hashoah.

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. 81

**Introduced by Assembly Members Cervantes, Bauer-Kahan, and
Carrillo**

January 14, 2022

House Resolution No. 81—Relative to sexual assault.

1 WHEREAS, In 2019, California rape crisis centers provided
2 direct crisis intervention services to 40,039 individuals and
3 provided community education for 179,061 people; and
4 WHEREAS, People of all genders and ages are victims of sexual
5 assault, and it is estimated that nearly one in two women and one
6 in five men experience sexual violence other than rape throughout
7 their lifetime; and
8 WHEREAS, The National Intimate Partner and Sexual Violence
9 Survey reports that there are over 22 million survivors of rape
10 throughout the United States, with 2 million of those survivors of
11 rape currently living in the State of California; and
12 WHEREAS, According to ValorCalifornia, formerly the
13 California Coalition Against Sexual Assault, at least an estimated
14 one million California residents are known to be sexually assaulted
15 each year; and
16 WHEREAS, Rape and sexual assault impact people of all racial,
17 cultural, and economic backgrounds; and
18 WHEREAS, People of all genders and ages suffer multiple types
19 of sexual violence, including acquaintance rape, stranger rape,
20 sexual assault by an intimate partner, gang rape, incest, serial rape,
21 sexual harassment, child sexual abuse, sex trafficking, and stalking;
22 and

1 WHEREAS, In addition to the immediate physical and emotional
2 costs, sexual assault survivors too frequently suffer from severe
3 and long-lasting consequences, such as posttraumatic stress
4 disorder, substance abuse, major depression, homelessness, eating
5 disorders, low self-esteem, and suicide; and

6 WHEREAS, The federal Centers for Disease Control and
7 Prevention has identified sexual assault as a significant, costly,
8 and preventable health issue; and

9 WHEREAS, A coalition of rape crisis centers and their allies,
10 known as ValorCalifornia, continues to directly confront this crisis
11 with the cooperation of community advocates, health care
12 providers, institutions of higher education, law enforcement, and
13 other allied professionals from California’s diverse communities;
14 and

15 WHEREAS, It is our responsibility to support all rape survivors
16 by treating them with dignity, compassion, and respect; and

17 WHEREAS, It is important to recognize the compassion and
18 dedication of the individuals involved in this effort, applaud their
19 commitment to foster healing, and increase public understanding
20 of this significant problem; and

21 WHEREAS, It is important to recognize the strength, courage,
22 and challenges of the victims and survivors of sexual assault and
23 their families and friends as they struggle to cope with the reality
24 of sexual assault; and

25 WHEREAS, It is important to recognize that not all victims of
26 sexual assault survive, either at the time of the assault or later, due
27 to the horrific long-term trauma that sexual assault often inflicts
28 upon victims; and

29 WHEREAS, There are rape prevention and education efforts
30 underway throughout California to challenge the societal myths
31 and behaviors that perpetuate rape and to engage communities in
32 a common goal of ending sexual assault; and

33 WHEREAS, It is crucial to hold perpetrators responsible for
34 sexual attacks, and to prevent sexual violence at every opportunity;
35 and

36 WHEREAS, In 1998, the Italian Supreme Court overturned the
37 conviction of a man who sexually assaulted an 18-year-old woman
38 after the court determined that, “because the victim wore very,
39 very tight jeans, she had to help him remove them, and by removing
40 the jeans it was no longer rape but consensual sex”; and

1 WHEREAS, Enraged by the court decision, within a matter of
2 hours, the women in the Italian Parliament launched into immediate
3 action and protested by wearing jeans to work; and

4 WHEREAS, Nations and states throughout the world have
5 followed the lead of the Italian Parliament by designating their
6 own “Denim Day” to raise public awareness about rape and sexual
7 assault; and

8 WHEREAS, Harmful attitudes about rape and sexual assault
9 allow these crimes to persist and allow survivors to be revictimized
10 through victim-blaming attitudes and sometimes unresponsive
11 government systems; and

12 WHEREAS, California is a national leader in promoting
13 victim-centered approaches within the judicial, criminal justice,
14 medical, rape crisis, and health communities; and

15 WHEREAS, In 2021, California joined the States of New
16 Hampshire and Florida in fulfilling the promise of Denim Day by
17 approving and enacting Assembly Bill 939 (Chapter 529 of the
18 Statutes of 2021), which prohibits a survivor’s manner of dress
19 from serving as evidence of consent in sexual assault cases; now,
20 therefore, be it

21 *Resolved by the Assembly of the State of California, That the*
22 *Assembly designates the month of April 2022 as Sexual Assault*
23 *Awareness Month; and be it further*

24 *Resolved, That the Assembly recognizes April 27, 2022, as*
25 *Denim Day in California and encourages everyone to wear jeans*
26 *on that day to help communicate the message that there is no*
27 *excuse for, and never an invitation to commit, rape; and be it*
28 *further*

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

O

Date of Hearing: April 21, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 81 (Cervantes) – As Introduced January 14, 2022

SUBJECT: Sexual assault.

SUMMARY: Designates the month of April 2022 as Sexual Assault Awareness Month, and recognizes April 27, 2022, as Denim Day in California. Specifically, **this resolution** makes the following legislative findings:

- 1) In 2019, California rape crisis centers provided direct crisis intervention services to 40,039 individuals and provided community education for 179,061 people.
- 2) The National Intimate Partner and Sexual Violence Survey reports that there are over 22 million survivors of rape throughout the United States with 2 million of those survivors of rape currently living in the State of California.
- 3) People of all genders and ages are victims of sexual assault, and it is estimated that nearly one in two women and one in five men experience sexual violence other than rape throughout their lifetime; and, they suffer multiple types of sexual violence, including acquaintance rape, stranger rape, sexual assault by an intimate partner, gang rape, incest, serial rape, sexual harassment, child sexual abuse, sex trafficking, and stalking.
- 4) The federal Centers for Disease Control and Prevention has identified sexual assault as a significant, costly, and preventable health issue.
- 5) A coalition of rape crisis centers and their allies, known as ValorCalifornia, continues to directly confront this crisis with the cooperation of community advocates, health care providers, institutions of higher education, law enforcement, and other allied professionals from California's diverse communities.
- 6) It is our responsibility to support all rape survivors by treating them with dignity, compassion, and respect. There are rape prevention and education efforts underway throughout California to challenge the societal myths and behaviors that perpetuate rape and to engage communities in a common goal of ending sexual assault.
- 7) In 1998, the Italian Supreme Court overturned the conviction of a man who sexually assaulted an 18-year-old woman after the court determined that, "because the victim wore very, very tight jeans, she had to help him remove them, and by removing the jeans it was no longer rape but consensual sex." Enraged by the court decision, within a matter of hours, the women in the Italian Parliament launched into immediate action and protested by wearing jeans to work.
- 8) Nations and states throughout the world have followed the lead of the Italian Parliament by designating their own "Denim Day" to raise public awareness about rape and sexual assault.

- 9) Harmful attitudes about rape and sexual assault allow these crimes to persist and allow survivors to be revictimized through victim-blaming attitudes and sometimes unresponsive government systems.
- 10) California is a national leader in promoting victim-centered approaches within the judicial, criminal justice, medical, rape crisis, and health communities.
- 11) In 2021, California joined the States of New Hampshire and Florida in fulfilling the promise of Denim Day by approving and enacting Assembly Bill 939 (Chapter 529 of the Statutes of 2021), which prohibits a survivor's manner of dress from serving as evidence of consent in sexual assault cases.

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. 87

Introduced by Assembly Member Mullin

February 14, 2022

House Resolution No. 87—Relative to Tardive Dyskinesia Awareness Week.

1 WHEREAS, Many people with serious, chronic mental illness,
2 such as schizophrenia and other schizoaffective disorders, bipolar
3 disorder, or severe depression, require treatment with medications
4 that work as dopamine receptor blocking agents (DRBAs),
5 including antipsychotics; and

6 WHEREAS, While ongoing treatment with these medications
7 can be very helpful, and even lifesaving, for many people, it can
8 also lead to Tardive Dyskinesia (TD); and

9 WHEREAS, Many people who have gastrointestinal disorders,
10 including gastroparesis, nausea, and vomiting, also require
11 treatment with DRBAs; and

12 WHEREAS, Treatment of gastrointestinal disorders with DRBAs
13 can be very helpful, but for many patients can lead to TD; and

14 WHEREAS, TD is a movement disorder that is characterized
15 by random, involuntary, and uncontrolled movements of different
16 muscles in the face, trunk, and extremities. In some cases, people
17 may experience movement of the arms, legs, fingers, and toes. In
18 some cases, it may affect the tongue, lips, and jaw. In other cases,
19 symptoms may include swaying movements of the trunk or hips
20 and may impact the muscles associated with walking, speech,
21 eating, and breathing; and

22 WHEREAS, TD can develop months, years, or decades after a
23 person starts taking DRBAs, and even after they have discontinued

1 use of those medications. Not everyone who takes a DRBA
2 develops TD, but if it develops, it is often permanent; and

3 WHEREAS, Common risk factors for TD include advanced age
4 and alcoholism or other substance abuse disorders. Postmenopausal
5 women and people with a mood disorder are also at higher risk of
6 developing TD; and

7 WHEREAS, A person is at higher risk for TD after taking
8 DRBAs for three months or longer, but the longer the person is
9 on these medications, the higher the risk of developing TD; and

10 WHEREAS, Studies suggest that the overall risk of developing
11 TD following prolonged exposure to DRBAs is between 10 and
12 30 percent; and

13 WHEREAS, It is estimated that over 60,000 Californians suffer
14 from TD; and

15 WHEREAS, Years of difficult and challenging research have
16 resulted in scientific breakthroughs in the last year, with two new
17 treatments for TD approved by the United States Food and Drug
18 Administration. TD is often unrecognized and patients suffering
19 from the illness are commonly misdiagnosed. Regular screening
20 for TD in patients taking DRBA medications is recommended by
21 the American Psychiatric Association (APA); and

22 WHEREAS, Patients who take DRBAs should be regularly
23 evaluated by their health care providers to ensure that any signs
24 of TD are recognized. Health care providers should use the rating
25 scale recommended by the APA; and

26 WHEREAS, Patients suffering from TD often suffer
27 embarrassment due to abnormal and involuntary movements, which
28 leads them to withdraw from society and increasingly isolate
29 themselves as the disease progresses; and

30 WHEREAS, The caregivers of patients with TD face many
31 challenges and are often responsible for the overall care of the TD
32 patient; now, therefore, be it

33 *Resolved by the Assembly of the State of California, That the*
34 *Assembly proclaims the week of May 1, 2022, as Tardive*
35 *Dyskinesia Awareness Week, with the goal of raising awareness*
36 *of this potentially debilitating disease; and be it further*

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

O

Date of Hearing: April 21, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 87 (Mullin) – As Introduced February 14, 2022

SUBJECT: Tardive Dyskinesia Awareness Week.

SUMMARY: Proclaims the week of May 1, 2022, as Tardive Dyskinesia Awareness Week, to raise awareness of this potentially debilitating disease. Specifically, **this resolution** makes the following legislative findings:

- 1) Many people with serious, chronic mental illness, such as schizophrenia and other schizoaffective disorders, bipolar disorder, or severe depression, require treatment with medications that work as dopamine receptor blocking agents (DRBAs), including antipsychotics. While ongoing treatment with these medications can be very helpful, and even lifesaving, for many people, it can also lead to Tardive Dyskinesia (TD).
- 2) TD is a movement disorder that is characterized by random, involuntary, and uncontrolled movements of different muscles in the face, trunk, and extremities. In some cases, people may experience movement of the arms, legs, fingers, and toes. In some cases, it may affect the tongue, lips, and jaw. In other cases, symptoms may include swaying movements of the trunk or hips and may impact the muscles associated with walking, speech, eating, and breathing.
- 3) TD can develop months, years, or decades after a person starts taking DRBAs, and even after they have discontinued use of those medications. Not everyone who takes a DRBA develops TD, but if it develops, it is often permanent.
- 4) Common risk factors for TD include advanced age and alcoholism or other substance abuse disorders. Postmenopausal women and people with a mood disorder are also at higher risk of developing TD.
- 5) A person is at higher risk for TD after taking DRBAs for three months or longer, but the longer the person is on these medications, the higher the risk of developing TD. Studies suggest that the overall risk of developing TD following prolonged exposure to DRBAs is between 10 and 30 percent. It is estimated that over 60,000 Californians suffer from TD.
- 6) Years of difficult and challenging research have resulted in scientific breakthroughs in the last year, with two new treatments for TD approved by the United States Food and Drug Administration. TD is often unrecognized and patients suffering from the illness are commonly misdiagnosed. Regular screening for TD in patients taking DRBA medications is recommended by the American Psychiatric Association (APA).
- 7) Patients who take DRBAs should be regularly evaluated by their health care providers to ensure that any signs of TD are recognized. Health care providers should use a rating scale recommended by the APA.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Nielsen
(Coauthor: Assembly Member Gallagher)

March 14, 2022

Senate Concurrent Resolution No. 87—Relative to Enrolled Agents Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 87, as introduced, Nielsen. Enrolled Agents Day.

This measure would recognize April 15, 2022, as Enrolled Agents Day to commemorate the contributions that California’s professional enrolled agents have made for 50 years to taxpayers, businesses, and tax agencies.

Fiscal committee: no.

1 WHEREAS, The enrolled agent profession was created in 1884
2 at the end of the Civil War to represent citizens before the United
3 States Treasury Department. Since that time, the profession has
4 evolved with today’s enrolled agents being high-level tax
5 practitioners licensed by the Internal Revenue Service, thus
6 guaranteeing the highest standards of tax expertise; and
7 WHEREAS, In 1972, a group of enrolled agents formed the
8 founding chapter of an organization dedicated to enrolled agents
9 in Los Angeles. Within one year it was the largest organization of
10 enrolled agents in the nation and was the basis for what would
11 later become the National Association of Enrolled Agents. Seven
12 years later, the California Society of Enrolled Agents was formed;
13 and
14 WHEREAS, Enrolled agents have been at the forefront of
15 effective tax administration, working with both federal and state

1 tax agencies to ensure taxpayers comply with tax laws. Enrolled
2 agents assist taxpayers and business entities with the preparation
3 of the many required tax forms as well as more complex issues
4 like audits, liens, levies, appeals, and collections. Enrolled agents
5 have been an important asset to taxpayers and tax agencies in
6 California; and

7 WHEREAS, Their knowledge, professionalism, and integrity
8 make the enrolled agent “America’s Tax Expert.” Enrolled agents
9 deserve to be recognized for the efforts they have put forth since
10 1884 in serving California’s taxpayers; now, therefore, be it

11 *Resolved by the Senate of the State of California, the Assembly*
12 *thereof concurring*, That the Legislature of the State of California
13 hereby recognizes April 15, 2022, as Enrolled Agents Day to
14 commemorate the contributions that California’s professional
15 enrolled agents have made for 50 years to taxpayers, businesses,
16 and tax agencies; and be it further

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

O

Date of Hearing: April 21, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 87 (Nielsen) – As Introduced March 14, 2022

SENATE VOTE: 38-0

SUBJECT: Enrolled Agents Day.

SUMMARY: Recognizes April 15, 2022, as Enrolled Agents Day to commemorate the contributions that California’s professional enrolled agents have made for 50 years to taxpayers, businesses, and tax agencies. Specifically, **this resolution** makes the following legislative findings:

- 1) The enrolled agent profession was created in 1884 at the end of the Civil War to represent citizens before the United States Treasury Department. Since that time, the profession has evolved with today’s enrolled agents being high-level tax practitioners licensed by the Internal Revenue Service, thus guaranteeing the highest standards of tax expertise.
- 2) In 1972, a group of enrolled agents formed the founding chapter of an organization dedicated to enrolled agents in Los Angeles. Within one year it was the largest organization of enrolled agents in the nation and was the basis for what would later become the National Association of Enrolled Agents. Seven years later, the California Society of Enrolled Agents was formed.
- 3) Enrolled agents have been at the forefront of effective tax administration, working with both federal and state tax agencies to ensure taxpayers comply with tax laws. Enrolled agents assist taxpayers and business entities with the preparation of the many required tax forms as well as more complex issues like audits, liens, levies, appeals, and collections. Enrolled agents have been an important asset to taxpayers and tax agencies in California.
- 4) Their knowledge, professionalism, and integrity make the enrolled agent “America’s Tax Expert.”

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California Society of Enrolled Agents (CSEA)

Opposition

None on file

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



California Society of Enrolled Agents

California Society of Enrolled Agents
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www.csea.org

The Honorable Ken Cooley
Chair, Assembly Rules Committee
1021 O Street, Suite 8310
Sacramento, CA 95814

April 20, 2022

**SCR 87 (Nielsen)
SUPPORT**

Dear Assemblyman Cooley,

The **California Society of Enrolled Agents (CSEA)** is pleased to sponsor and support Senate Concurrent Resolution 87, which recognizes Enrolled Agents (EAs) for their valuable work in California in helping taxpayers comply with the tax code by resolving that April 15th is EA Day.

EAs have been at the forefront of effective tax administration working together with both federal and California tax agencies to help taxpayers comply with the tax code.

Since 1884, when the profession was created at the end of the Civil War to represent citizens before the US Treasury Department, through to 1979 with the creation of the CA Society of Enrolled Agents and up to today, EAs assist taxpayers and any type of business entity with the annual and periodic compliance filing of their tax return to more complex tax issues of audit, liens, levy, appeals and collections.

EAs have been an important asset to both the California taxpayers and to California's tax agencies. We commend Senator Nielsen and Assemblyman Gallagher for their effort to recognize Enrolled Agents who do so much to support California and fully support SCR 87.

Sincerely,

LESLIE CAIN
Executive Vice President
California Society of Enrolled Agents

The Tax Professionals

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WWW.SEN.CA.GOV/WIECKOWSKI

California State Senate

SENATOR
BOB WIECKOWSKI
TENTH SENATE DISTRICT



CHAIR
BUDGET SUBCOMMITTEE #2

MEMBER
APPROPRIATIONS
BUDGET AND FISCAL REVIEW
ENVIRONMENTAL QUALITY
HOUSING
JUDICIARY
TRANSPORTATION

March 30, 2022

Honorable Ken Cooley
Chair, Assembly Rules Committee
1021 O Street, Suite 6250
95814

Dear Chairman Cooley,

I write to respectfully request approval to add an urgency clause to SB 42, which renames a park in my district. The reason for my request is that, in order to carry out an appropriation already made to rename this park in the Budget Act of 2021, keeping in accordance with the fiscal calendar, it is necessary that this bill take effect immediately.

Thank you for your consideration of this request. Should you need more information, please contact my Chief of Staff, Heather Resetarits, at (408) 506 – 6561 or Heather.Resetarits@sen.ca.gov

Sincerely,

Robert A. Wieckowski

x

Bob Wieckowski



AMENDED IN ASSEMBLY MARCH 14, 2022

SENATE BILL

No. 42

Introduced by Senator Wieckowski

December 7, 2020

An act to add Section ~~25110.2.1~~ to, and to add Article 2.1 (commencing with Section 25125) to Chapter 6.5 of Division 20 of, ~~the Health and Safety Code, 1588 to the Fish and Game Code, and to amend the Budget Act of 2021 (Chapters 69 and 240 of the Statutes of 2021) by amending Section 19.57 of that act, relating to hazardous waste.~~ *fish and wildlife.*

LEGISLATIVE COUNSEL'S DIGEST

SB 42, as amended, Wieckowski. Department of ~~Toxic Substances Control; Board of Environmental Safety.~~ *Fish and Wildlife: Eden Landing Ecological Reserve.*

Existing law authorizes the Department of Fish and Wildlife, with the approval of the Fish and Game Commission, to, among other things, maintain, use, and administer land suitable for the purpose of establishing ecological reserves. The Budget Act of 2021 appropriated \$50,000 from the General Fund to the department to rename the "Eden Landing Ecological Reserve" the "Congressman Pete Stark Ecological Reserve."

This bill would amend the Budget Act of 2021 by revising "Congressman Pete Stark Ecological Reserve" to "Congressman Pete Stark Ecological Reserve at Eden Landing" within that appropriation and would rename the "Eden Landing Ecological Reserve," as specified in certain regulations, the "Congressman Pete Stark Ecological Reserve at Eden Landing." The bill would require the department to implement that name change and would provide that, notwithstanding any other

98

law, commission approval is not required for implementation of the name change.

~~Existing law provides that the Department of Toxic Substances Control regulates the handling and management of hazardous substances, materials, and waste. Existing law requires the department to, among other things, issue hazardous waste facilities permits to facilities handling hazardous waste and to enforce the requirements of the hazardous waste control laws.~~

~~This bill would establish the Board of Environmental Safety in the department. The bill would prescribe the membership of the board and would require the board to conduct no fewer than 6 public meetings per year. The bill would impose duties on the board, which would include, among others, hearing and deciding appeals of hazardous waste facility permit decisions; proposing statutory changes for hazardous waste management in the state; developing a multiyear schedule for long-term goals for specified department activities; and annually preparing and transmitting to the Secretary for Environmental Protection a review of the department's performance. The bill would establish an office of the ombudsperson in the board to receive complaints and suggestions from the public, to evaluate complaints, to report findings and make recommendations to the Director of Toxic Substances Control and the board, and to render assistance to the public.~~

~~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 1588 is added to the Fish and Game Code,
- 2 to read:
- 3 1588. (a) The "Eden Landing Ecological Reserve," as
- 4 specified in paragraph (52) of subdivision (b) of Section 630 of
- 5 Title 14 of the California Code of Regulations, as that section read
- 6 on January 1, 2022, is hereby renamed the "Congressman Pete
- 7 Stark Ecological Reserve at Eden Landing."
- 8 (b) The department shall implement the name change and,
- 9 notwithstanding Section 1580 or any other law, is not required to
- 10 obtain commission approval for implementation of the name
- 11 change.
- 12 SEC. 2. Section 19.57 of the Budget Act of 2021 is amended
- 13 to read:

1 SEC. 19.57. (a) The amounts appropriated pursuant to this
2 section reflect legislative priorities to be implemented by state
3 agencies.

4 (b) Each allocation in this section shall include a designated
5 state entity that shall allocate the funds to the recipients identified
6 or to be used for specified state operations purposes by the relevant
7 department for the state entity. The state entity shall determine the
8 best method for allocation to ensure the funds are used for the
9 purposes specified in this section.

10 (c) Notwithstanding any other law, allocations made pursuant
11 to this section shall be exempt from the personal services
12 contracting requirements of Article 4 (commencing with Section
13 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the
14 Government Code, from Part 2 (commencing with Section 10100)
15 of Division 2 of the Public Contract Code, and the State
16 Contracting Manual, and shall not be subject to the approval of
17 the Department of General Services, including as specified in
18 Chapter 6 (commencing with Section 14825) of Part 5.5 of Division
19 3 of Title 2 of the Government Code.

20 (d) If no item number for the appropriate department for a state
21 entity exists, and such an item number is required in order to make
22 the specified allocations, then item numbers may be created for
23 this purpose by the Department of Finance.

24 (e) The amounts specified in this subdivision are hereby
25 appropriated from the General Fund as follows:

26 (1) \$1,000,000 to the Government Operations Agency to
27 complete the Statewide Latina Impact Report and expand the
28 HOPE fellowship cohort for two years.

29 (2) \$24,750,000 to the California Workforce Investment Board
30 for the following purposes:

31 (A) \$5,000,000 to fund Rapid Digital Upskilling and Workforce
32 Development for Displaced Workers Pilot.

33 (B) \$15,000,000 for allocation on a one-time basis to Homeboy
34 Industries workforce job training.

35 (C) \$1,750,000 for allocation to the Los Angeles Cleantech
36 Incubator (LACI) for expanding workforce development for green
37 jobs and creating LACI's electric vehicle charging satellite training
38 center, including:

39 (i) \$1,500,000 to support trainee recruitment for workforce
40 development program and establish a satellite location.

- 1 (ii) \$250,000 for continued deployment of zero emission
- 2 mobility solutions in Leimert Park.
- 3 (D) \$3,000,000 for allocation to the East Palo Alto JobTrain
- 4 Center for Economic Mobility.
- 5 (3) \$1,000,000 to the Transportation Agency for a study of the
- 6 Gold Line extension to Burbank.
- 7 (4) \$9,800,000 to the Department of Transportation for the
- 8 following purposes:
- 9 (A) \$2,300,000 to upgrade pedestrian access and finalize a
- 10 complete streets project at the Louise Avenue U.S. Route 101
- 11 freeway over cross in Encino, while allowing the California
- 12 Transportation Commission to extend the deadline for State
- 13 Highway Operation and Protection Program funds.
- 14 (B) \$2,500,000 for mural restoration at the Chicano Park
- 15 Museum and Cultural Center in San Diego.
- 16 (C) \$5,000,000 for an Interstate 710 pedestrian walkway at
- 17 Florence Avenue in the City of Bell Gardens.
- 18 (5) \$17,200,000 to the State Department of Social Services for
- 19 the following purposes:
- 20 (A) \$1,400,000 for the Jewish Family Service of San Diego for
- 21 a Universal Basic Income pilot in San Diego.
- 22 (B) \$100,000 for San Diego Food Bank.
- 23 (C) \$200,000 for a community action partnership of San
- 24 Bernardino County Food Bank, Mobile Food Pantry Program.
- 25 (D) \$3,500,000 for Los Angeles Regional Food Bank for the
- 26 West Valley Community Center for Social Services.
- 27 (E) \$1,500,000 to the Food Bank of Contra Costa and Solano
- 28 Counties for expansion of the volunteer service area, including
- 29 improvements to the production line, storage, and safety, and for
- 30 purchase of additional trucks for delivery.
- 31 (F) \$500,000 for Feeding San Diego Food Bank.
- 32 (G) \$10,000,000 to assist refugees from Afghanistan.
- 33 (6) \$13,000,000 to the State Department of Public Health for
- 34 the Transgender Wellness and Equity Fund.
- 35 (7) \$250,000 to the Department of General Services for the
- 36 Sonoma Developmental Center Cemetery for Americans with
- 37 Disabilities Act parking and memorial improvements.
- 38 (8) \$11,487,000 to the Natural Resources Agency for the
- 39 following purposes:

1 (A) \$1,500,000 to the Natural Resources Agency for the Parks
2 and Recreation Oceanography Program.

3 (B) \$8,000,000 to the Natural Resource Agency to acquire
4 Banning Ranch in Orange County for the purpose of open space.

5 (C) \$1,000,000 to California Cultural and Historic Endowment
6 for the Lark Musical Society Cultural Annex.

7 (D) \$987,000 to the California Cultural and Historical
8 Endowment for replacement, repair, and improvements related to
9 the Great Wall of Los Angeles Mural.

10 (9) \$50,000 to the Department of Fish and Wildlife to rename
11 the “Eden Landing Ecological Reserve” the “Congressman Pete
12 Stark Ecological Reserve.” *Reserve at Eden Landing.*”

13 (10) \$10,000,000 to the Wildlife Conservation Board to acquire
14 Lone Pine Ranch.

15 (11) \$42,550,000 to the State Coastal Conservancy for the
16 following purposes:

17 (A) \$50,000 to the Beach Erosion Authority for Clean Oceans
18 and Nourishment for analysis of options for aligning regional
19 sediment management and sea level rise adaptation on behalf of
20 the California Coastal Sediment Management Workgroup.

21 (B) \$14,000,000 for the Santa Ana River Conservation Program.

22 (C) \$28,500,000 for West Coyote Hills.

23 (12) \$9,400,000 to the Department of Parks and Recreation for
24 the following purposes:

25 (A) \$1,500,000 for Mount Diablo State Park for bicycle
26 turn-outs in Mount Diablo State Park as described in Park District
27 Project 2019-05.

28 (B) \$4,500,000 for Point Sur State Historic Park for the
29 completion of bridges 4 and 5 and improvements to the Point Sur
30 Lighthouse.

31 (C) \$1,400,000 for the John Marsh Ranch House for preservation
32 and reconstruction of the historic John Marsh Ranch House at
33 Marsh Creek State Park in the County of Contra Costa.

34 (D) \$2,000,000 for deferred maintenance at Topanga State Park
35 and Will Rogers State Historic Park.

36 (13) \$62,600,000 to the San Gabriel and Lower Los Angeles
37 Rivers and Mountains Conservancy for the following purposes:

38 (A) \$3,300,000 for open space around the Los Angeles River
39 in Long Beach.

- 1 (B) \$4,300,000 for a walking trail along San Gabriel River to
2 the Pacific Ocean.
- 3 (C) (i) \$45,000,000 for the Southeast Los Angeles Cultural
4 Center Project.
- 5 (ii) The funds appropriated in this subparagraph shall be
6 available for encumbrance or expenditure through June 30, 2026.
7 Up to \$3,000,000 of the funds appropriated in this subparagraph
8 shall be designated for public engagement efforts and community
9 equitable development planning related to the Southeast Los
10 Angeles Cultural Center Project, with the remainder dedicated to
11 capital outlay for the project. All or part of these funds may be
12 transferred to a local or state department or agency for the purposes
13 specified in this subparagraph.
- 14 (D) (i) \$10,000,000 for brownfield remediation, clean up and
15 conversion in the City of Bell Gardens.
- 16 (ii) The funds appropriated in this subparagraph shall be
17 available for encumbrance or expenditure through June 30, 2025.
- 18 (14) \$10,000,000 to the Coastal Trust Fund established pursuant
19 to Section 31012 of the Public Resources for public access at
20 Hollister Ranch.
- 21 (15) \$8,000,000 for the Santa Monica Mountains Conservancy
22 to acquire the Triangle Ranch property.
- 23 (16) \$13,000,000 to the Department of Food and Agriculture
24 for the following purposes:
 - 25 (A) \$12,000,000 for Cal Expo and the State Fair.
 - 26 (B) \$1,000,000 for Impatiens Necrotic Spot Virus (INSV) and
27 Pythium Wilt research in Monterey County.
- 28 (17) \$12,000,000 to the State Lands Commission to remove
29 abandoned and derelict vessels from the Sacramento-San Joaquin
30 Delta region.
- 31 (18) \$3,000,000 for the Department of Community Services
32 and Development for Farmworker Resource Centers.
- 33 (19) \$77,400,000 for the University of California for the
34 following purposes:
 - 35 (A) \$5,000,000 for the University of California, Los Angeles,
36 (UCLA) Institute on Reproductive Health, Law, and Policy and
37 UCLA School of Law.
 - 38 (B) \$10,000,000 for the University of California, Riverside,
39 School of Medicine Acute Care Teaching Hospital.

- 1 (C) \$35,000,000 for the University of California, San Diego,
2 Scripps Reserve Vessel. The amount allocated shall be available
3 for encumbrance or expenditure until June 30, 2026.
- 4 (D) \$250,000 to UCLA for the Division of Social Sciences
5 Hollywood Advancement Project.
- 6 (E) \$17,900,000 to the University of California, San Diego,
7 Scripps Institution of Oceanography for the ALERTWildfire Fire
8 Camera Mapping System.
- 9 (F) \$7,000,000 to the University of California, Los Angeles for
10 the Climate Wildfire Institute.
- 11 (G) \$1,500,000 to the University of California, Berkeley for
12 support of the UC Labor Center.
- 13 (i) These funds are available to support the Labor Center for
14 three years.
- 15 (ii) These funds are available for expenditure and encumbrance
16 until June 30, 2024.
- 17 (H) \$750,000 to the University of California, Berkeley for the
18 UC Nutrition Policy Institute Division of Agriculture and Natural
19 Resources.
- 20 (20) \$16,360,000 for the California State University for the
21 following purposes:
- 22 (A) \$1,000,000 for California State University, Fullerton, for
23 the Titan Gateway Project pedestrian bridge.
- 24 (B) \$5,000,000 for the California Council on Science and
25 Technology.
- 26 (C) \$6,000,000 for California State University, Bakersfield, for
27 Nursing and Health Professional programs.
- 28 (D) \$1,800,000 for California State University, San Bernardino,
29 for the Masters of Science Physician Assistant Program.
- 30 (E) \$2,500,000 for California State University, Humboldt, for
31 the Humboldt State nursing program.
- 32 (F) \$60,000 to California State University, Northridge for the
33 Vida Mobile Clinic.
- 34 (21) \$10,000,000 to the Department of Housing and Community
35 Development for the Pet Assistance and Support program.
- 36 (22) \$4,500,000 to Hastings College of Law for the California
37 Scholars Program.
- 38 (23) \$7,900,000 to the Commission on the Status of Women
39 and Girls. Of this amount, \$5,000,000 shall support regional
40 women and girls commissions.

1 (24) \$5,000,000 to the Department of Justice for Missing and
2 Murdered Indigenous Women.

3 (25) \$7,500,000 to the Arts Council for the Chicano Park
4 Museum and Cultural Center in San Diego.

5 (26) \$10,000,000 to the Department of Fair Employment and
6 Housing for the administration and implementation of a Statewide
7 Hate Crime Hotline. These funds are available for encumbrance
8 and expenditure until June 30, 2025.

9 (27) \$250,000 to the Office of Planning and Research for the
10 Strategic Growth Council to develop a report required by
11 subdivision (c) of Section 65072.2 of the Government Code.

12 (28) \$300,000 to the California Victims Compensation Board
13 for a contract with the Alliances for a Better Community for study
14 and additional outreach to eligible claimants for the Forced or
15 Involuntary Sterilization Compensation Program.

16 ~~SECTION 1. Section 25110.2.1 is added to the Health and
17 Safety Code, to read:~~

18 ~~25110.2.1. "Board" means the Board of Environmental Safety.~~

19 ~~SEC. 2. Article 2.1 (commencing with Section 25125) is added
20 to Chapter 6.5 of Division 20 of the Health and Safety Code, to
21 read:~~

22

23 ~~Article 2.1. Board of Environmental Safety~~

24

25 ~~25125. (a) The Board of Environmental Safety is hereby
26 established in the department.~~

27 ~~(b) (1) The board shall consist of five members appointed by
28 the Governor.~~

29 ~~(2) The membership of the board shall include the following:~~

30 ~~(A) One board member shall be an attorney admitted to practice
31 law in this state who is qualified in the field of environmental law
32 pertaining to hazardous waste, hazardous substances, or site
33 remediation.~~

34 ~~(B) One board member shall be an environmental scientist
35 qualified in the field of toxicology, chemistry, geology, industrial
36 hygiene, or engineering specific to the statutory responsibilities
37 of the board.~~

38 ~~(C) One board member shall have expertise in public health.~~

39 ~~(D) One board member shall be selected from the general public.~~

- 1 ~~(E) One board member shall have expertise in cumulative impact~~
2 ~~assessment and management.~~
- 3 ~~(c) All board members shall represent the general public interest.~~
- 4 ~~(d) Three board members shall constitute a quorum for the~~
5 ~~transaction of business of the board.~~
- 6 ~~(e) (1) A board member shall be appointed for a term of four~~
7 ~~years, except as provided in paragraph (2). A vacancy shall be~~
8 ~~immediately filled by the Governor for the unexpired portion of~~
9 ~~the term in which it occurs.~~
- 10 ~~(2) The terms of the board members shall be staggered. Two~~
11 ~~initial members shall serve a two-year term, and three initial~~
12 ~~members shall serve a four-year term. The Governor shall~~
13 ~~determine which initial members shall serve two-year terms and~~
14 ~~which shall serve four-year terms.~~
- 15 ~~(f) A member of the board may be removed by the Governor~~
16 ~~for neglect of duty, misconduct, or malfeasance in office after~~
17 ~~being provided with a written statement of the charges and an~~
18 ~~opportunity to be heard.~~
- 19 ~~(g) The board shall adopt rules for the conduct of its affairs.~~
20 ~~The rules shall be exempt from Chapter 3.5 (commencing with~~
21 ~~Section 11340) of Part 1 of Division 3 of Title 2 of the Government~~
22 ~~Code.~~
- 23 ~~(h) The Attorney General shall represent the board in litigation~~
24 ~~concerning affairs of the board, unless the Attorney General~~
25 ~~represents another state agency that is a party to the action. In that~~
26 ~~case, the Attorney General may represent the board with the written~~
27 ~~consent of the board and the other state agency, the board may~~
28 ~~contract for the services of private counsel to represent the board~~
29 ~~subject to Section 11040 of the Government Code, or the legal~~
30 ~~counsel of the board may represent the board. Sections 11041 and~~
31 ~~11042 of the Government Code shall not apply to the board.~~
- 32 ~~(i) The chairperson of the board, who shall be appointed by the~~
33 ~~Governor, shall be full time and shall receive the salary provided~~
34 ~~for in Section 11553 of the Government Code. Other members of~~
35 ~~the board shall serve one-half time and shall receive one-half of~~
36 ~~the salary provided for in Section 11553.5 of the Government~~
37 ~~Code.~~
- 38 ~~(j) If necessary, a board member may travel within or out of the~~
39 ~~state.~~

- 1 ~~25125.2. (a) The board shall conduct no fewer than six public~~
2 ~~meetings per year, at least three of which shall be held outside of~~
3 ~~the greater Sacramento area.~~
4 ~~(b) The board shall, using a public process, do all of the~~
5 ~~following:~~
6 ~~(1) Hear and decide appeals of hazardous waste facility permit~~
7 ~~decisions.~~
8 ~~(2) Provide opportunities for public hearings on individual~~
9 ~~permitted or remediation sites.~~
10 ~~(3) Evaluate alternatives and develop recommendations to the~~
11 ~~director for a contemporary plan for hazardous waste management~~
12 ~~in the state provided in Section 25135.9 including statutory changes~~
13 ~~and an identification of the resources required to deliver the plan.~~
14 ~~(4) Review and approve the director's annual priorities for each~~
15 ~~program under the department at a public hearing, including clear~~
16 ~~performance metrics. The director shall provide annual updates~~
17 ~~on progress toward meeting the priorities.~~
18 ~~(5) In consultation with the director, and with consideration of~~
19 ~~available resources, develop a multiyear schedule for the discussion~~
20 ~~of long-term goals for the following department activities:~~
21 ~~(A) The department's processing of hazardous waste facility~~
22 ~~permits and proposals to improve the efficiency of the permitting~~
23 ~~process.~~
24 ~~(B) The department's duties and responsibilities in law and~~
25 ~~proposals to improve the department's ability to meet those duties~~
26 ~~and responsibilities.~~
27 ~~(C) The site mitigation program and proposals for the~~
28 ~~prioritization of the cleanup of contaminated properties.~~
29 ~~(D) The department's implementation of its enforcement~~
30 ~~activities.~~
31 ~~25125.4. The director, or a designee, shall present and respond~~
32 ~~to the board, if requested to do so by the board, on any issue or~~
33 ~~item brought forward by a member of the public, the ombudsperson~~
34 ~~appointed pursuant to Section 25125.8, or a board member.~~
35 ~~25125.6. The board shall annually prepare and transmit to the~~
36 ~~Secretary for Environmental Protection an annual review of the~~
37 ~~department's performance against the department's objectives,~~
38 ~~including, but not limited to, the performance of the director.~~

1 25125.8.— (a) There is established in the board an office of the
2 ombudsperson. The board shall appoint an ombudsperson who
3 shall serve full time at the pleasure of the board.

4 (b) (1) The purpose of the ombudsperson is to serve as an
5 impartial resource to the public.

6 (2) The office of the ombudsperson shall fulfill this purpose
7 through the following duties:

8 (A) Receiving complaints and suggestions from the public.

9 (B) Evaluating complaints.

10 (C) Reporting findings and making recommendations to the
11 director and the board.

12 (D) Rendering assistance to the public, when appropriate.

13 (c) The board, in consultation with the director, shall determine
14 the activities the ombudsperson may undertake.

15 (d) The board shall establish procedures for the ombudsperson,
16 which shall include the following:

17 (1) Safeguards to encourage the public to submit complaints or
18 suggestions, and safeguards to ensure confidentiality.

19 (2) Forms the public can use to submit complaints and
20 suggestions to the ombudsperson.

21 (3) Criteria for prioritization of complaints and suggestions
22 submitted to the ombudsperson.

23 (4) Access to information and resources to help the public
24 understand the department's activities and to become involved in
25 the department's regulatory processes.

26 (e) A member of the public may submit a complaint or make a
27 suggestion to the ombudsperson regarding any action, program,
28 or policy of the department.

29 25126.— (a) The board may adopt regulations to carry out its
30 duties and responsibilities established under this article.

31 (b) A regulation adopted pursuant to this article may be adopted
32 as an emergency regulation in accordance with Chapter 3.5
33 (commencing with Section 11340) of Part 1 of Division 3 of Title
34 2 of the Government Code, and for purposes of that chapter,
35 including Section 11349.6 of the Government Code, the adoption
36 of these regulations is an emergency and shall be considered by
37 the Office of Administrative Law as necessary for the immediate
38 preservation of the public peace, health, and safety, and general
39 welfare. Notwithstanding Chapter 3.5 (commencing with Section
40 11340) of Part 1 of Division 3 of Title 2 of the Government Code,

- 1 ~~an emergency regulation adopted by the board pursuant to this~~
- 2 ~~subdivision shall be filed with, but not be repealed by, the Office~~
- 3 ~~of Administrative Law.~~

O

Assembly Joint Resolution

No. 27

Introduced by Assembly Member Nazarian

February 18, 2022

Assembly Joint Resolution No. 27—Relative to the Armenian, Assyrian, and Greek Genocide.

LEGISLATIVE COUNSEL’S DIGEST

AJR 27, as introduced, Nazarian. Armenian, Assyrian, and Greek Genocide.

This measure would, among other things, recognize April 24, 2022, as “State of California Day of Commemoration of the 107th Anniversary of the Armenian Genocide of 1915–1923,” and would call upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide.

Fiscal committee: no.

- 1 WHEREAS, Armenians have resided in Asia Minor and the
2 Caucasus for approximately four millennia, and have a long and
3 rich history in the region, including the establishment of many
4 kingdoms, and despite Armenians’ historic presence, stewardship,
5 and autonomy in the region, Turkish rulers of the Ottoman Empire
6 and the Republic of Turkey subjected Armenians to severe and
7 unjust persecution and brutality, including wholesale massacres
8 beginning in the 1890s; and
9 WHEREAS, The Armenian nation was subjected to a systematic
10 and premeditated genocide officially beginning on April 24, 1915,
11 at the hands of the Young Turk Government of the Ottoman Empire

1 from 1915 to 1919, inclusive, and continued at the hands of the
2 Kemalist Movement of Turkey from 1920 to 1923, inclusive,
3 whereby over 1.5 million Armenian men, women, and children
4 were slaughtered or marched to their deaths in an effort to
5 annihilate the Armenian nation in the first genocide of modern
6 times, while thousands of surviving Armenian women and children
7 were forcibly converted and Islamized, and hundreds of thousands
8 more were subjected to ethnic cleansing during the period of the
9 modern Republic of Turkey from 1924 to 1937, inclusive; and

10 WHEREAS, During the genocides of the Christians living in
11 the Ottoman Empire and surrounding regions, which occurred
12 during the first half of the 20th century, 1.5 million men, women,
13 and children of Armenian descent, and hundreds of thousands of
14 Assyrians, Greeks, and other Christians, lost their lives at the hands
15 of the Ottoman Turkish Empire and the Republic of Turkey,
16 constituting one of the most atrocious violations of human rights
17 in the history of the world; and

18 WHEREAS, These crimes against humanity also had the
19 consequence of permanently removing all traces of the Armenians
20 and other targeted people from their historic homelands of more
21 than four millennia and enriching the perpetrators with the lands
22 and other property of the victims of these crimes, including the
23 usurpation of several thousand churches; and

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

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

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

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

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

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

27 WHEREAS, The Parliamentary Investigative Committee
28 proceeded to collect relevant documents describing the actions of
29 those responsible for the Armenian mass killings and turned them
30 over to the Turkish Military Tribunal. CUP’s leading figures were
31 found guilty of massacring Armenians and hanged or given lengthy
32 prison sentences. The Turkish Military Tribunal requested that
33 Germany extradite to Turkey the masterminds of the massacres
34 who had fled the country. After German refusal, they were tried
35 in absentia and sentenced to death; and

36 WHEREAS, Unlike other people and governments that have
37 admitted and denounced the abuses and crimes of predecessor
38 regimes, and despite the Turkish government’s earlier admissions
39 and the overwhelming proof of genocidal intent, the Republic of
40 Turkey inexplicably and adamantly has denied the occurrence of

1 the crimes against humanity committed by the Ottoman and Young
2 Turk rulers for many years, and continues to do so a full century
3 since the first crimes constituting genocide occurred; and

4 WHEREAS, Those denials compound the grief of the few
5 remaining survivors and deprive the surviving Armenian nation
6 of its individual and collective ancestral lands, property, cultural
7 heritage, financial assets, and population growth; and

8 WHEREAS, The Republic of Turkey has escalated its
9 international campaign of Armenian Genocide denial, maintained
10 its blockade of Armenia, and increased its pressure on the small
11 but growing movement in Turkey acknowledging the Armenian
12 Genocide and seeking justice for this systematic campaign of
13 destruction of millions of Armenians, Greeks, Assyrians, and other
14 Christians upon their biblical-era homelands; and

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

19 WHEREAS, There is continued concern about the welfare of
20 Christians in the Republic of Turkey, their right to worship and
21 practice freely, and the legal status and condition of thousands of
22 ancient Armenian churches, monasteries, cemeteries, and other
23 historical and cultural structures, sites, and antiquities in the
24 Republic of Turkey; and

25 WHEREAS, The United States is on record as having officially
26 recognized the Armenian Genocide in the United States
27 government's May 28, 1951, written statement to the International
28 Court of Justice regarding the Reservations to the Convention on
29 the Prevention and Punishment of the Crime of Genocide, through
30 President Ronald Reagan's April 22, 1981, Proclamation No. 4838,
31 and by congressional legislation including House Joint Resolution
32 148 adopted on April 9, 1975, and House Joint Resolution 247
33 adopted on September 12, 1984; and

34 WHEREAS, Prior to the Convention on the Prevention and
35 Punishment of the Crime of Genocide, the United States had a
36 record of seeking just and constructive means to address the
37 consequences of the Ottoman Empire's intentional destruction of
38 the Armenian people, including through United States Senate
39 Concurrent Resolution 12 adopted on February 9, 1916, United
40 States Senate Resolution 359 adopted on May 11, 1920, and

1 President Woodrow Wilson’s November 22, 1920, decision titled,
2 “The Frontier between Armenia and Turkey,” which was issued
3 as a binding arbitral award, yet has not been enforced to this date
4 despite its legally binding status; and

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

12 WHEREAS, California is home to the largest Armenian
13 American population in the United States, and Armenians living
14 in California have enriched our state through their leadership and
15 contribution in business, agriculture, academia, government, and
16 the arts, many of whom have family members who experienced
17 firsthand the horror and evil of the Armenian Genocide and its
18 ongoing denial; and

19 WHEREAS, Every person should be made aware and educated
20 about the Armenian Genocide and other crimes against humanity;
21 and

22 WHEREAS, The State of California has been at the forefront
23 of encouraging and promoting a curriculum relating to human
24 rights and genocide in order to empower future generations to
25 prevent the recurrence of genocide; and

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

28 WHEREAS, Armenians in California and throughout the world
29 have not been provided with justice for the crimes perpetrated
30 against the Armenian nation despite the fact that over a century
31 has passed since the crimes were first committed; now, therefore,
32 be it

33 *Resolved by the Assembly and the Senate of the State of*
34 *California, jointly*, That April 24, 2022, be recognized as “State
35 of California Day of Commemoration of the 107th Anniversary
36 of the Armenian Genocide of 1915–1923”; and be it further

37 *Resolved*, That the Legislature commends its conscientious
38 educators who teach about human rights and genocide and intends
39 for them, through this resolution, to continue to enhance their

1 efforts to educate students at all levels about the experience of the
2 Armenians and other crimes against humanity; and be it further
3 *Resolved*, That the Legislature hereby commends the
4 extraordinary service that was delivered by Near East Relief to the
5 survivors of the Armenian Genocide and the Assyrian Genocide,
6 including thousands of direct beneficiaries of American
7 philanthropy who are the parents, grandparents, and
8 great-grandparents of many Californian Armenians and Assyrians,
9 and pledges its intent, through this resolution, to working with
10 community groups, nonprofit organizations, citizens, state
11 personnel, and the community at large to host statewide educational
12 and cultural events; and be it further

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

16 *Resolved*, That the Legislature respectfully calls upon the
17 President of the United States and the United States Congress to
18 formally and consistently reaffirm the historical truth that the
19 atrocities committed against the Armenian people constituted
20 genocide; and be it further

21 *Resolved*, That the Legislature calls upon the President of the
22 United States to work toward equitable, constructive, stable, and
23 durable Armenian-Turkish relations; and be it further

24 *Resolved*, That the Chief Clerk of the Assembly transmit copies
25 of this resolution to the President and Vice President of the United
26 States, to the Speaker of the House of Representatives, and to each
27 Senator and Representative from California in the Congress of the
28 United States.

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Date of Hearing: April 21, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
AJR 27 (Nazarian) – As Introduced February 18, 2022

SUBJECT: Armenian, Assyrian, and Greek Genocide.

SUMMARY: Recognizes April 24, 2022, as “State of California Day of Commemoration of the 107th Anniversary of the Armenian Genocide of 1915–1923;” and, calls upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide. Specifically, **this resolution** makes the following legislative findings:

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

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

California Turkish Alliance

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

Date March 15, 2022

To the respectable Committee Members.

Regarding: Opposition on AJR 27

Honorable Chairman and members of the committee,

I was one of those naive people who believed that our democratic system would protect me and my rights. I was diligently rejecting the notion that the opposite could be true. Therefore, every year for more than 30 years, I went to the State Capital trying to correct the unjust and biased so-called Armenian Genocide Resolutions that perpetuated hatred against the Turkish community in California and abroad. Over the last 30 years, I have presented to lawmakers, many documents from the US and international archives proving that the 1915 incident was not a “Genocide”.

Therefore I am not going to reintroduce all these documents to you now. I only would like to explain the consequences of your vote on AJR 27, and how it will affect the interests of the United States and its citizens in our present time. The “Yes” votes mean to help Russia strengthen its position against the United States. Russia has its largest military base in Armenia and continues to expand it. And Russia recently opened another military base in Armenia. This is clearly against the interests of the United States and its allies.

On the contrary, in Turkey, there are 40 known and many classified US military bases; some of which include nuclear weapons that can be used against Russia. If Russia has a conflict with the US, guess who will be the target of the first bomb (nuclear or conventional). Russia would destroy Turkey first; in case it has a conflict with the US. Mine, my family’s, and 80 million of my fellow citizens’ lives are put on the line for your safety.

A resolution like that might look innocent but it creates tremendous discomfort among Turkish citizens. Building trust and compassion between two countries takes time and is mutually beneficial.

In 1900, the Russian goal was to reach the Mediterranean Sea. The best way for Russia to access warm waters was through Eastern Turkey. So, Russia armed the Armenian bandits with false promises that they would grant them independence. In response; The Armenians began clearing the region from its Turkish population, to carry out an open ethnic cleansing. The skulls exhumed from every mass grave, that were dug out in Turkey under the supervision of international observation teams, turned out to belong to massacred Turkish people. In the Eastern Region alone, 595.200 innocent Turkish civilians lost their lives.

The 1917 Bolshevik Revolution, interrupted the Russian dream of reaching the Mediterranean Sea. Consequently, the Russian Army withdrew from Turkish soil. Approximately one million Armenians also crossed to the other side of the Turkish border, along with the Russian forces. Today some live in Armenia and some in Georgia, Syria, and Lebanon.

According to AJR 27, Americans rescued one million Armenians. According to the census of the Armenian Church: before 1914, the Armenian population in Turkey was 950.000. According to the British census, the Armenian population was one million and two hundred thousand. But AJR 27 claims that one and a half million Armenians lost their lives, during these times. You do the math.

AJR 27 contradicts itself page after page, with falsified and forged information, and numerous baseless accusations... Such resolutions have not aimed to provide true information to you; resolutions, after resolutions, have intended to create a negative image and perpetuate hatred against the Turkish nation. Therefore, the information on such resolutions does not need to be correct, they have to be good enough to fool people by manipulating their emotions.

You might question why the Armenian diaspora would perpetuate this hate propaganda? I tell you why: Because for the Armenian diaspora, the so-called Armenian Genocide is a hot commodity that they can

capitalize on.

The so-called Armenian genocide provides some attorneys the opportunity to plunder Armenian citizens. This subject has become a way to make millions of dollars. Churches use it to strengthen their congregations. Politicians use it for getting elected or getting appointed to higher government positions, and some use it to obtain government contracts. Today's Armenian Diaspora is no different than the 1915 Armenian bandits that caused destruction and bloodshed in the region.

I would like to present you with a couple of very short documents out of many, which might help your decision-making process.

1- July 1923 former Armenian Prime Minister Katchaznoui addressed the Armenian Assembly in Bucharest. Quote:

“In the fall of 1914, Armenian volunteer bands organized themselves and fought against the Turks. Because they could not refrain from organizing and from fighting.

This was an inevitable result of psychology on which the Armenian people had nourished themselves the entire generation.

We did not doubt that war would end with the complete victory of the Allies; Turkey would be defeated and dismembered and its Armenian population would, at last, be liberated.”.

2- M. L. Bristol, Rear Admiral in the US Navy reported from the region, while he was serving as the United States High Commissioner in Turkey:

“I see that reports are being freely circulated in the United States that the Turks massacred thousands of Armenians in the Caucasus. Such reports are repeated so many times that it makes my blood boil. The Near East Relief has the reports from Yarrow and our American people which show that such Armenian reports are

false. The circulation of such false reports in the United States, without refutation, is an outrage...”

Source: Us Library of Congress: Bristol papers - General Correspondence, Container # 34 Dated 28 March 1921.

In the past, I sent letters to former senators Joe Simitian, and Chuck Poochigian asking them to make a joint resolution that creates unity between Armenians and Turks. They neither responded to my requests nor acknowledged them. I respectfully ask Nazarian and the committee to please make a Joint Resolution uniting the people, not dividing them.

I have the same dream that Martin Luther King had: I like to see the next generation of Armenians and Turks dancing together. I have been coming to the State Capitol for over 30 years. I will keep coming until I can achieve this dream, or until I die.

Karahan Mete

Best regards,

CALIFORNIA TURKISH ALLIANCE

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