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**Assembly  
California Legislature  
Committee on Rules**

**KEN COOLEY  
CHAIR**

**VICE CHAIR**  
CUNNINGHAM, JORDAN

**MEMBERS**  
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SALAS, JR. RUDY  
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FONG, VINCE (R-ALT)  
GOMEZ, JIMMY (D-ALT)

Thursday, April 27, 2017  
10 minutes prior to Session  
State Capitol, Room 3162

**CONSENT AGENDA**

**BILL REFERRALS**

- |    |                        |                        |
|----|------------------------|------------------------|
| 1. | Bill Referral Memo     | <a href="#">Page 2</a> |
| 2. | Consent Bill Referrals | <a href="#">Page 3</a> |

**RESOLUTIONS**

- |    |                          |  |                         |
|----|--------------------------|--|-------------------------|
| 3. | ACR-55 (Baker)           | Relative to Food Allergy Awareness Week.                         | <a href="#">Page 4</a>  |
| 4. | ACR-66 (Daly)            | Relative to Diabetes and Cardiovascular Disease Awareness Month. | <a href="#">Page 7</a>  |
| 5. | ACR-71 (Flora)           | Relative to International Firefighters' Day.                     | <a href="#">Page 13</a> |
| 6. | ACR-74 (Cristina Garcia) | Relative to California Physical Education Week.                  | <a href="#">Page 16</a> |
| 7. | HR-17 (Quirk-Silva)      | Relative to Cinco de Mayo Week.                                  | <a href="#">Page 25</a> |
| 8. | SCR-35 (Beall)           | Relative to Infrastructure Week.                                 | <a href="#">Page 31</a> |

# 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:** 4/26/2017  
**Re:** Consent Bill Referrals

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Since you received your preliminary list of bill referrals, HR 34 has been added.

## REFERRAL OF BILLS TO COMMITTEE

04/27/2017

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

Assembly Bill No.	Committee:
<u>AB 1314</u>	HEALTH
<u>ACA 2</u>	REV. & TAX.
<u>ACR 72</u>	RLS.
<u>ACR 73</u>	RLS.
<u>ACR 74</u>	RLS.
<u>ACR 75</u>	RLS.
<u>ACR 76</u>	TRANS.
<u>AJR 11</u>	AGRI.
<u>HR 12</u>	ED.
<u>HR 34</u>	RLS.

**Assembly Concurrent Resolution**

**No. 55**

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**Introduced by Assembly Member Baker**

April 17, 2017

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Assembly Concurrent Resolution No. 55—Relative to Food Allergy Awareness Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 55, as introduced, Baker. Food Allergy Awareness Week.

This measure would declare the week of May 14 to May 20, 2017, as Food Allergy Awareness Week and encourage Californians to increase their understanding and awareness of food allergies and anaphylaxis.

Fiscal committee: no.

1 WHEREAS, As many as 15 million people in the United States  
2 have a food allergy; and

3 WHEREAS, Research indicates the prevalence of food allergies  
4 is increasing among children. Nearly six million children under  
5 18 years of age have a food allergy; and

6 WHEREAS, The eight foods that cause the majority of all food  
7 allergy reactions in the United States are shellfish, fish, milk, eggs,  
8 tree nuts, peanuts, soy, and wheat; and

9 WHEREAS, Symptoms of a food-allergic reaction can include  
10 hives, vomiting, diarrhea, respiratory distress, and swelling of the  
11 throat; and

12 WHEREAS, Anaphylaxis is a serious allergic reaction that is  
13 rapid in onset and may cause death; and

1 WHEREAS, According to the Centers for Disease Control and  
2 Prevention, food allergies result in more than 200,000 ambulatory  
3 care visits a year involving children under 18 years of age.  
4 Reactions typically occur when an individual unknowingly eats a  
5 food containing an ingredient to which he or she is allergic; and

6 WHEREAS, There is no cure for a food allergy, and scientists  
7 do not understand why that is. Strict avoidance of the offending  
8 food is the only way to prevent an allergic reaction; and

9 WHEREAS, Food Allergy Research and Education (FARE) is  
10 a national, nonprofit organization dedicated to improving the  
11 quality of life and the health of individuals with food allergies and  
12 to providing them with hope through the promise of new  
13 treatments; now, therefore, be it

14 *Resolved by the Assembly of the State of California, the Senate*  
15 *thereof concurring*, That May 14 to May 20, 2017, is hereby  
16 proclaimed Food Allergy Awareness Week; and be it further

17 *Resolved*, That the Legislature encourages the residents of this  
18 state to increase their understanding and awareness of food allergies  
19 and anaphylaxis by visiting [www.foodallergyweek.org](http://www.foodallergyweek.org); and be it  
20 further

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

O

Date of Hearing: April 27, 2017

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 55 (Baker) – As Introduced April 17, 2017

**SUBJECT:** Food Allergy Awareness Week

**SUMMARY:** Declares the week of May 14 to May 20, 2017, as Food Allergy Awareness Week and encourages Californians to increase their understanding and awareness of food allergies and anaphylaxis. Specifically, **this bill:** makes the following legislative findings:

- 1) As many as 15 million people in the United States have a food allergy. Research indicates the prevalence of food allergies is increasing among children. Nearly six million children under 18 years of age have a food allergy.
- 2) There is no cure for a food allergy, and scientists do not understand why that is. Strict avoidance of the offending food is the only way to prevent an allergic reaction.
- 3) Symptoms of a food-allergic reaction can include hives, vomiting, diarrhea, respiratory distress, and swelling of the throat. Anaphylaxis is a serious allergic reaction that is rapid in onset and may cause death.
- 4) According to the Centers for Disease Control and Prevention, food allergies result in more than 200,000 ambulatory care visits a year involving children under 18 years of age. Reactions typically occur when an individual unknowingly eats a food containing an ingredient to which he or she is allergic.
- 5) Food Allergy Research and Education (FARE) is a national, nonprofit organization dedicated to improving the quality of life and the health of individuals with food allergies and to providing them with hope through the promise of new treatments.

**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. 66**

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**Introduced by Assembly Member Daly**

April 20, 2017

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Assembly Concurrent Resolution No. 66—Relative to Diabetes and Cardiovascular Disease Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 66, as introduced, Daly. Diabetes and Cardiovascular Disease Awareness Month.

This measure would declare May 2017 as Diabetes and Cardiovascular Disease Awareness Month.

Fiscal committee: no.

1 WHEREAS, Diabetes affects more than 29 million Americans  
2 and is a chronic condition that occurs when the body does not  
3 properly produce or use the hormone insulin that regulates blood  
4 sugar; and

5 WHEREAS, Type II diabetes is the most common type of  
6 diabetes, representing an estimated 90 to 95 percent of all  
7 diagnosed adult diabetes cases in the United States; and

8 WHEREAS, Diabetes is the seventh leading cause of death in  
9 the United States with 8 million Americans undiagnosed and more  
10 than 5,000 Americans diagnosed each day; and

11 WHEREAS, Cardiovascular disease is the leading cause of death  
12 associated with diabetes due to complications associated with  
13 diabetes, such as high blood sugar, high blood pressure, and  
14 obesity; and

1 WHEREAS, Cardiovascular disease is a term used to define  
2 problems with the heart and blood vessels such as heart attacks,  
3 heart failure, and strokes; and

4 WHEREAS, People with type II diabetes are at two to four times  
5 greater risk for developing cardiovascular disease, and findings  
6 from a recent study reveal that 52 percent of adults living with  
7 type II diabetes are unaware they are at an increased risk; and

8 WHEREAS, Two out of three deaths in people with type II  
9 diabetes are attributed to cardiovascular disease in the United  
10 States, accounting for 68 percent of deaths in people with type II  
11 diabetes; and

12 WHEREAS, The total health care costs for the treatment of  
13 diabetes were reported to be approximately \$245 billion annually,  
14 with the direct medical costs accounting for \$176 billion of the  
15 total costs, in 2013, and cardiovascular disease accounting for 28  
16 percent of the costs for treating diabetes patients; and

17 WHEREAS, In the State of California, 46 percent of the  
18 population is considered to have prediabetes and 9 percent to have  
19 diabetes, totaling 55 percent of the population of the state; and

20 WHEREAS, In the State of California, the amount paid by  
21 Medicare for type II diabetes and cardiovascular disease totals  
22 \$3,557,889,730, with prevalence reaching 8.1 percent; and

23 WHEREAS, Twelve and one-fifth percent of the Hispanic  
24 population in California's Medicare community are diagnosed  
25 with type II diabetes and cardiovascular disease, and the amount  
26 paid by Medicare in the state totals \$413,068,129 for 1,110  
27 beneficiaries; and

28 WHEREAS, Eleven and nine-tenths percent of the African  
29 American population in California's Medicare community are  
30 diagnosed with type II diabetes and cardiovascular disease, and  
31 the amount paid by Medicare in the state totals \$372,284,357 for  
32 931 beneficiaries; and

33 WHEREAS, Ten and seven-tenths percent of other populations,  
34 including Asian, Hawaiian, and Native American, in California's  
35 Medicare community are diagnosed with type II diabetes and  
36 cardiovascular disease, and the amount paid by Medicare in the  
37 state totals \$589,947,884 for 2,149 beneficiaries; and

38 WHEREAS, Seven percent of the Caucasian population in  
39 California's Medicare community are diagnosed with type II  
40 diabetes and cardiovascular disease, and the amount paid by



1 Medicare in the state totals \$2,182,589,361 for 7,198 beneficiaries;  
2 and

3 WHEREAS, Seven and one-half percent of the female  
4 population in California's Medicare community are diagnosed  
5 with type II diabetes and cardiovascular disease, and the amount  
6 paid by Medicare in the state totals \$1,700,006,646 for 5,661  
7 beneficiaries; and

8 WHEREAS, Appropriate awareness and education about the  
9 cardiovascular risks associated with diabetes can effectively reduce  
10 the overall outcome and financial burden of the illness; and

11 WHEREAS, The Partnership to Fight Chronic Disease and other  
12 relevant partners seek to promote awareness, education, and action  
13 related to diabetes and the link to cardiovascular disease; now,  
14 therefore, be it

15 *Resolved by the Assembly of the State of California, the Senate*  
16 *thereof concurring*, That the Legislature declares May 2017 as  
17 Diabetes and Cardiovascular Disease Awareness Month and  
18 encourages others to promote education and awareness of the  
19 connection between diabetes and cardiovascular disease; and be  
20 it further

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

O

Date of Hearing: April 27, 2017

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 66 (Daly) – As Introduced April 20, 2017

**SUBJECT:** Diabetes and Cardiovascular Disease Awareness Month

**SUMMARY:** Declares the month of May 2017 as Diabetes and Cardiovascular Disease Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Diabetes affects more than 29 million Americans and is a chronic condition that occurs when the body does not properly produce or use the hormone insulin that regulates blood sugar. Type II diabetes is the most common type of diabetes, representing an estimated 90 to 95 percent of all diagnosed adult diabetes cases in the United States.
- 2) Diabetes is the seventh leading cause of death in the United States with 8 million Americans undiagnosed and more than 5,000 Americans diagnosed each day.
- 3) Cardiovascular disease is the leading cause of death associated with diabetes due to complications associated with diabetes, such as high blood sugar, high blood pressure, and obesity. People with type II diabetes are at two to four times great risk for developing cardiovascular disease, and findings from a recent study reveal that 52 percent of adults living with type II diabetes are unaware they are at an increased risk.
- 4) The total health care costs for the treatment of diabetes were reported to be approximately \$245 billion annually, with the direct medical costs accounting for \$176 billion of the total costs, in 2013, and cardiovascular disease accounting for 28 percent of the costs for treating diabetes patients.
- 5) In the State of California, the amount paid by Medicare for type II diabetes and cardiovascular disease totals \$3,557,889,730, with prevalence reaching 8.1 percent.
- 6) Appropriate awareness and education about the cardiovascular risks associated with diabetes can effectively reduce the overall outcome and financial burden of the illness. The Partnership to Fight Chronic Disease and other relevant partners seek to promote awareness, education, and action related to diabetes and the link to cardiovascular disease.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Partnership to Fight Chronic Disease (PFCD)

**Opposition**

None on file

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



## PARTNERSHIP TO FIGHT CHRONIC DISEASE

April 26, 2017

The Honorable Ken Cooley, Chair  
Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, CA 95814

### RE: ACR 66 (Daly) – SUPPORT

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Dear Chair and Members of the Assembly Rules Committee:

On behalf of the Partnership to Fight Chronic Disease (PFCD), an internationally-recognized organization of patients, providers, community organizations, business and labor groups and health policy experts committed to raising awareness of chronic disease, **I write in support of ACR 66 (Daly).**

This measure would declare May 2017 as Diabetes and Cardiovascular Disease Awareness Month.

Diabetes affects more than 29 million Americans and is the seventh leading cause of death in the United States with 8 million Americans undiagnosed and more than 5,000 Americans diagnosed each day. Type 2 diabetes is the most common type of diabetes, representing an estimated 90 to 95 of all diagnosed adults in the United States, and is classified as a chronic condition resulting from the body's ineffective use of insulin. Cardiovascular disease is the leading cause of death associated with diabetes due to complications.

In California, 55 percent of the population has diabetes or prediabetes, putting them at a two to four times greater risk for developing cardiovascular disease. And, of those with type 2 diabetes, two out of three will die from cardiovascular disease. In addition, 8 percent of the Medicare population has both diabetes and cardiovascular disease, which has resulted in the system paying more than \$3 billion in health care costs.

Nearly one in three Americans live with two or more chronic conditions, such as diabetes and heart disease. And, PFCD is committed to raising awareness of the number one cause of death, disability and rising health care costs: chronic disease. By educating Californians about the negative and costly effects of diabetes and cardiovascular disease, this resolution will help prevent the rate of diabetes and cardiovascular disease co-occurring and significantly reduce the health care costs associated with the two.

I urge your support of ACR 66 (Daly) to declare May 2017 as Diabetes and Cardiovascular Disease Awareness Month.

Sincerely,

Kenneth Thorpe, PhD  
Chair, PFCD

Cc: The Honorable Tom Daly, Author  
Honorable Members Assembly Rules Committee  
Erin Norwood, Norwood Associates

**Assembly Concurrent Resolution**

**No. 71**

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**Introduced by Assembly Member Flora**

April 20, 2017

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Assembly Concurrent Resolution No. 71—Relative to International Firefighters’ Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 71, as introduced, Flora. International Firefighters’ Day.

This measure would recognize May 4, 2017, as International Firefighters’ Day for the purpose of honoring the sacrifices made by firefighters in California and around the world.

Fiscal committee: no.

1 WHEREAS, Firefighters risk their lives to protect life and  
2 property and to ensure their communities are safe; and

3 WHEREAS, On December 2, 1998, firefighters responded to a  
4 wildfire in Linton, Australia; when the fire unexpectedly changed  
5 course, five volunteer firefighters, Garry Vredeveltdt, Chris Evans,  
6 Stuart Davidson, Jason Thomas, and Matthew Armstrong, tragically  
7 lost their lives; and

8 WHEREAS, JJ Edmondson, a volunteer lieutenant and  
9 firefighter in Victoria, Australia, was moved by this tragedy and  
10 set out to organize a day of support for all firefighters around the  
11 world; and

12 WHEREAS, JJ Edmondson coordinated international discussions  
13 with firefighter organizations for an appropriate date and symbol  
14 to commemorate the sacrifices firefighters make; and

1 WHEREAS, May 4 was eventually chosen as the date for  
2 International Firefighters' Day; many European countries had  
3 traditionally recognized the contributions of firefighters on May  
4 4 to coincide with the feast day of Saint Florian, the patron saint  
5 of firefighters; and

6 WHEREAS, The symbol for International Firefighters' Day is  
7 red and blue ribbons pinned together, with red representing fire  
8 and blue representing water to signify the elements firefighters  
9 work with every day; and

10 WHEREAS, On May 4, people are encouraged to attend  
11 memorials or display red and blue ribbons to show support for the  
12 firefighters around the world and to thank them for helping keep  
13 their communities safe; now, therefore, be it

14 *Resolved by the Assembly of the State of California, the Senate*  
15 *thereof concurring*, That the Legislature hereby recognizes May  
16 4, 2017, as International Firefighters' Day for the purpose of  
17 honoring the sacrifices made by firefighters in California and  
18 around the world; and be it further

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

O

Date of Hearing: April 27, 2017

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 71 (Flora) – As Introduced April 20, 2017

**SUBJECT:** International Firefighters' Day

**SUMMARY:** Recognizes May 4, 2017, as International Firefighters' Day for the purpose of honoring the sacrifices made by firefighters in California and around the world. Specifically, **this resolution** makes the following legislative findings:

- 1) Firefighters risk their lives to protect life and property and to ensure their communities are safe.
- 2) On December 2, 1998, firefighters responded to a wildfire in Linton, Australia; when the fire unexpectedly changed course, five volunteer firefighters, Garry Vredeveltdt, Chris Evans, Stuart Davidson, Jason Thomas, and Matthew Armstrong, tragically lost their lives.
- 3) JJ Edmondson, a volunteer lieutenant and firefighter in Victoria, Australia, was moved by this tragedy and set out to organize a day of support for all firefighters around the world.
- 4) After international discussions with firefighter organizations about the appropriate date and symbol to commemorate the sacrifices firefighters make, May 4 was chosen as the date for International Firefighters' Day. Many European countries had traditionally recognized the contributions of firefighters on May 4 to coincide with the feast day of Saint Florian, the patron saint of firefighters.
- 5) The symbol for International Firefighters' Day is red and blue ribbons pinned together, with red representing fire and blue representing water to signify the elements firefighters work with every day.
- 6) On May 4, people are encouraged to attend memorials or display red and blue ribbons to show support for the firefighters around the world and to thank them for helping keep their communities safe.

**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. 74**

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**Introduced by Assembly Member Cristina Garcia**

April 24, 2017

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Assembly Concurrent Resolution No. 74—Relative to California Physical Education Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 74, as introduced, Cristina Garcia. California Physical Education Week.

This measure would proclaim the week of May 1, 2017, to May 7, 2017, inclusive, as California Physical Education Week and would encourage physical education teachers, school administrators responsible for the planning and supervision of physical education, and governing boards of school districts setting policy for physical education to promote the highest quality physical education year round and in future years.

Fiscal committee: no.

- 1 WHEREAS, Physical education is the study and the practice of
- 2 the science and art of human movement; and
- 3 WHEREAS, The State Board of Education has adopted the
- 4 Physical Education Model Content Standards for California Public
- 5 Schools: Kindergarten Through Grade Twelve, which serve as a
- 6 foundation for instruction at all grade and course levels; and
- 7 WHEREAS, The Physical Education Model Content Standards
- 8 for California Public Schools represent the essential skills and
- 9 knowledge that all students need to maintain physically active,
- 10 healthy lifestyles and incorporate the detail required to guide the



1 development of consistent, high-quality physical education  
2 instructional programs aimed at student learning and achievement;  
3 and

4 WHEREAS, The State Board of Education adopted the Physical  
5 Education Framework for California Public Schools: Kindergarten  
6 Through Grade Twelve, giving guidance to teachers, school  
7 administrators, and the governing boards of school districts on the  
8 implementation of quality physical education programs; and

9 WHEREAS, The Physical Education Framework for California  
10 Public Schools serves as the blueprint for reform of physical  
11 education in California. It is designed to help schools transform  
12 their physical education programs into exciting and effective  
13 standards-based instructional programs; and

14 WHEREAS, Large numbers of students in grades 5, 7, and 9  
15 scored below the Healthy Fitness Zone on the 2014–15 Physical  
16 Fitness Test; and

17 WHEREAS, The federal Every Student Succeeds Act seeks to  
18 provide students with a well-rounded education, which includes  
19 physical education; and

20 WHEREAS, Under the federal Every Student Succeeds Act,  
21 the United States Department of Education provides funding to be  
22 used, in part, to implement programs, including nutritional and  
23 physical education programs, that support a healthy, active lifestyle;  
24 and

25 WHEREAS, Poor diet and physical inactivity are major  
26 contributors to disabilities that result from diabetes, osteoporosis,  
27 obesity, and stroke; and

28 WHEREAS, Seventy-five percent of Americans do not eat  
29 enough fruit, more than half do not eat enough vegetables, and 64  
30 percent consume too much saturated fat. The diets of many  
31 population subgroups contain too much fat, saturated fat, and  
32 calories, but not enough of other important elements such as  
33 calcium. Low fruit and vegetable consumption and high saturated  
34 fat intake are associated with coronary heart disease, some cancers,  
35 and diabetes; and

36 WHEREAS, The prevalence of obesity is increasing more  
37 rapidly among children than among adults; and

38 WHEREAS, Quality physical education classes where students  
39 spend 50 percent of their time engaging in moderate to vigorous  
40 physical activity have been shown to improve fitness levels; and

1 WHEREAS, Quality physical education classes that teach  
2 concepts that encourage students to exercise independently, develop  
3 their own personal fitness plans, and adhere to those plans will  
4 have lifelong benefits for these students; and

5 WHEREAS, Quality physical education programs have been  
6 shown to increase students' cognitive functioning; and

7 WHEREAS, The State Department of Education has shown a  
8 positive correlation between fitness levels and academic  
9 performance; now, therefore, be it

10 *Resolved by the Assembly of the State of California, the Senate*  
11 *thereof concurring*, That, in an effort to promote quality physical  
12 education that exceeds the minimum requirements, the Legislature  
13 proclaims the week of May 1, 2017, to May 7, 2017, inclusive, as  
14 California Physical Education Week to coincide with National  
15 Physical Education and Sport Week; and be it further

16 *Resolved*, That physical education teachers, administrators  
17 responsible for the planning and supervision of physical education,  
18 and governing boards of school districts setting policy for physical  
19 education be encouraged to promote the highest quality physical  
20 education year round and in future years; and be it further

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

O

Date of Hearing: April 27, 2017

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 74 (Cristina Garcia) – As Introduced April 24, 2017

**SUBJECT:** California Physical Education Week

**SUMMARY:** Proclaims the week of May 1, 2017, to May 7, 2017, inclusive, as California Physical Education Week and encourages physical education teachers, school administrators responsible for the planning and supervision of physical education, and governing boards of school districts setting policy for physical education to promote the highest quality physical education year round and in future years. Specifically, **this resolution** makes the following legislative findings:

- 1) Physical education is the study and the practice of the science and art of human movement. The State Board of Education has adopted the Physical Education Model Content Standards for California Public Schools: Kindergarten through Grade Twelve, which serve as a foundation for instruction at all grade and course levels.
- 2) The Physical Education Model Content Standards for California Public Schools represent the essential skills and knowledge that all students need to maintain physically active, healthy lifestyles and incorporate the detail required to guide the development of consistent, high-quality physical education instructional programs aimed at student learning and achievement.
- 3) Large numbers of students in grades, 5, 7, and 9 scored below the Healthy Fitness Zone on the 2014-15 Physical Fitness Test. The federal Every Student Succeeds Act seeks to provide students with a well-rounded education, which includes physical education.
- 4) Under the federal Every Student Succeeds Act, the United States Department of Education provides funding to be used, in part, to implement programs, including nutritional and physical education programs that support a healthy, active lifestyle.
- 5) Seventy-five percent of Americans do not eat enough fruit, more than half do not eat enough vegetables, and 64 percent consume too much saturated fat. The diets of many population subgroups contain too much fat, saturated fat, and calories, but not enough of other important elements such as calcium. Low fruit and vegetable consumption and high saturated fat intake are associated with coronary heart disease, some cancers, and diabetes.
- 6) The prevalence of obesity is increasing more rapidly among children than among adults. Quality physical education classes where students spend 50 percent of their time engaging in moderate or vigorous physical activity have been shown to improve fitness levels. These quality physical education classes teach concepts that encourage students to exercise independently and develop their own personal fitness plans. Adhering to those plans will have lifelong benefits for these students.
- 7) The State Department of Education has shown a positive correlation between fitness levels and academic performance.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

American Heart Association/American Stroke Association (AHA/ASA)  
California Association for Health, Physical Education, Recreation and Dance

**Opposition**

None on file

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



## *California Association for Health, Physical Education, Recreation and Dance*

1501 El Camino Avenue - Suite 3, Sacramento, CA 95815-2748

916-922-3596 ♦ 916-922-0133 (Fax) ♦ [www.cahperd.org](http://www.cahperd.org)

### CAHPERD OFFICERS 2016-17

#### **BRENT POWELL**

President  
[brentcahperd@gmail.com](mailto:brentcahperd@gmail.com)

#### **BETTY HENNESSY**

Past President

#### **CINDY LEDERER**

President-Elect

#### **JOANIE VERDERBER**

Treasurer

#### **ROBIN BALLARD**

Parliamentarian

### VICE-PRESIDENTS

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Health Education

#### **SETH MARTIN**

Physical Education

#### **KIM WILLIAMS**

Recreation

#### **JULIE KUEHL-KITCHEN**

Dance

#### **EDGAR MEDINILLA**

Interscholastic Athletics

### HOUSE CHAIRS

#### **MAUREEN FERREL**

House of Representatives

#### **KEITH JOHANNES**

House of Regions

### DISTRICT COORDINATORS

#### **KATHLEEN TRONVIG**

Bay District

#### **JAMES CLEMMER**

North Central District

#### **VACANT**

Northern District

#### **ERIC DAVOLT**

Southern District

#### **KRISTINE JACOBSON**

South Central District

### EXECUTIVE DIRECTOR

BARBARA ANN BUCKALEW

April 25, 2017

The Honorable Ken Cooley, Chair

Assembly Rules Committee

California State Assembly

State Capitol Building

Sacramento, CA 95814

Position: Support

Location: Assembly Rules Committee

**Re: ACR 74 (C. Garcia) California Physical Education Week (As  
Introduced 4/24/17)**

Dear Assemblymember Cooley:

The California Association for Health, Physical Education, Recreation and Dance (CAHPERD) is a non-profit and diverse group whose mission is the "passionate promotion of active, healthy lifestyles." Members take a strong stand for quality programs in Health, Physical Education, Recreation, Sport and Dance, and other movement-related activities vital to the residents of California.

CAHPERD supports this resolution for California Physical Education Week because of its efforts to promote health and wellness across California. The resolution aligns with our organization's overall goal of empowering California citizens to lead an active, healthy life. This resolution displays state support for healthy, active students.

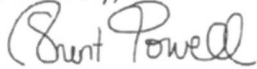
The commitment of our physical educators and schools to providing quality physical education and promoting student health and wellness is vital with the continuing epidemic of childhood and adult obesity. Our schools serve as a first line of defense in creating a "well-rounded" student. This resolution is another display of support for physical educators and the role they play in educating students to become physically literate individuals.

By proclaiming this week as California Physical Education Week, our schools will be given an opportunity to highlight their physical education programs and the role these programs play within the CDC and ASCD's Whole School, Whole Community, Whole Child model to promote Health and Wellness. CAHPERD is a strong supporter of quality physical education programs led by certified physical education teachers.

CAHPERD appreciates the support in helping prioritize and promote students' health in our state.

Please contact our legislative advocate, Kathryn Lynch, at (916) 443-0202 or [lynch@lynchlobby.com](mailto:lynch@lynchlobby.com) with any questions.

Sincerely,



Brent Powell  
President



Keith Johannes  
Legislative Chair

cc: Assemblymember Cristina Garcia  
Assembly Rules Committee  
Mr. Gregory Melkonian, Assembly Republican Caucus  
Ms. Kathryn Lynch, Legislative Advocate  
California Association for Health, Physical Education, Recreation, and Dance





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April 26, 2017

The Honorable Ken Cooley, Chair  
Assembly Rules Committee  
California State Assembly  
State Capitol Building  
Sacramento, CA 95814

**Re: ACR 74 (C. Garcia) – Support**

Dear Assemblymember Cooley:

The American Heart Association/American Stroke Association (AHA/ASA) is pleased to support ACR 74, which proclaims the week of May 1, 2017, to May 7, 2017, inclusive, as California Physical Education Week. This resolution encourages physical education teachers, school administrators responsible for the planning and supervision of physical education, and governing boards of school districts setting policy for physical education to promote the highest quality physical education year-round and in future years.

The mission of the AHA/ASA is to build lives free of cardiovascular disease and stroke. Our science-based position is that physical education should be a part of every regular school day for all children in elementary, middle and high schools. Quality, daily physical education is an important part of a student's comprehensive, well-rounded education program and a means of positively impacting life-long health and well-being. Focusing on comprehensive physical education programs that instruct youth in both physical education and healthy habits now will help children learn the skills to be heart healthy for life.

The State of California is in the middle of an obesity crisis. Overweight children are more likely than other children and adolescents to have risk factors associated with cardiovascular disease, including high blood pressure, high cholesterol, and type 2 diabetes. Beyond the impact on chronic disease, physical inactivity and obesity place a significant burden on our society. A study conducted by the California Center for Public Health Advocacy found the total annual estimated cost to California for overweight, obesity and physical inactivity was \$41.2 billion. In fact, nearly 17% of U.S. medical costs are attributed to the treatment of obesity. If current childhood obesity trends continue, the resulting total costs will

be nearly \$250 billion by 2050.<sup>1</sup> Increased access to quality physical education in California schools is a key part of reversing these alarming trends.

Furthermore, studies show that students who receive 30 minutes a day of quality physical education learn more effectively and achieve more academically.<sup>2</sup> They exhibit higher scholastic achievement, better classroom behavior and less absenteeism. Physical education is an integral part of developing the “whole” child for success in social settings and the learning environment.

California's plan to implement the federal Every Student Succeeds Act (ESSA) ensures a high-quality, well-rounded education, including at least one measure related to school quality or student success. The that end, the Association requests that the number of elementary school students receiving/schools offering 150 minutes of physical education per week, number of middle school students receiving/schools offering 225 minutes of physical education per week, and percentage of schools requiring physical education for high school graduation be included in state ESSA plans. Because physical education improves kids' physical, emotional and academic success, it is a logical and important indicator to be included in the accountability system and state Report Card.

ACR 74 underscores the importance of quality physical education. For these reasons, the AHA/ASA strongly supports ACR 74. If you have any questions, please contact me at 916-446-6505, or by email at [kula.koenig@heart.org](mailto:kula.koenig@heart.org).

Sincerely,



Kula Koenig  
Government Relations Director

Cc: Members, Asm. Rules Committee

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<sup>1</sup> Chenoweth & Associates I. The Economic Costs of Overweight, Obesity and Physical Inactivity Among California Adults – 2006. New Bern, North Carolina: California Center for Public Health Advocacy;2009.

<sup>2</sup> Institute of Medicine. Educating the Student Body: Taking Physical Activity and Physical Education to School. 2013. Available at [http://www.nap.edu/catalog.php?record\\_id=18314](http://www.nap.edu/catalog.php?record_id=18314).



## House Resolution

**No. 17**

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**Introduced by Assembly Member Quirk-Silva**

February 13, 2017

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House Resolution No. 17—Relative to Cinco de Mayo Week.

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

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

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

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

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

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

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

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

16 WHEREAS, Achievements by Latinos in America and  
17 California include contributions to all facets of our community;  
18 and

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

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

31 WHEREAS, Latinos in California have challenged the frontiers  
32 of social and economic justice, thereby improving the working  
33 conditions and lives of countless Californians; and

34 WHEREAS, Latino entrepreneurs in the United States are the  
35 fastest growing group of business owners in our economy; and

36 WHEREAS, In 2001, the Latino Caucus saw a need to recognize  
37 and honor distinguished Latinos for their contributions and  
38 dedication to California and the United States' economy and  
39 cultural life with the annual Latino Spirit Awards. These recipients  
40 are outstanding individuals who have greatly contributed to the

1 wonderful music, poetry, literature, journalism, and entertainment  
2 of California, the United States, and the world; now, therefore, be  
3 it

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

13 *Resolved, That the Assembly declares May 1, 2017, through*  
14 *May 5, 2017, as Cinco de Mayo Week; and be it further*

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

O

Date of Hearing: April 27, 2017

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
HR 17 (Quirk-Silva) – As Introduced February 13, 2017

**SUBJECT:** Cinco de Mayo Week

**SUMMARY:** Declares May 1, 2017, through May 5, 2017, as Cinco de Mayo Week. Specifically, **this resolution** makes the following legislative findings:

- 1) Cinco de Mayo, or the fifth of May, is memorialized as a significant date in the history of California and Mexico in recognition of the courage of the Mexican people, who defeated a better trained and equipped army at the “Batalla de Puebla.”
- 2) Since the beginning of the American Civil War, Latinos in California have shown their support for the institutions of freedom and democracy by joining the forces of the United States Army, Cavalry, and Navy, risking their lives to defend free institutions.
- 3) Cinco de Mayo serves to remind us that the foundation of any nation and our state is its people, in their spirit and courage in the face of adversity, in the strength of their drive to achieve self-determination, and in the willingness to sacrifice even life itself in the pursuit of freedom and liberty.
- 4) California’s Latinos have contributed to the state’s culture and society through their many achievements in music, food, dance, poetry, literature, architecture, entertainment, sports, and a broad spectrum of artistic expression.
- 5) Latinos in California have challenged the frontiers of social and economic justice, thereby improving the working conditions and lives of countless Californians. Latino entrepreneurs in the United States are the fastest growing group of business owners in our economy.
- 6) In 2001, the Latino Caucus saw a need to recognize and honor distinguished Latinos for their contributions and dedication to California and the United States’ economy and cultural life with the annual Latino Spirit Awards. These recipients are outstanding individuals who have greatly contributed to the wonderful music, poetry, literature, journalism, and entertainment of California, the United States, and the world.

**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



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2017 FEB 23 P 4:19

February 23, 2017

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

**RE: House Resolution 17 (Quirk-Silva) – AFSCME SUPPORTS**

The American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, would like to inform you of our **support of House Resolution 17** as introduced on February 13, 2017.

AFSCME urges the Assembly to recognize and celebrate a great day in Mexican history, Cinco de Mayo or the Fifth of May, when in 1862 the Mexican people fought for democracy and self-determination and defeated the better equipped trained French army at the Batalla de Puebla.

HR 17 would declare May 1, 2017, through May 5, 2017, as Cinco de Mayo Week. It would recognize the Latino noncombatants in California who freely gave their votes and resources to defend free institutions in Mexico during the war, as well as the Latinos of California who fought to defend the freedom of the United States in every armed conflict from the Spanish American War to the current conflicts in Iraq and Afghanistan.

**Please join us in supporting House Resolution 17.**

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/sew

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**Introduced by Senator Beall**

March 8, 2017

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Senate Concurrent Resolution No. 35—Relative to Infrastructure Week.

LEGISLATIVE COUNSEL’S DIGEST

SCR 35, as introduced, Beall. Infrastructure Week.

This measure would recognize the week of May 15, 2017, to May 19, 2017, inclusive, as Infrastructure Week, and would urge the citizens of California to join in this special observance with appropriate events and commemorations.

Fiscal committee: no.

1 WHEREAS, The week of May 15, 2017, to May 19, 2017,  
2 inclusive, is being observed at the state and national levels as  
3 Infrastructure Week; and

4 WHEREAS, The people of California rely on critical  
5 infrastructure, such as roads and bridges, railroads and transit  
6 systems, ports and airports, pipes and water systems, reliable power  
7 supply, passive and active open space, and access to broadband;  
8 and

9 WHEREAS, This infrastructure enhances our local and regional  
10 economy, our quality and enjoyment of life, our safety, and the  
11 strength of our communities; and

12 WHEREAS, Decades of underfunding and deferred maintenance  
13 have pushed infrastructure across the state to the brink of crisis,  
14 with preventable catastrophic failures occurring in some  
15 communities; and



1 WHEREAS, The poor condition of California risks losing its  
2 competitive advantage by failing to adequately invest in its  
3 infrastructure; and

4 WHEREAS, California's infrastructure and transportation  
5 systems are more than a drag on the economy, it can be harmful  
6 to our health and safety, even though tragedies resulting from  
7 infrastructure failures are most often preventable with adequate  
8 investment; and

9 WHEREAS, Every dollar invested in infrastructure generates  
10 nearly \$2 in economic output; and

11 WHEREAS, To grow our economy, keep people safe, strengthen  
12 our communities, and preserve and protect our green infrastructure  
13 and environment, we need all levels of government and the private  
14 sector to work together to rebuild and repair all of our  
15 infrastructure; and

16 WHEREAS, Infrastructure Week 2017 has been established to  
17 highlight infrastructure investment needs in communities  
18 throughout California, and to recognize and encourage leadership  
19 at the federal, state, and local levels to address our pressing  
20 infrastructure challenges; and

21 WHEREAS, Infrastructure Week challenges policymakers and  
22 the public to address head-on the challenges facing green and  
23 traditional infrastructure, to move beyond short-term fixes and  
24 deferred maintenance, and to envision the innovative solutions,  
25 technologies, policies, and investments that will improve our  
26 infrastructure today and in the future; now, therefore, be it

27 *Resolved by the Senate of the State of California, the Assembly*  
28 *thereof concurring*, That the Legislature recognizes the week of  
29 May 15, 2017, to May 19, 2017, as Infrastructure Week, and urges  
30 the citizens of California to join in this special observance with  
31 appropriate events and commemorations; and be it further

32 *Resolved*, That despite fiscal challenges, it is important for the  
33 Legislature to dedicate sufficient resources to transportation,  
34 infrastructure, and green investments in our community; and be it  
35 further

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

O



Date of Hearing: April 27, 2017

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 35 (Beall) – As Introduced March 8, 2017

**SENATE VOTE:** 38-0

**SUBJECT:** Infrastructure Week

**SUMMARY:** Recognizes the week of May 15, 2017, to May 19, 2017, as Infrastructure Week, and urges the citizens of California to join in this special observance with appropriate events and commemorations. Specifically, **this resolution** makes the following legislative findings:

- 1) The people of California rely on critical infrastructure, such as roads and bridges, railroads and transit systems, ports and airports, pipes and water systems, reliable power supply, passive and active open space, and access to broadband.
- 2) This infrastructure enhances our local and regional economy, our quality and enjoyment of life, our safety, and the strength of our communities.
- 3) Decades of underfunding and deferred maintenance have pushed infrastructure across the state to the brink of crisis, with preventable catastrophic failures occurring in some communities.
- 4) California's infrastructure and transportation systems are more than a drag on the economy; it can be harmful to our health and safety, even though tragedies resulting from infrastructure failures are most often preventable with adequate investment. Every dollar invested in infrastructure generates nearly \$2 in economic output.
- 5) Infrastructure Week 2017 has been established to highlight infrastructure investment needs in communities throughout California, and to recognize and encourage leadership at the federal, state, and local levels to address our pressing infrastructure challenges.
- 6) Infrastructure Week challenges policymakers and the public to address head-on the challenges facing green and traditional infrastructure, to move beyond short-term fixes and deferred maintenance, and to envision the innovative solutions, technologies, policies, and investments that will improve our infrastructure today and in the future.

**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



April 24, 2017

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

**RE: Senate Concurrent Resolution 35 (Beall) – AFSCME SUPPORTS**

The American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, would like to inform you of our **support of Senate Concurrent Resolution 35**, as introduced on March 8, 2017.

SCR 35 would recognize the week of May 15, 2017 to May 19, 2017 as Infrastructure Week. From our roads and bridges to our pipes and water systems, Californians rely heavily on sustainable infrastructure. High quality infrastructure enhances our local and regional economies, our quality and enjoyment of life, our safety and the strength of our communities.

To grow our economy, keep people safe, strengthen our communities and preserve and protect our green infrastructure and the environment, we need all levels of government and the private sector to work together to rebuild and repair all of our infrastructure. Infrastructure Week will spread public knowledge of the importance for our state to educate more of our residents to contribute to this invaluable workforce in order to stay competitive in the global marketplace.

**Please join us in supporting Senate Concurrent Resolution 35.**

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,

  
Joshua Golka  
Legislative Affairs Manager, California