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**Assembly
California Legislature
Committee on Rules**

**KEN COOLEY
CHAIR**

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WALDRON, MARIE

FONG, VINCE (R-ALT)
GOMEZ, JIMMY (D-ALT)

Monday, April 24, 2017
10 minutes prior to Session
State Capitol, Room 3162

CONSENT AGENDA

BILL REFERRALS

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ASSEMBLY BILLS

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| 5. | ACR-18 (Quirk) Relative to 29th Annual State Scientist Day. | Page 8 |
| 6. | ACR-60 (Grayson) Relative to Autism: sensory-friendly movie screenings. | Page 12 |
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REQUESTS TO ADD URGENCY CLAUSE

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| 10. | AB 14 (Gomez) Relative to the Political Reform Act of 1974: campaign disclosures. | Page 29 |
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California Legislature Assembly Rules Committee

ROOM 3016 — STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0115
TELEPHONE: (916) 319-2800

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 4/21/2017
Re: Consent Bill Referrals

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

REFERRAL OF BILLS TO COMMITTEE

04/24/2017

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

Assembly Bill No.	Committee:
<u>AB 1715</u>	J., E.D. & E.
<u>AB 1715</u>	REV. & TAX.
<u>AB 1727</u>	J., E.D. & E.
<u>ACA 4</u>	L. GOV.
<u>ACA 4</u>	APPR.
<u>ACR 52</u>	RLS.
<u>ACR 54</u>	RLS.
<u>ACR 61</u>	RLS.
<u>ACR 62</u>	C. & C.
<u>ACR 63</u>	G.O.
<u>ACR 64</u>	A.,E.,S.,T. & I. M.
<u>ACR 65</u>	RLS.
<u>ACR 66</u>	RLS.
<u>ACR 67</u>	TRANS.
<u>ACR 68</u>	RLS.
<u>ACR 69</u>	RLS.
<u>ACR 70</u>	TRANS.
<u>ACR 71</u>	RLS.
<u>HR 31</u>	RLS.
<u>HR 32</u>	PUB. S.

RE-REFERRAL OF BILLS

04/24/2017

The Committee on Rules has re-referred the following bills to Committee:

Assembly Bill No.

Committee:

AB 719

ENVIRONMENTAL SAFETY AND
TOXIC MATERIALS

AB 728

HEALTH

AB 475

PRIVACY AND CONSUMER
PROTECTION

AB 870

TRANSPORTATION

AB 1041

TRANSPORTATION

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
AB 403 (Melendez) – As Introduced February 9, 2017

SUBJECT: Legislature: Legislative Employee Whistleblower Protection Act

SUMMARY: Enacts the Legislative Employee Whistleblower Protection Act to prohibit retaliation against legislative employees that make protected disclosures of ethical violations. Specifically, **this bill:**

- 1) Prohibits a Member of the Legislature and a legislative employee from directly or indirectly using that person's official authority or influence to interfere with the right of a legislative employee to make a "protected disclosure."
- 2) Authorizes a legislative employee to file a written complaint with their supervisor or manager, or with any other officer designated by the house of the Legislature they work for, alleging actual or attempted acts of reprisal, retaliation, threats, coercion, or similar improper acts prohibited by this bill. The complaint must be accompanied by a sworn statement under penalty of perjury that the contents of the written complaint are true, and must be filed within one year.
- 3) Provides that the identity of all complainants and witnesses shall be confidential unless given the express permission of those persons, except if the complaint is requested by a law enforcement agency that is conducting a criminal investigation.
- 4) Subjects a Member of the Legislature or a legislative employee who uses his or her official authority or influence to interfere with the right of a current legislative employee to make a protected disclosure; or, intentionally retaliates against a current or former legislative employee for having made that protected disclosure, to a fine of up to \$10,000, imprisonment in a county jail for up to one year, and damages in a civil action. The penalties that may be imposed on a Member of the Legislature are limited to the extent that Members are immune from liability under the doctrine of legislative immunity.
- 5) Authorizes punitive damages if the acts of the offending party are proven to be malicious.
- 6) Provides that where liability has been established, the injured party would also be entitled to reasonable attorney's fees.
- 7) Provides that a legislative employee is not required to file a complaint before bringing an action for civil damages.
- 8) Declares that the bill's provisions do not diminish the rights, privileges, or remedies of any employee under any other federal or state law.

EXISTING LAW:

- 1) Pursuant to the California Whistleblower Protection Act (CWPA), prohibits "improper governmental activities" by state agencies and employees.

- 2) Defines “improper governmental activity” as an activity by a state agency or by an employee that is undertaken in the performance of the employee’s duties, undertaken inside a state office, or, if undertaken outside a state office by the employee, directly relates to state government, whether or not that activity is within the scope of his or her employment, and that (1) is in violation of any state or federal law or regulation, including, but not limited to, corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, or willful omission to perform duty, (2) is in violation of an Executive Order of the Governor, a California Rule of Court, or any policy or procedure mandated by the State Administrative Manual or State Contracting Manual, or (3) is economically wasteful, involves gross misconduct, incompetency, or inefficiency.
- 3) Defines employee to include former employees, but specifically excludes Members and staff of the Legislature and the Legislature itself from the definitions of “employee” and “state agency.”
- 4) Prohibits state employees and officers, other than Members and employees of the Legislature, from directly or indirectly using or attempting to use the official authority or influence of the employee for the purpose of intimidating, threatening, coercing, commanding, or attempting to intimidate, threaten, coerce, or command any person for the purpose of interfering with the rights conferred pursuant to the CWPA.
- 5) Provides that any employee who violates the CWPA’s prohibition against use of authority or influence to be liable in an action for civil damages brought by the offended person.
- 6) Makes a person who intentionally engages in acts of reprisal or retaliation in violation of the CWPA subject to a fine of up to \$10,000 and up to a year in county jail, and if that person is a civil service employee, subjects that person to discipline by adverse action.
- 7) Makes the provisions of the Code of Ethics governing Members of the Legislature also applicable to any employee of either house of the Legislature.
- 8) Requires a complaint to the Joint Legislative Ethics Committee (JLEC), alleging a violation of the Code of Ethics by a Member of the Legislature, to meet specified criteria (be in writing; state the name of the Member alleged to have committed a violation; set forth allegations with sufficient clarity and detail to enable the committee to make a determination whether there is a violation; signed by the complainant under penalty of perjury; and include a statement that the facts are true of the complainant’s own knowledge or that the complainant believes them to be true) in order to be considered a “valid complaint” and requires such complaints to be filed within 12 months of the alleged violation.
- 9) Requires JLEC to promptly send a copy of each complaint it receives to the Member of the Legislature who is alleged to have committed the violation.
- 10) Requires JLEC to investigate those complaints that state facts sufficient to constitute a violation of the Code of Ethics and, after such an investigation, to notify the complainant and respondent of its determination and either dismiss the complaint if it determines that probable cause does not exist, or schedule a hearing in the matter within 30 days.

- 11) Requires JLEC to make a written determination of whether the Member has violated the Code of Ethics and to provide its determination, to the house in which the respondent serves, the Attorney General, the Fair Political Practices Commission, and the district attorney of the county in which the alleged violation occurred, and to make the determination available as a public record.

FISCAL EFFECT: Unknown

COMMENTS:

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

Currently, employees of the Legislature are not protected under the California Whistleblower Protection Act. This lack of protection discourages legislative employees from reporting questionable behavior by Members or other employees of the Legislature.

Every violation of the law by a public official is also a violation of the public trust. The Legislature has a responsibility to protect the integrity of the institution by creating an atmosphere of transparency and accountability. Given their proximity to members of the Legislature, legislative employees have a unique opportunity to help provide this accountability by reporting any suspicious or unethical behavior. This will not take place, however, if those employees are not afforded protections from intimidation or coercion.

- 2) Need for the bill: AB 403 would protect current and former legislative employees from retaliation for filing a complaint with the Joint Legislative Ethics Committee. Under existing law, these employees already have a number of ways to report legislative misconduct. Nonetheless, the bill could encourage legislative employees to make protected disclosures about legislative misconduct.
- 3) Prior legislation: AB 403 is similar to a number of prior bills, including: AB 1788 (Melendez, 2016), AB 289 (Melendez, 2015), AB 2065 (Melendez, 2014), AB 2256 (Portantino, 2012), and AB 1378 (Portantino, 2012). None of these bills became law.
- 4) Double referred: AB 403 was double referred to Judiciary Committee and Rules Committee. The bill was heard in Judiciary Committee on March 14th and passed 11-0, with a recommendation that the bill be placed on consent.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Assembly Concurrent Resolution

No. 18

Introduced by Assembly Member Quirk

January 31, 2017

Assembly Concurrent Resolution No. 18—Relative to the 29th Annual State Scientist Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 18, as introduced, Quirk. 29th Annual State Scientist Day.

This measure would declare May 10, 2017, as the 29th Annual State Scientist Day, as a tribute to the dedication and professionalism of the state scientists who work on behalf of all the residents of California.

Fiscal committee: no.

1 WHEREAS, The state employs nearly 3,000 professional
2 scientists in over 30 state departments working in more than 81
3 scientific classifications; and

4 WHEREAS, State scientists hold graduate degrees in virtually
5 every scientific discipline, including biology, nematology, virology,
6 seismology, epidemiology, toxicology, and many others; and

7 WHEREAS, State scientists are represented by the California
8 Association of Professional Scientists (CAPS), which is dedicated
9 to professionalism, independence, and responsible advocacy; and

10 WHEREAS, The work of state scientists protects the public
11 from life-threatening diseases, safeguards our wildlife and abundant
12 natural resources, and protects our air and water from toxic waste
13 and pollution; and

14 WHEREAS, State scientists are required to make critical
15 decisions every day based on rigorous scientific fact-finding, and

1 these decisions ultimately impact the lives and property of all
2 Californians; and

3 WHEREAS, State scientists perform important work in the areas
4 of infectious disease prevention, oil spill prevention and cleanup,
5 public health drinking water monitoring, the protection of
6 agricultural crops, brownfields mitigation, chemical and
7 radiological disaster response, and much more; and

8 WHEREAS, CAPS cosponsors the Sacramento Regional Science
9 and Engineering Fair, one of California's 14 regional science and
10 engineering fairs, serving hundreds of middle and high schools in
11 10 California counties; and

12 WHEREAS, State scientists host an annual State Scientist Day
13 at the State Capitol to increase public awareness and recognition
14 of the significant contributions made by scientists working in state
15 government while entertaining and educating over 3,500
16 elementary school students with fun, hands-on science exhibits;
17 and

18 WHEREAS, State Scientist Day has sparked an interest in
19 science for thousands of California schoolchildren, legislators,
20 state employees, and members of the public, who attend the special
21 event; now, therefore, be it

22 *Resolved by the Assembly of the State of California, the Senate*
23 *thereof concurring*, That May 10, 2017, shall be recognized as the
24 29th Annual State Scientist Day, and that this day shall be a tribute
25 to the dedication and professionalism of the state scientists who
26 work on behalf of all the residents of California; and be it further

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

O

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 18 (Quirk) – As Introduced January 31, 2017

SUBJECT: 29th Annual State Scientist Day

SUMMARY: Declares May 10, 2017, as the 29th Annual State Scientist Day, as a tribute to the dedication and professionalism of the state scientists who work on behalf of all the residents of California. Specifically, **this resolution** makes the following legislative findings:

- 1) The state employs nearly 3,000 professional scientists working in over 30 state departments in 81 scientific classifications.
- 2) State scientists hold graduate degrees in virtually every scientific discipline, including biology, nematology, virology, seismology, epidemiology, toxicology, and many others.
- 3) The work of state scientists protects the public from life-threatening diseases, safeguards our wildlife and abundant natural resources, and protects our air and water from toxic waste and pollution.
- 4) State scientists perform important work in the areas of infectious disease prevention, oil spill prevention and cleanup, public health drinking water monitoring, the protection of agricultural crops, brownfields mitigation, chemical and radiological disaster response, and much more.
- 5) State Scientist Day at the Capitol increases public awareness and recognizes contributions made by scientists working in state government while entertaining and educating over 3,500 elementary school students with fun, hands-on exhibits; and, the event has sparked an interest in science for thousands of California school children, legislators, state employees, and the public who attend the special event.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO

Opposition

None on file

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



RECEIVED
ASSEMBLY RULES
2017 FEB 23 P 4: 19

February 23, 2017

AFSCME Council 36

AFSCME Council 57

AFSCME/MWD Local 1902
Metropolitan Water District

AFSCME/MAPA Local 1001
Metropolitan Water District

AFSCME/UAPD Local 206
Union Of American
Physicians And Dentists

AFSCME/UC Local 3299
University of California

AFSCME/UNAC NUHCE
United Nurses Associations
Of California
Union of Health Care
Professionals

UEMSW Local 4911
United EMS Workers

**TO: The Honorable Ken Cooley, Chair
The Honorable Members of the Assembly Committee on Rules**

RE: Assembly Concurrent Resolution 18 (Quirk) – AFSCME SUPPORTS

The American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, would like to inform you of our **support of Assembly Concurrent Resolution 18**, as introduced on January 31, 2017.

This measure would declare May 10, 2017 as the 29th Annual State Scientist Day and give tribute to the dedication and professionalism of state scientists who work on behalf of all the residents of California. State scientists work tirelessly to produce new research that protects the public from life-threatening diseases, safeguards our wildlife and abundant natural resources and protects our air and water from toxic waste and pollution.

State scientists make decisions through rigorous fact-finding research in order to ensure the strongest health and well-being of all Californians. ACR 18 would inform California residents of all ages about the important work scientific research contributes to our state's success. We request the California State Legislature to pass this resolution formally acknowledging this critical workforce and providing public awareness of their importance.

Please join us in supporting Assembly Concurrent Resolution 18.

Should you have any questions regarding our position in this matter, you may call me at your earliest convenience. AFSCME also reserves the right to change our position in the event of future amendments.

Sincerely,

Brian A. Allison
Political and Legislative Director, California

BAA/njl

Assembly Concurrent Resolution

No. 60

Introduced by Assembly Member Grayson
(Principal coauthor: Senator Hueso)

April 17, 2017

Assembly Concurrent Resolution No. 60—Relative to autism.

LEGISLATIVE COUNSEL’S DIGEST

ACR 60, as introduced, Grayson. Autism: sensory-friendly movie screenings.

This measure would declare the support of the Legislature for the expansion of sensory-friendly movie screenings and similar programs for people with autism, and would encourage families to attend a sensory-friendly movie screening during April 2017, National Autism Awareness Month.

Fiscal committee: no.

- 1 WHEREAS, Autism is a pervasive developmental disorder
- 2 affecting the social, communication, and behavioral skills of those
- 3 affected by it; and
- 4 WHEREAS, More than 3.5 million Americans live with an
- 5 autism spectrum disorder; and
- 6 WHEREAS, Individuals with autism often utilize specialized
- 7 and community support services to ensure their health and safety,
- 8 and to support their families’ resilience as they manage the unique
- 9 psychological and financial conditions autism presents; and
- 10 WHEREAS, Attending a movie theater with family members is
- 11 an enriching and enjoyable experience for many Californians; and

1 WHEREAS, Theaters around the country have begun to offer
2 “Sensory Friendly Screenings” as a special opportunity for
3 individuals with autism and others to enjoy their favorite films in
4 a safe and accepting setting; and

5 WHEREAS, In order to provide a more comfortable and
6 accepting environment for individuals on the autism spectrum, the
7 movie auditorium keeps the sound turned slightly down and the
8 lights turned slightly up; and

9 WHEREAS, Because some individuals with autism have
10 specialized dietary needs, families are allowed to bring their own
11 snacks from home; and

12 WHEREAS, Audience members are free to get up and dance,
13 walk, sing, or shout, and are able to relax and enjoy quality family
14 time without worrying if someone will complain or be disturbed
15 by movement or noise; now, therefore, be it

16 *Resolved by the Assembly of the State of California, the Senate*
17 *thereof concurring*, That the Legislature supports and promotes
18 the expansion of sensory-friendly screenings and similar programs,
19 and encourages families to attend a sensory-friendly screening
20 during April 2017, National Autism Awareness Month; and be it
21 further

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

O

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 60 (Grayson) – As Introduced April 17, 2017

SUBJECT: Autism: sensory-friendly movie screenings

SUMMARY: Declares the support of the Legislature for the expansion of sensory-friendly movie screenings and similar programs for people with autism, and encourages families to attend a sensory-friendly movie screening during April 2017, National Autism Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Autism is a pervasive developmental disorder affecting the social, communication, and behavioral skills of those affected by it and more than 3.5 million Americans live with an autism spectrum disorder.
- 2) Individuals with autism often utilize specialized and community support services to ensure their health and safety, and to support their families resilience as they manage the unique psychological and financial conditions autism presents.
- 3) Attending a movie theater with family members is an enriching and enjoyable experience for many Californians. Theatres around the country have begun to offer “Sensory Friendly Screenings” as a special opportunity for individuals with autism and others to enjoy their favorite films in a safe and accepting setting.
- 4) In order to provide a more comfortable and accepting environment for individuals on the autism spectrum, the movie auditorium keeps the sound turned slightly down and the lights turned slightly up.
- 5) Audience members are free to get up and dance, walk, sing, or shout, and are able to relax and enjoy quality family time without worrying if someone will complain or be disturbed by movement or noise. And because of specialized dietary needs, families are allowed to bring their own snacks from home.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Assembly Concurrent Resolution

No. 65

**Introduced by Assembly Member Frazier
(Coauthor: Assembly Member Quirk)**

April 19, 2017

Assembly Concurrent Resolution No. 65—Relative to distracted driving.

LEGISLATIVE COUNSEL’S DIGEST

ACR 65, as introduced, Frazier. Distracted Driving Awareness Month.

This measure would proclaim April 2017 as Distracted Driving Awareness Month and call for awareness of the distracted driving problem and support for programs and policies to reduce the incidence of distracted driving.

Fiscal committee: no.

- 1 WHEREAS, A 2013 statewide traffic safety survey conducted
- 2 by the California Office of Traffic Safety reported that more than
- 3 36 percent of Californians surveyed thought texting or talking on
- 4 a cell phone while driving posed the biggest safety problem on
- 5 California roadways; and
- 6 WHEREAS, Distracted driving is defined as any activity that
- 7 could divert a person’s attention away from the primary task of
- 8 driving; and
- 9 WHEREAS, Distracted driving takes three primary forms:
- 10 (a) Visual distraction: tasks that require the driver to look away
- 11 from the roadway to visually obtain information.
- 12 (b) Manual distraction: tasks that require the driver to take a
- 13 hand off the steering wheel and manipulate a device.

1 (c) Cognitive distraction: tasks that are defined as the mental
2 workload associated with a task that involves thinking about
3 something other than the task of driving; and

4 WHEREAS, In 2013, nearly 70 percent of the California drivers
5 surveyed said they had been hit or nearly hit by a driver who was
6 talking or texting on a cell phone; and

7 WHEREAS, In 2013, 45 percent of the drivers surveyed said
8 they have made a driving mistake while talking on a cell phone;
9 and

10 WHEREAS, In 2013, nearly 48 percent of the drivers surveyed
11 said that texting while driving is the most serious distraction for
12 drivers; and

13 WHEREAS, A 2012 nationwide survey conducted by the
14 National Highway Traffic Safety Administration showed that, in
15 any given daylight moment across the United States, of the 212
16 million licensed drivers, about 600,000 are using cell phones or
17 manipulating electronic devices while driving; and

18 WHEREAS, In 2012, 3,328 people were killed and 421,000
19 were injured in distraction-affected crashes; and

20 WHEREAS, To read or type the average text takes 4.6 seconds.
21 Just three seconds of texting while driving at 65 mph is equal to
22 driving 100 yards, equal to the length of a football field,
23 blindfolded; and

24 WHEREAS, Engaging in visual-manual subtasks, such as
25 reaching for a phone, dialing, and texting, associated with the use
26 of handheld phones and other portable devices increased the risk
27 of getting into a crash by three times; and

28 WHEREAS, Text messaging creates a crash risk 23 times worse
29 than driving while not distracted; and

30 WHEREAS, According to the National Highway Traffic Safety
31 Administration, only about 1 out of 5 young drivers think that
32 texting makes no difference to their driving performance.
33 Sixty-eight percent of young drivers 18 to 20 years of age are
34 willing to answer incoming phone calls on some, most, or all
35 driving trips; and

36 WHEREAS, Parents who engage in distracting behaviors while
37 driving more frequently have teens who do the same. According
38 to a 2012 teen driver distraction study conducted jointly by the
39 University of Michigan Transportation Research Institute and

1 Toyota, teens send or read text messages once a trip 26 times more
2 often than their parents think they do; now, therefore, be it

3 *Resolved by the Assembly of the State of California, the Senate*
4 *thereof concurring*, That the Legislature proclaims April 2017 as
5 Distracted Driving Awareness Month and calls upon residents,
6 government agencies, business leaders, hospitals, schools, and
7 public and private institutions within the state to promote awareness
8 of the distracted driving problem and to support programs and
9 policies to reduce the incidence of distracted driving in California
10 and nationwide; and be it further

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

O

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 65 (Frazier) – As Introduced April 19, 2017

SUBJECT: Distracted Driving Awareness Month

SUMMARY: Proclaims April 2017 as Distracted Driving Awareness Month and calls for awareness of the distracted driving problem and support for programs and policies to reduce the incidence of distracted driving. Specifically, **this resolution** makes the following legislative findings:

- 1) Distracted driving is defined as any activity that could divert a person's attention away from the primary task of driving; whether it is visual, manual, or cognitive distraction.
- 2) In 2012, 3,328 people were killed and 421,000 were injured in distraction-affected crashes.
- 3) A 2013 statewide traffic safety survey conducted by the California Office of Traffic Safety reported that more than 36 percent of Californians surveyed thought texting or talking on a cell phone while driving posed the biggest safety problem on California roadways.
- 4) In 2013, nearly 70 percent of the California drivers surveyed said they had been hit or nearly hit by a driver who was talking or texting on a cell phone.
- 5) Parents who engage in distracting behaviors while driving more frequently have teens who do the same. According to a 2012 teen driver distraction study conducted jointly by the University of Michigan Transportation Research Institute and Toyota, teens send or read text messages once a trip 26 times more often than their parents think they do.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Nguyen

December 5, 2016

Senate Concurrent Resolution No. 2—Relative to Black April Memorial Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 2, as introduced, Nguyen. Black April Memorial Month.

This measure would proclaim the month of April 2017 as Black April Memorial Month.

Fiscal committee: no.

- 1 WHEREAS, April 30, 2017, marks the 42nd year since the Fall
2 of Saigon, on April 30, 1975, to communism; and
3 WHEREAS, For many Vietnam and Vietnam-era veterans who
4 were directly involved in the war and Vietnamese Americans who
5 have settled in the United States, the Vietnam War was a tragedy
6 full of great suffering and loss of American, Vietnamese, and
7 Southeast Asian lives; and
8 WHEREAS, The combined United States and South Vietnamese
9 fatalities among servicemen and women during the Vietnam War
10 reached more than a half million, with approximately 800,000
11 additional troops being wounded in combat. Millions of
12 Vietnamese civilians suffered casualties and death as a result of
13 the extended conflict; and
14 WHEREAS, After the Fall of Saigon, millions of Vietnamese
15 and their families fled Vietnam to surrounding areas and the United
16 States, including, but not limited to, former military personnel,
17 government officials, and those who had worked for the United
18 States during the war; and

1 WHEREAS, In the late 1970s to mid-1980s, thousands of
2 Vietnamese risked their lives by fleeing Vietnam aboard small
3 wooden boats. These emigrants reached refugee camps in Thailand,
4 Malaysia, Indonesia, the Philippines, and Hong Kong, while
5 approximately one-half of the people fleeing Vietnam in search
6 of freedom and democracy perished at sea; and

7 WHEREAS, According to the United States Census for 2010,
8 more than 580,000 Vietnamese live in California, with the largest
9 concentration of Vietnamese residents found outside of Vietnam
10 residing in the County of Orange; and

11 WHEREAS, Human rights, religious freedom, democracy, and
12 protection against threats of aggression are important concerns of
13 Vietnamese Americans and Vietnamese communities worldwide
14 stemming from human rights abuses that continue to occur in
15 Vietnam in the following areas, among others, child labor, human
16 trafficking, religious and political persecution, suppression of the
17 press, unlawful deprivation of life, forced disappearances, and land
18 seizure; and

19 WHEREAS, The 2014 United States Department of State's
20 Report on Human Rights Practices in Vietnam estimates 125
21 political detainees are being held, and the International Labor
22 Rights Forum reports that mistreatment has continued at
23 reeducation centers, including forcing detainees to produce goods
24 for private companies; and

25 WHEREAS, We must teach our children and future generations
26 important lessons from the Vietnam War and the continuing
27 situation in Vietnam, including how the plight of the Vietnamese
28 refugees following the end of the war serves as a powerful example
29 of the values of freedom and democracy; and

30 WHEREAS, We, the people of California, should actively
31 rededicate ourselves to the principles of human rights, individual
32 freedom, sovereignty, and equal protection under the laws of a just
33 and democratic world. Californians should set aside moments of
34 time every year on April 30 to give remembrance to the soldiers,
35 medical personnel, and civilians who died during the Vietnam War
36 in pursuit of freedom and democracy; and

37 WHEREAS, Vietnamese American communities throughout
38 California will commemorate April 30, 2017, as Black April, a
39 day of remembrance and rededication to the principles of freedom,

1 including freedom of religion, freedom of expression, freedom of
2 press, and Internet freedom; now, therefore, be it

3 *Resolved by the Senate of the State of California, the Assembly*
4 *thereof concurring*, That in recognition of the great tragedy and
5 suffering and lives lost during the Vietnam War, the month of
6 April 2017 shall be proclaimed Black April Memorial Month, a
7 special time for Californians to remember the lives lost during the
8 Vietnam War era, and to hope for a more humane and just life for
9 the people of Vietnam; and be it further

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

O

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 2 (Nguyen) – As Introduced December 5, 2016

SENATE VOTE: 39-0

SUBJECT: Black April Memorial Month

SUMMARY: Proclaims the month of April 2017 as Black April Memorial Month. Specifically, **this resolution** makes the following legislative findings:

- 1) April 30, 2017 marks the 42nd year since the Fall of Saigon on April 30, 1975 to communism.
- 2) For many Vietnam and Vietnam-era veterans who were directly involved in the war and Vietnamese Americans who have settled in the United States, the Vietnam War was a tragedy full of great suffering and the loss of American, Vietnamese, and Southeast Asian lives.
- 3) After the Fall of Saigon, millions of Vietnamese people and their families fled to the United States, including former military personnel, government officials, and those who had worked for the United States during the war.
- 4) According to the United States Census for 2010, more than 580,000 Vietnamese live in California, with the largest concentration of Vietnamese found outside of Vietnam residing in Orange County.
- 5) We must teach our children and future generations important lessons from the Vietnam War and the continuing situation in Vietnam, including how the plight of the Vietnamese refugees following the end of the war serves as a powerful example of the values of freedom and democracy.
- 6) We, the people of California, should actively rededicate ourselves to the principles of human rights, individual freedom, sovereignty, and equal protection under the laws of a just and democratic world. Californians should set aside moments of time every year on April 30 to give remembrance to the soldiers, medical personnel, and civilians who died during the Vietnam War in pursuit of freedom.
- 7) Vietnamese American communities throughout California will commemorate April 30, 2017, as Black April, a day of remembrance and rededication to the principles of freedom, including freedom of expression, freedom of press, and Internet freedom.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Lara
(Principal coauthor: Assembly Member O'Donnell)

March 21, 2017

Senate Concurrent Resolution No. 36—Relative to Cambodian Genocide Memorial Week.

LEGISLATIVE COUNSEL'S DIGEST

SCR 36, as introduced, Lara. Cambodian Genocide Memorial Week.
This measure would recognize the week of April 17 to April 23, 2017, inclusive, as Cambodian Genocide Memorial Week.
Fiscal committee: no.

1 WHEREAS, The Cambodian people have a long and rich
2 cultural heritage symbolized by the temple city Angkor Wat,
3 considered one of the Wonders of the Ancient World, built between
4 the 9th and 12th centuries, that stands as a living icon of the
5 endurance and genius of all Cambodians throughout the world;
6 and
7 WHEREAS, Early connections between the United States and
8 Cambodia began in the 1950s, when Cambodia sent bright and
9 talented college students to universities, including California State
10 Universities in Long Beach and Los Angeles, to study technical
11 trades, engineering, and agriculture with the assistance of the
12 United States Agency for International Development (USAID);
13 and
14 WHEREAS, The relationship between the United States and
15 Cambodia had been forged through educational and professional
16 exchange, and therefore in 1975, with the impending overthrow
17 of the government by the totalitarian Khmer Rouge regime, the

1 United States accepted over 4,000 Cambodian evacuees to ensure
2 their safety; and

3 WHEREAS, April 17, 2017, will mark both the 42nd anniversary
4 of the Khmer Rouge, led by Pol Pot, seizing control of Cambodia
5 and the beginning of the Cambodian Genocide; and

6 WHEREAS, Between April 17, 1975, and January 7, 1979, the
7 Khmer Rouge of Democratic Kampuchea, led by Pol Pot, General
8 Secretary of the Communist Party of Kampuchea, and other
9 members of the Standing Committee of the Central Committee of
10 the Communist Party of Kampuchea and their agents, committed
11 acts of genocide and other crimes against humanity; and

12 WHEREAS, The genocide and other crimes against humanity
13 committed against the people of Cambodia, including various
14 religious groups and ethnic minorities, during the Khmer Rouge
15 regime led to the deaths of over 1,700,000 Cambodians, which
16 was 21 percent of the nation's population; and

17 WHEREAS, The Khmer Rouge regime also sought to eliminate
18 all aspects of Cambodian culture by systematically killing those
19 with education, separating families, and destroying institutions
20 such as Buddhist temples, schools, libraries, dance, and music;
21 and

22 WHEREAS, Countless victims have since come forward to tell
23 their stories of imprisonment, starvation, slavery, rape, and
24 systematic forced marriage; and

25 WHEREAS, After the overthrow of the Khmer Rouge regime
26 in 1979, over 140,000 Cambodians came to the United States as
27 refugees, a group of special humanitarian and foreign policy
28 concern to the United States because of the well-founded fear of
29 persecution for reasons of race, religion, nationality, membership
30 in a particular social group, or political opinion and thus in need
31 of protection in accordance with the United Nations 1951
32 Convention Relating to the Status of Refugees; and

33 WHEREAS, The State of California has the largest population
34 of Cambodians and the City of Long Beach is known around the
35 world as home to the largest Cambodian community outside of
36 Southeast Asia; and

37 WHEREAS, The Cambodian people have drawn from their
38 cultural history to rebuild their lives and communities through
39 participation in American politics on the local and national levels,
40 by establishing local and international businesses, by developing

1 new art forms and community organizations, and by raising a new
2 generation of Americans who promise to contribute to the future
3 of the State of California and the nation; and

4 WHEREAS, The Cambodian Genocide was a human tragedy
5 and must be remembered for the scale of violence and devastation
6 perpetrated against the people of Cambodia so that it does not
7 happen again, there or in any other country; and

8 WHEREAS, In 1994 the United States Congress passed the
9 Cambodian Genocide Justice Act, committing the American
10 government to the pursuit of justice for the victims of the genocide
11 and affirming the policy of the United States to bring members of
12 the Khmer Rouge to justice for their crimes against humanity; and

13 WHEREAS, The genocide and other crimes against humanity
14 did not succeed in destroying the Cambodian people or their
15 culture. In fact the culture and heritage of the Cambodian people
16 continues to this day through the accomplishments of Cambodians
17 and their descendants; and

18 WHEREAS, The suffering and loss of the Cambodian people
19 and their accomplishments and perseverance in reestablishing
20 families, communities, and enhancing the cultural and historical
21 diversity of our state and nation should be recognized and honored;
22 and

23 WHEREAS, The Cambodian Genocide Memorial Week will
24 honor the survivors and their descendants for their courage and
25 contributions to our state and country. This week will serve as a
26 way to remember those who lost their lives in Cambodia and in
27 genocides around the world; now, therefore, be it

28 *Resolved by the Senate of the State of California, the Assembly*
29 *thereof concurring*, That the Legislature hereby recognizes the
30 week of April 17 to April 23, 2017, inclusive, as Cambodian
31 Genocide Memorial Week, and calls upon all Californians to
32 observe the week by participating in appropriate activities and
33 programs; and be it further

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

O

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 36 (Lara) – As Introduced March 21, 2017

SENATE VOTE: 39-0

SUBJECT: Cambodian Genocide Memorial Week

SUMMARY: Recognizes the week of April 17 to April 23, 2017, inclusive, as Cambodian Genocide Memorial Week. Specifically, **this resolution** makes the following legislative findings:

- 1) The Cambodian people have a long and rich cultural heritage symbolized by the temple city Angkor Wat, considered one of the Wonders of the Ancient World, built between the 9th and 12th centuries, and which stands as a living icon of the endurance and genius of all Cambodians throughout the world.
- 2) Between April 17, 1975, and January 7, 1979, the Khmer Rouge of Democratic Kampuchea, led by Pol Pot, General Secretary of the Communist Party of Kampuchea, and other members of the Standing Committee of the Central Committee of the Communist Party of Kampuchea and their agents, committed acts of genocide and other crimes against humanity. April 17, 2017, will mark both the 42nd anniversary of the Khmer Rouge seizing control of Cambodia and the beginning of the Cambodian Genocide.
- 3) The genocide and other crimes against humanity committed against the people of Cambodia, including various religious groups and ethnic minorities, during the Khmer Rouge regime led to the deaths of over 1,700,000 Cambodians, which was 21% of the nation's population.
- 4) After the overthrow of the Khmer Rouge regime in 1979, over 140,000 Cambodians came to the United States as refugees, a group of special humanitarian and foreign policy concern to the United States because of the well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group, or political opinion and thus in need of protection in accordance with the United Nations' 1951 Convention Relating to the Status of Refugees.
- 5) The State of California has the largest population of Cambodians and the City of Long Beach is known around the world as home to the largest Cambodian community outside of Southeast Asia.
- 6) The Cambodian people have drawn from their cultural history to rebuild their lives and communities through participation in American politics on the local and national levels, by establishing local and international businesses, by developing new art forms and community organizations, and by raising a new generation of Americans who promise to contribute to the future of the State of California and the nation.
- 7) The Cambodian Genocide Memorial Week will honor the survivors and their descendants for their courage and contributions to our state and country, and will serve as a way to remember those who lost their lives in Cambodia and in genocides around the world.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

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Assembly California Legislature



JIMMY GOMEZ
ASSEMBLYMEMBER, FIFTY-FIRST DISTRICT

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CHAIR: SELECT COMMITTEE ON
DOMESTIC VIOLENCE

April 21, 2017

The Honorable Ken Cooley, Chair
Assembly Rules Committee
State Capitol, Room 2013
Sacramento, California 95814

Dear Mr. Chair:

This letter is to request an urgency clause be added to AB 14. The urgency clause is necessary to ensure that the Fair Political Practices Commission will develop regulations relative to the Safe Harbor and Rules of Interpretation sections of AB 14. Without having the appropriate regulations in place by the time the legislation is enacted, we may not be able to ensure that this bill has the appropriate effect on the 2018 elections.

Thank you in advance for your kind consideration of this request. Your favorable consideration of my request would be greatly appreciated. If you have any questions, please do not hesitate to contact my Interim Chief of Staff, Freddie Quintana, at (916) 319-2051.

Sincerely,


JIMMY GOMEZ
Assemblymember, 51st District