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**Assembly
California Legislature
Committee on Rules**

**KEN COOLEY
CHAIR**

VICE CHAIR
CUNNINGHAM, JORDAN

MEMBERS
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CERVANTES, SABRINA
GALLAGHER, JAMES
GRAYSON, TIMOTHY S.
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MAYES, CHAD
NAZARIAN, ADRIAN
SALAS, JR. RUDY
WALDRON, MARIE

FONG, VINCE (R-ALT)
LEVINE, MARC (D-ALT)

Thursday, August 16, 2018
10 minutes prior to Session
State Capitol, Room 3162

CONSENT AGENDA

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4. ACR-273 (Waldron) Relative to Women’s Small Business Month. [Page 14](#)
5. ACR-277 (Medina) Relative to Epilepsy Awareness Month. [Page 17](#)
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MARC LEVINE (D-ALT.)
VINCE FONG (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 8/15/18
Re: Consent Bill Referrals

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

REFERRAL OF BILLS TO COMMITTEE

08/16/2018

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

Assembly Bill No.

Committee:

AJR 50

NAT. RES.

Assembly Concurrent Resolution

No. 270

Introduced by Assembly Member Acosta

August 6, 2018

Assembly Concurrent Resolution No. 270—Relative to pet fire safety.

LEGISLATIVE COUNSEL’S DIGEST

ACR 270, as introduced, Acosta. Pet fire safety.

This measure would urge pet owners in the state to take specified actions to prevent harm to pets caused by fire, prepare for fire emergencies at home, and take precautions to ensure the safe location, rescue, care, and medical treatment of all pets in the event of a wildfire in or around a pet owner’s home.

Fiscal committee: no.

1 WHEREAS, More than 40,000 pets die in house fires each year
2 in this country, and being prepared for fire in your home can mean
3 the difference between the speedy rescue of a beloved pet, and a
4 panic situation possibly resulting in the death of a pet; and

5 WHEREAS, Each household should have a disaster preparedness
6 plan for the home, which includes instructions for the rescue and
7 care of all pets inside and outside of a home and information on
8 each pet’s favorite hiding place or safe haven location, and
9 necessary information to enable first responders to quickly locate
10 and rescue pets in the event of an emergency; and

11 WHEREAS, It is important to ensure that a pet’s microchip and
12 identification information and tags are updated with current
13 information, a pet’s collar is kept on at all times, and leashes are
14 stored in a visible location in a home so that rescuers can more

1 easily secure and handle a frightened pet in the event of a pet's
2 escape or need for evacuation during an emergency; and

3 WHEREAS, Pet alert window stickers should also be placed in
4 a visible place on windows near the entry to a home, and include
5 information on the number, species, and type of all pets in the
6 home; and

7 WHEREAS, The National Volunteer Fire Council provides pet
8 owners with free Pet Fire Safety Window Clings, which are
9 available at local volunteer firehouses nationwide on National Pet
10 Fire Safety Day on July 15 of each year; and

11 WHEREAS, It is critical that pet owners ensure that their pets
12 wear tags, collars, microchips, and other identification information
13 at all times because even the most well-behaved dogs can become
14 frightened and flee during a fire, natural disaster, or other
15 emergency; and

16 WHEREAS, In case of a temporary evacuation or displacement
17 of a pet due to a fire emergency, a pet owner should keep a
18 well-stocked emergency bag in the car or near the front door of a
19 home that contains all necessary supplies for a pet for at least seven
20 days, including first aid supplies, medications, veterinary records,
21 food, bottled water, dishes, towels, blankets, plastic bags,
22 newspapers, crates, flashlights, pet photos, and pet comfort toys;
23 and

24 WHEREAS, A pet owner should also maintain updated
25 information on available park shelters, emergency veterinary
26 services, and veterinary contact information so that injured or
27 displaced pets can be treated and cared for quickly in an
28 emergency; and

29 WHEREAS, A pet owner should inspect each area of his or her
30 home to ensure that no harmful debris or other hazards remain
31 before allowing a pet to run free off leash in the interior or exterior
32 of the home; now, therefore, be it

33 *Resolved by the Assembly of the State of California, the Senate*
34 *thereof concurring*, That the Legislature hereby urges all pet
35 owners in the state to take action, as described above, to prevent
36 harm to pets caused by fire, prepare for fire emergencies at home,
37 and take precautions to ensure the safe location, rescue, care, and
38 medical treatment of all pets in the event of a wildfire in or around
39 a pet owner's home; and be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 270 (Acosta) – As Introduced August 6, 2018

SUBJECT: Pet fire safety.

SUMMARY: Urges pet owners in the state to take specified actions to prevent harm to pets caused by fire, prepare for fire emergencies at home, and take precautions to ensure the safe location, rescue, care, and medical treatment of all pets in the event of a wildfire in or around a pet owner's home. Specifically, **this resolution** makes the following legislative findings:

- 1) More than 40,000 pets die in house fires each year in this country, and being prepared for fire in your home can mean the difference between the speedy rescue of a beloved pet, and a panic situation possibly resulting in the death of a pet.
- 2) Each household should have a disaster preparedness plan for the home, which includes instructions for the rescue and care of all pets inside and outside of a home and information on each pet's favorite hiding place or safe haven location, and necessary information to enable first responders to quickly locate and rescue pets in the event of an emergency.
- 3) It is important to ensure that a pet's microchip and identification information and tags are updated with current information, a pet's collar is kept on at all times, and leashes are stored in a visible location in a home so that rescuers can more easily secure and handle a frightened pet in the event of a pet's escape or need for evacuation during an emergency.
- 4) Pet alert window stickers should also be placed in a visible place on windows near the entry to a home, and include information on the number, species, and type of all pets in the home.
- 5) It is critical that pet owners ensure that their pets wear tags, collars, microchips, and other identification information at all times because even the most well-behaved dogs can become frightened and flee during a fire, natural disaster, or other emergency.
- 6) In case of a temporary evacuation or displacement of a pet due to a fire emergency, a pet owner should keep a well-stocked emergency bag in the car or near the front door of a home that contains all necessary supplies for a pet for at least seven days, including first aid supplies, medications, veterinary records, food, bottled water, dishes, towels, blankets, plastic bags, newspapers, crates, flashlights, pet photos, and pet comfort toys.

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. 271

Introduced by Assembly Members Acosta and Flora

August 6, 2018

Assembly Concurrent Resolution No. 271—Relative to the 2008 fire season.

LEGISLATIVE COUNSEL’S DIGEST

ACR 271, as introduced, Acosta. 2008 fire season.

This measure would commemorate the 10-year anniversary of the 2008 fire season and the 13 firefighters who lost their lives.

Fiscal committee: no.

1 WHEREAS, The 2008 California wildfire season was one of
2 the most devastating since the turn of the 21st century with
3 1,593,690 acres of land burned throughout the year; and

4 WHEREAS, For the first time since 1977, the Armed Forces
5 assisted with ground-based firefighting, when former Governor
6 Arnold Schwarzenegger dispatched 400 California National Guard
7 troops, including Chief Medical Officer Susan Pangelinan, to
8 manage fire lines; and

9 WHEREAS, Governor Schwarzenegger said, “Something is
10 happening, clearly. There’s more need for resources than ever
11 before ... it’s fire season all year round”; and

12 WHEREAS, The fires broke out after three years of
13 below-normal rainfall dehydrated much of California’s forests and
14 woodlands, making them prone to wildfires. For California, the
15 spring of 2008 was the driest on record for many locations; for

1 example, San Francisco registered only 0.67 inches of rain out of
2 a normal of 5.18 inches from March to May; and

3 WHEREAS, The spring of 2008 not only broke the record for
4 the fewest inches of rainfall in Sacramento, at 0.17 inches, it
5 represented less than one-third of the previous record low of 0.55
6 inches of rainfall in 1934; and

7 WHEREAS, As vegetation turned into dry tinder in early June,
8 Governor Schwarzenegger declared a statewide drought for the
9 first time in 17 years. Dry thunderstorms and lightning, rarely seen
10 on the California coastline in June, rolled onshore on the weekend
11 of June 20 and 21, unleashing 25,000 to 26,000 dry lightning strikes
12 across northern and central California, igniting more than 2,000
13 fires that became known as the 2008 June Fire Siege; and

14 WHEREAS, Through the summer months, over 350 structures
15 were destroyed and hundreds of millions of dollars of property
16 and natural resources were damaged, thousands of people were
17 evacuated, and communications, power delivery, and transportation
18 systems were disrupted; and

19 WHEREAS, The firefighting effort was also large and intensive.
20 Strong cooperation and coordination among federal, state, and
21 local firefighting agencies was essential. At the peak of fire control
22 operations on July 13, over 20,000 firefighters were engaged. Both
23 Governor Schwarzenegger and former President George W. Bush
24 toured fire operations. Governor Schwarzenegger declared a state
25 of emergency for 13 counties, and President Bush declared a state
26 of disaster, which made available a wide variety of federal assets;
27 and

28 WHEREAS, The month of November also, uncharacteristically,
29 saw over 2,000 fires, which began burning across southern
30 California on November 13; and

31 WHEREAS, Governor Schwarzenegger described the conditions
32 contributing to the fires as a “perfect storm,” including strong
33 Santa Ana and sundowner winds, with gusts reaching 80 miles per
34 hour, as well as high temperatures, low humidity, and dry
35 conditions; and

36 WHEREAS, The most significant November fires were the
37 Montecito Tea Fire, the Sayre Fire, and the Freeway Complex
38 Fire; and

1 WHEREAS, The Montecito Tea Fire started on November 13
2 in the community of Montecito and resulted in the destruction of
3 210 homes; and

4 WHEREAS, The Sayre Fire started on November 13 in the
5 Sylmar neighborhood of the City of Los Angeles and resulted in
6 the destruction of at least 630 structures, including 500 mobile
7 homes, 9 single-family homes, and 11 commercial buildings. The
8 loss of more than 500 residences is the worst loss of homes due
9 to fire ever in the City of Los Angeles, exceeding the loss of 484
10 residences in the 1961 Bel Air Fire; and

11 WHEREAS, The Freeway Complex Fire started on November
12 15 and spread across the communities of Corona, Chino Hills,
13 Yorba Linda, Anaheim Hills, and Brea in the Counties of Orange,
14 San Bernardino, and Riverside and also spread to Diamond Bar
15 in the County of Los Angeles, burned about 30,305 acres, injured
16 14 firefighters, destroyed about 200 structures, and forced the
17 evacuations of about 7,000 homes; and

18 WHEREAS, Over the 2008 fire season, 13 firefighters perished
19 while battling the state's wildfires, which took the lives of 32
20 people; and

21 WHEREAS, While the fires had a great impact on the people
22 within these communities, the extraordinary efforts of thousands
23 of dedicated firefighters prevented even greater impacts; and

24 WHEREAS, The efforts of California firefighters and those
25 from around the country that responded to these fires resulted in
26 less area burned, a reduced threat to communities, public health,
27 and safety, and reduced direct fire impacts to ecosystems; and

28 WHEREAS, We are forever indebted to all the firefighters who
29 put their lives on the line and made the ultimate sacrifice to keep
30 California safe during one of the worst fire seasons in our state's
31 history; now, therefore, be it

32 *Resolved by the Assembly of the State of California, the Senate*
33 *thereof concurring*, That the Legislature commemorates the 10-year
34 anniversary of the 2008 fire season and the 13 firefighters who
35 lost their lives; and be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 271 (Acosta) – As Introduced August 6, 2018

SUBJECT: 2008 fire season.

SUMMARY: Commemorates the 10-year anniversary of the 2008 fire season and the 13 firefighters who lost their lives. Specifically, **this resolution** makes the following legislative findings:

- 1) The 2008 California wildfire season was one of the most devastating since the turn of the 21st century with 1,593,690 acres of land burned throughout the year.
- 2) For the first time since 1977, the Armed Forces assisted with ground-based firefighting, when former Governor Arnold Schwarzenegger dispatched 400 California National Guard troops, including Chief Medical Officer Susan Pangelinan, to manage fire lines.
- 3) The fires broke out after three years of below-normal rainfall dehydrated much of California's forests and woodlands, making them prone to wildfires. For California, the spring of 2008 was the driest on record for many locations; for example, San Francisco registered only 0.67 inches of rain out of a normal of 5.18 inches from March to May.
- 4) The spring of 2008 not only broke the record for the fewest inches of rainfall in Sacramento, at 0.17 inches, it represented less than one-third of the previous record low of 0.55 inches of rainfall in 1934; and, as vegetation turned into dry tinder in early June, Governor Schwarzenegger declared a statewide drought for the first time in 17 years.
- 5) Dry thunderstorms and lightning, rarely seen on the California coastline in June, rolled onshore on the weekend of June 20 and 21, unleashing 25,000 to 26,000 dry lightning strikes across northern and central California, igniting more than 2,000 fires that became known as the 2008 June Fire Siege.
- 6) Through the summer months, over 350 structures were destroyed and hundreds of millions of dollars of property and natural resources were damaged, thousands of people were evacuated, and communications, power delivery, and transportation systems were disrupted.
- 7) The firefighting effort was also large and intensive. Strong cooperation and coordination among federal, state, and local firefighting agencies was essential; and, at the peak of fire control operations on July 13, over 20,000 firefighters were engaged. Both Governor Schwarzenegger and former President George W. Bush toured fire operations. Governor Schwarzenegger declared a state of emergency for 13 counties, and President Bush declared a state of disaster, which made available a wide variety of federal assets.
- 8) The month of November also, uncharacteristically, saw over 2,000 fires, which began burning across southern California on November 13; and, Governor Schwarzenegger described the conditions contributing to the fires as a "perfect storm," including strong Santa

Ana and sundowner winds, with gusts reaching 80 miles per hour, as well as high temperatures, low humidity, and dry conditions.

- 9) The most significant November fires were the Montecito Tea Fire, the Sayre Fire, and the Freeway Complex Fire; and, over the 2008 fire season, 13 firefighters perished while battling the state's wildfires, which took the lives of 32 people.
- 10) While the fires had a great impact on the people within these communities, the extraordinary efforts of thousands of dedicated firefighters prevented even greater impacts; and, the efforts of California firefighters and those from around the country that responded to these fires resulted in less area burned, a reduced threat to communities, public health, and safety, and reduced direct fire impacts to ecosystems.
- 11) We are forever indebted to all the firefighters who put their lives on the line and made the ultimate sacrifice to keep California safe during one of the worst fire seasons in our state's history.

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. 273

**Introduced by Assembly Member Waldron
(Coauthors: Assembly Members Aguiar-Curry, Baker, Caballero,
Eggman, Friedman, Cristina Garcia, Gonzalez Fletcher, Irwin,
Kamlager-Dove, Limón, Quirk-Silva, Reyes, Rubio, and Weber)**

August 6, 2018

Assembly Concurrent Resolution No. 273—Relative to Women’s Small Business Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 273, as introduced, Waldron. Women’s Small Business Month. This measure would designate the month of October 2018 as Women’s Small Business Month and encourage all citizens to recognize the economic importance of women’s small businesses in California.

Fiscal committee: no.

- 1 WHEREAS, There are an estimated 11.6 million women-owned
2 businesses in the United States, which employ nearly 9 million
3 people and generate \$1.7 trillion in revenue, and this number is
4 up nearly 114% from 1997; and
5 WHEREAS, California is home to the greatest number of
6 women-owned businesses, totaling approximately 1.55 million,
7 yet sits at 4th place nationwide in percentage of women-owned
8 businesses; and
9 WHEREAS, The 2017 State of Women-Owned Businesses
10 Report, commissioned by American Express Open, estimates that
11 in California, women-owned firms employ more than 1 million

1 people and generate a combined annual revenue of nearly \$225.5
2 billion; and

3 WHEREAS, The number of firms is larger than the number of
4 employees because some businesses are one-woman ventures and
5 some women own multiple firms; and

6 WHEREAS, Since 2007, the number of women-owned business
7 has increased by 45 percent, a rate five times faster than the
8 national average of all businesses; and

9 WHEREAS, Women make up 40 percent of new entrepreneurs
10 in the United States; and

11 WHEREAS, There are still too few female investors and startup
12 entrepreneurs, making it more challenging to raise much-needed
13 capital; and

14 WHEREAS, Although more women are embracing
15 entrepreneurship, they often face challenges not typically shared
16 by their male counterparts, including defying social expectations,
17 limited access to funding, owning a sense of accomplishment,
18 building a support network and mentors, and balancing business
19 and family life; and

20 WHEREAS, Three out of five female small business owners
21 work over 40 hours per week; and

22 WHEREAS, Despite demanding and long hours, women become
23 business owners to implement a new business idea or vision, enjoy
24 the freedom of being an entrepreneur, or to solve a specific industry
25 problem; and

26 WHEREAS, Women-owned businesses are key to our overall
27 economic success, and their importance is rapidly growing; now,
28 therefore, be it

29 *Resolved by the Assembly of the State of California, the Senate*
30 *thereof concurring*, That the Legislature designates the month of
31 October 2018 to be Women’s Small Business Month; and be it
32 further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 273 (Waldron) – As Introduced August 6, 2018

SUBJECT: Women’s Small Business Month.

SUMMARY: Designates the month of October 2018 as Women’s Small Business Month and encourages all citizens to recognize the economic importance of women’s small businesses in California. Specifically, **this resolution** makes the following legislative findings:

- 1) California is home to the greatest number of women-owned businesses, totaling approximately 1.55 million, yet sits at 4th place nationwide in percentage of women-owned businesses.
- 2) There are an estimated 11.6 million women-owned businesses in the United States, which employ nearly 9 million people and generate \$1.7 trillion in revenue, and this number is up nearly 114% from 1997.
- 3) The 2017 State of Women-Owned Businesses Report estimates that in California, women-owned firms employ more than 1 million people and generate a combined annual revenue of nearly \$225.5 billion.
- 4) Since 2007, the number of women-owned business has increased by 45 percent, a rate five times faster than the national average of all businesses; and, women make up 40 percent of new entrepreneurs in the United States.
- 5) There are still too few female investors and startup entrepreneurs, making it more challenging to raise much-needed capital; and, although more women are embracing entrepreneurship, they often face challenges not typically shared by their male counterparts, including defying social expectations, limited access to funding, owning a sense of accomplishment, building a support network and mentors, and balancing business and family life.
- 6) Women-owned businesses are key to our overall economic success, and their importance is rapidly growing.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Assembly Concurrent Resolution

No. 277

Introduced by Assembly Member Medina
(Principal coauthor: Senator Pan)
(Coauthor: Assembly Member Cooley)

August 8, 2018

Assembly Concurrent Resolution No. 277—Relative to Epilepsy Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 277, as introduced, Medina. Epilepsy Awareness Month.

This measure would proclaim November 2018 as Epilepsy Awareness Month and call for a recommitment to increasing awareness and understanding of those living with epilepsy.

Fiscal committee: no.

- 1 WHEREAS, Epilepsy is a disease characterized by an enduring
2 predisposition to generate epileptic seizures and by the
3 neurobiological, cognitive, psychological, and social consequences
4 of this condition; and
5 WHEREAS, Epilepsy is a condition of the brain causing
6 seizures. A seizure is a disruption of the electrical communication
7 between neurons. A person is said to have epilepsy if he or she
8 experiences two or more unprovoked seizures separated by at least
9 24 hours or if he or she experiences one seizure and is at a high
10 risk of having more; and
11 WHEREAS, About one in 10 people in the United States has
12 had a single, unprovoked seizure or has been diagnosed with

1 epilepsy, 3.4 million people in the United States have epilepsy,
2 and over 65 million people worldwide live with epilepsy; and

3 WHEREAS, There are 150,000 new cases of epilepsy in the
4 United States each year. However, seizures may occur more
5 frequently in certain age groups, including the very young and
6 older people, in people of certain races, and in certain areas of the
7 world; and

8 WHEREAS, One in 26 people will develop epilepsy during his
9 or her lifetime, and people with certain conditions may be at greater
10 risk for developing epilepsy; and

11 WHEREAS, It is important that people understand what a
12 seizure looks like and what to do if they see someone having a
13 seizure. The more familiar people are with epilepsy, the less people
14 living with the condition have to fear discrimination, worry about
15 receiving improper first aid, or keep their epilepsy hidden; and

16 WHEREAS, Seizures impact people's lives in many ways,
17 including creating barriers to employment and education and facing
18 a sense of discrimination and isolation from their peers; and

19 WHEREAS, The Epilepsy Foundation advocates for more
20 attention and money to be dedicated to epilepsy research and the
21 acceleration of development of new therapies to stop seizures; and

22 WHEREAS, One-third of people living with epilepsy have
23 seizures that cannot be controlled with current treatments and all
24 people living with epilepsy have the risk of a potential
25 "breakthrough" seizure; now, therefore, be it

26 *Resolved by the Assembly of the State of California, the Senate*
27 *thereof concurring,* That the Legislature hereby proclaims
28 November 2018 as Epilepsy Awareness Month and calls upon all
29 citizens, government agencies, public and private institutions,
30 businesses, and schools to recommit our community to increasing
31 awareness and understanding of those living with epilepsy; and
32 be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 277 (Medina) – As Introduced August 8, 2018

SUBJECT: Epilepsy Awareness Month.

SUMMARY: Proclaims November 2018 as Epilepsy Awareness Month and calls for a recommitment to increasing awareness and understanding of those living with epilepsy. Specifically, **this resolution** makes the following legislative findings:

- 1) Epilepsy is a disease characterized by an enduring predisposition to generate epileptic seizures and by the neurobiological, cognitive, psychological, and social consequences of this condition.
- 2) Epilepsy is a condition of the brain causing seizures. A seizure is a disruption of the electrical communication between neurons. A person is said to have epilepsy if he or she experiences two or more unprovoked seizures separated by at least 24 hours or if he or she experiences one seizure and is at a high risk of having more.
- 3) About one in 10 people in the United States has had a single, unprovoked seizure or has been diagnosed with epilepsy, 3.4 million people in the United States have epilepsy, and over 65 million people worldwide live with epilepsy.
- 4) There are 150,000 new cases of epilepsy in the United States each year. However, seizures may occur more frequently in certain age groups, including the very young and older people, in people of certain races, and in certain areas of the world.
- 5) One in 26 people will develop epilepsy during his or her lifetime, and people with certain conditions may be at greater risk for developing epilepsy.
- 6) It is important that people understand what a seizure looks like and what to do if they see someone having a seizure. The more familiar people are with epilepsy, the less people living with the condition have to fear discrimination, worry about receiving improper first aid, or keep their epilepsy hidden.
- 7) The Epilepsy Foundation advocates for more attention and money to be dedicated to epilepsy research and the acceleration of development of new therapies to stop seizures.

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. 278

Introduced by Assembly Member Arambula

August 9, 2018

Assembly Concurrent Resolution No. 278—Relative to the Program of All-inclusive Care for the Elderly.

LEGISLATIVE COUNSEL’S DIGEST

ACR 278, as introduced, Arambula. PACE Month.

This measure would recognize September 2018 as PACE Month in California.

Fiscal committee: no.

- 1 WHEREAS, The Program of All-inclusive Care for the Elderly
2 (PACE) addresses the needs of the frail elderly and disabled adults
3 55 years of age and older, a population that is growing rapidly and
4 whose impact on health care costs is significant; and
5 WHEREAS, PACE is a fully integrated model of care that
6 provides comprehensive, highly coordinated care allowing frail
7 older adults who meet state eligibility criteria for nursing home
8 level of care to continue living in the community; and
9 WHEREAS, Individuals enrolled in PACE receive all Medicare
10 and Medi-Cal covered items and services and additional support,
11 which promotes well-being and greater independence; and
12 WHEREAS, PACE assumes full financial risk for all care and
13 medical services, including transportation, hospitalization, and
14 long-term care, in return for capitated payments from Medicare
15 and Medi-Cal; and

1 WHEREAS, On Lok, California’s first PACE program, opened
2 in 1983. There are now 11 PACE programs operating in 39 sites,
3 serving more than 7,000 participants; and
4 WHEREAS, The California PACE Association, known as
5 CalPACE, formed in 2003 to support the development, expansion,
6 success, and quality of PACE throughout California; now,
7 therefore, be it further
8 *Resolved by the Assembly of the State of California, the Senate*
9 *thereof concurring,* That the Legislature hereby recognizes
10 September 2018 as PACE Month in California; 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: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 278 (Arambula) – As Introduced August 9, 2018

SUBJECT: PACE Month.

SUMMARY: Recognizes September 2018 as PACE Month in California. Specifically, **this resolution** makes the following legislative findings:

- 1) The Program of All-inclusive Care for the Elderly (PACE) addresses the needs of the frail elderly and disabled adults 55 years of age and older, a population that is growing rapidly and whose impact on health care costs is significant.
- 2) PACE is a fully integrated model of care that provides comprehensive, highly coordinated care allowing frail older adults who meet state eligibility criteria for nursing home level of care to continue living in the community.
- 3) Individuals enrolled in PACE receive all Medicare and Medi-Cal covered items and services and additional support, which promotes well-being and greater independence; and, PACE assumes full financial risk for all care and medical services, including transportation, hospitalization, and long-term care, in return for capitated payments from Medicare and Medi-Cal.
- 4) The California PACE Association, known as CalPACE, formed in 2003 to support the development, expansion, success, and quality of PACE throughout California; and, On Lok, California's first PACE program, opened in 1983. There are now 11 PACE programs operating in 39 sites, serving more than 7,000 participants.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California PACE Association (CalPACE)

Opposition

None on file

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



August 13, 2018

Assemblymember Ken Cooley
State Capitol
Post Office Box 942849
Sacramento, CA 94249-008

SUBJECT: ACR 278 -- PACE Month – SUPPORT

Dear Assemblymember Cooley:

The California PACE Association (CalPACE), which represents eleven organizations that provide Program of All-inclusive Care for the Elderly (PACE) throughout California, strongly supports ACR 278. PACE organizations provide comprehensive health care, including dental care, as well as long-term services and supports, to enable frail seniors to safely remain in their homes and communities.

Establishing September as PACE Month in California will help call attention to the PACE as a national model for providing integrated care to older adults and seniors with higher care needs.

PACE organizations currently serve more than 7,400 frail seniors at 39 PACE Centers and Alternative Care Sites in 12 counties, including Alameda, Contra Costa, Fresno, Humboldt, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, and Santa Clara.

PACE is unique among care programs serving older adults in that it provides all services needed by frail seniors to enable them to live safely in the community, including all acute care and long-term supports and services.

PACE benefits the State of California, its seniors, and their families by offering a proven, cost-effective, and high-quality alternative to nursing home placement for frail seniors who wish to live in the community. According to a recent analysis, PACE costs up to 34 percent less than institutional care for the same types of beneficiaries.

For these reasons, CalPACE and its member organizations support ACR 278.

Sincerely,

Peter Hansel
CEO

phansel@calpace.org; 916-469-3368

AltaMed PACE
Los Angeles, CA

Brandman Centers
for Senior Care
Riverside

CalOptima PACE
Orange County

Center for Elders'
Independence
Oakland

Fresno PACE
Fresno

innovAge
San Bernardino

On Lok Lifeways
San Francisco

Redwood Coast PACE
Eureka

St. Paul's PACE
San Diego

San Diego PACE
San Ysidro

Sutter SeniorCare
Sacramento

1315 I Street, Suite 100
Sacramento, CA 95814
(855) 921-PACE
hello@calpace.org
www.calpace.org

House Resolution

No. 121

Introduced by Assembly Member Cooper

August 7, 2018

House Resolution No. 121—Relative to Chiari Malformation Awareness Month.

1 WHEREAS, Chiari malformation (CM) is a serious neurological
2 disorder affecting well over 300,000 people in the United States;
3 and

4 WHEREAS, Chiari malformations are defects in the cerebellum,
5 the part of the brain that controls balance. This creates pressure
6 on the cerebellum and brain stem and may block the normal flow
7 of cerebral spinal fluid to and from the brain; and

8 WHEREAS, CM was first identified by Austrian pathologist
9 Professor Hans Chiari in the 1890s and is categorized in orders of
10 severity: CM types 0, 1, 1.5, 2, 3, and 4; and

11 WHEREAS, The cause of Chiari malformations is unknown,
12 but scientists believe it is either a congenital condition caused by
13 exposure to harmful substances during fetal development or a
14 genetic condition because it can appear in more than one family
15 member; and

16 WHEREAS, Symptoms usually appear during adolescence or
17 early adulthood and can include severe head and neck pain, vertigo,
18 muscle weakness, balance problems, blurred vision or double
19 vision, difficulty swallowing, and sleep apnea; and

20 WHEREAS, The National Institute of Neurological Disorders
21 and Stroke, part of the National Institutes of Health, is conducting
22 research to find alternative surgical options and to identify the

1 cause of the malformations to create improved treatment and
2 prevention plans; and

3 WHEREAS, For the 11th consecutive year, on September 15,
4 2018, throughout California, and on September 22, 2018, people
5 from the greater Sacramento area will join with thousands of other
6 participants from all across the nation in a fundraising walk
7 sponsored by the Conquer Chiari Walk Across America. The
8 Sacramento area, walk will begin in Elk Grove Regional Park; and

9 WHEREAS, Held on the same day nationwide, the Conquer
10 Chiari Walk Across America is a series of local awareness and
11 fundraising walks that unite Chiari malformation patients and their
12 families with local residents who want to help support the
13 thousands of Americans who struggle daily with this life-changing
14 diagnosis; now, therefore, be it

15 *Resolved by the Assembly of the State of California*, That the
16 Assembly recognizes the month of September 2018 as Chiari
17 Malformation Awareness Month in the State of California; and be
18 it further

19 *Resolved*, That the Assembly encourages supporters to
20 participate in the Conquer Chiari Walk Across America and
21 commends all those who support this cause; and be it 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: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 121 (Cooper) – As Introduced August 7, 2018

SUBJECT: Chiari Malformation Awareness Month.

SUMMARY: Recognizes the month of September 2018 as Chiari Malformation Awareness Month in the State of California. Specifically, **this resolution** makes the following legislative findings:

- 1) Chiari malformation (CM) is a serious neurological disorder affecting well over 300,000 people in the United States; and, Chiari malformations are defects in the cerebellum, the part of the brain that controls balance. This creates pressure on the cerebellum and brain stem and may block the normal flow of cerebral spinal fluid to and from the brain.
- 2) CM was first identified by Austrian pathologist Professor Hans Chiari in the 1890s and is categorized in orders of severity: CM types 0, 1, 1.5, 2, 3, and 4. The cause of Chiari malformations is unknown, but scientists believe it is either a congenital condition caused by exposure to harmful substances during fetal development or a genetic condition because it can appear in more than one family member.
- 3) Symptoms usually appear during adolescence or early adulthood and can include severe head and neck pain, vertigo, muscle weakness, balance problems, blurred vision or double vision, difficulty swallowing, and sleep apnea.
- 4) The National Institute of Neurological Disorders and Stroke, part of the National Institutes of Health, is conducting research to find alternative surgical options and to identify the cause of the malformations to create improved treatment and prevention plans.
- 5) For the 11th consecutive year, on September 15th and September 22nd, the Conquer Chiari Walk Across America will be held; and, is a series of local awareness and fundraising walks that unite Chiari malformation patients and their families with local residents who want to help support the thousands of Americans who struggle daily with this life-changing diagnosis.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 122

Introduced by Assembly Member Eggman

August 8, 2018

House Resolution No. 122—Relative to the 100th anniversary of the first women elected to the California State Assembly.

1 WHEREAS, One hundred years ago in 1918 – seven years after
2 California women won the right to vote – Grace Dorris, Esto
3 Broughton, Elizabeth Hughes, and Anna Saylor were the first four
4 females elected to the California State Assembly; and

5 WHEREAS, The first 1918 pioneer, Grace Dorris, ran for the
6 Assembly in her husband’s place after he enlisted in the Navy
7 during World War I, and in an era when candidates could run in
8 multiple primaries, Dorris won the Republican, Democratic,
9 Socialist, and Prohibition primaries. Once elected to the Assembly,
10 Dorris advocated for shorter work hours for domestic servants and
11 for the creation of a public defender’s office to provide legal
12 services to indigent defendants; and

13 WHEREAS, The second 1918 pioneer, Esto Broughton, played
14 a leading role in bringing water to San Joaquin Valley farms by
15 co-authoring landmark legislation that allowed irrigation districts
16 to develop electric power in connection with irrigation projects.
17 Broughton also authored legislation that reformed California’s
18 community property law; and

19 WHEREAS, The third 1918 pioneer, Elizabeth Hughes, defeated
20 two male opponents in the primary election, one of whom argued
21 that women were too weak to survive in politics. Hughes became
22 the chair of the Assembly Education committee and sponsored
23 legislation to expand what later became Chico State University.

1 She also carried successful legislation related to compulsory school
2 age, county school funding, junior colleges, and the creation of
3 part-time schools; and

4 WHEREAS, The fourth 1918 pioneer, Anna Saylor, ran for the
5 Assembly on a platform to eradicate illiteracy, and to boost state
6 support of elementary schools. After winning a landslide victory
7 in the general election, Saylor led a high-profile campaign to
8 abolish the death penalty for minors, and established psychiatric
9 clinics in state prisons. Saylor was also dedicated to creating mental
10 health assistance for the elderly and reducing exploitation of
11 children in the workplace; and

12 WHEREAS, Grace Dorris, Esto Broughton, Elizabeth Hughes,
13 and Anna Saylor were serious and earnest lawmakers who hurdled
14 longstanding political barriers in 1918 to occupy positions of
15 leadership that women struggled over decades to secure; and

16 WHEREAS, Each of the four 1918 pioneers broke down
17 stereotypes and traditional gender roles and left lasting imprints
18 on California public policy; now, therefore, be it

19 *Resolved by the Assembly of the State of California*, That the
20 Assembly honors Grace Dorris, Esto Broughton, Elizabeth Hughes,
21 and Anna Saylor, and recognizes August 27, 2018, as the 100th
22 anniversary of the election of the first four women to the California
23 State Assembly; and be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 122 (Eggman) – As Introduced August 8, 2018

SUBJECT: the 100th anniversary of the first women elected to the California State Assembly.

SUMMARY: Recognizes August 27, 2018, as the 100th anniversary of the election of the first four women to the California State Assembly. Specifically, **this resolution** makes the following legislative findings:

- 1) One hundred years ago in 1918 – seven years after California women won the right to vote – Grace Dorris, Esto Broughton, Elizabeth Hughes, and Anna Saylor were the first four females elected to the California State Assembly.
- 2) Grace Dorris, ran for the Assembly in her husband’s place after he enlisted in the Navy during World War I, and in an era when candidates could run in multiple primaries, Dorris won the Republican, Democratic, Socialist, and Prohibition primaries. Once elected to the Assembly, Dorris advocated for shorter work hours for domestic servants and for the creation of a public defender’s office to provide legal services to indigent defendants.
- 3) Esto Broughton, played a leading role in bringing water to San Joaquin Valley farms by co-authoring landmark legislation that allowed irrigation districts to develop electric power in connection with irrigation projects. Broughton also authored legislation that reformed California’s community property law.
- 4) Elizabeth Hughes, defeated two male opponents in the primary election, one of whom argued that women were too weak to survive in politics. Hughes became the chair of the Assembly Education committee and sponsored legislation to expand what later became Chico State University. She also carried successful legislation related to compulsory school age, county school funding, junior colleges, and the creation of part-time schools.
- 5) Anna Saylor, ran for the Assembly on a platform to eradicate illiteracy, and to boost state support of elementary schools. After winning a landslide victory in the general election, Saylor led a high-profile campaign to abolish the death penalty for minors, and established psychiatric clinics in state prisons. Saylor was also dedicated to creating mental health assistance for the elderly and reducing exploitation of children in the workplace.
- 6) Grace Dorris, Esto Broughton, Elizabeth Hughes, and Anna Saylor were serious and earnest lawmakers who hurdled longstanding political barriers in 1918 to occupy positions of leadership that women struggled over decades to secure; and, each of the four 1918 pioneers broke down stereotypes and traditional gender roles and left lasting imprints on California public policy.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 123

Introduced by Assembly Member Eggman

August 8, 2018

House Resolution No. 123—Relative to Women’s Equality Day.

1 WHEREAS, The first women’s rights convention on July 19,
2 1848, was called by Elizabeth Cady Stanton and Lucretia Mott to
3 win equal rights for and expand the role of women in society, and
4 it was then that the fight for women’s rights came together as an
5 organized effort; and

6 WHEREAS, In 1851, abolitionist and women’s rights activist
7 Sojourner Truth delivered her renowned extemporaneous speech
8 “Ain’t I a Woman?” at the Ohio Women’s Rights Convention in
9 Akron; and

10 WHEREAS, The addition of the Nineteenth Amendment to the
11 United States Constitution on August 26, 1920, secured for women
12 the right to vote; and

13 WHEREAS, The passage of the federal Civil Rights Act of 1964
14 barred employment discrimination against women; and

15 WHEREAS, The enactment of Title IX of the federal Education
16 Amendments of 1972 guaranteed equal opportunity for women in
17 all aspects of education; and

18 WHEREAS, Many women have planned, organized, lectured,
19 written, marched, lobbied, canvassed voters, staged parades,
20 become candidates for political office, argued court cases, and
21 more, in order to irrevocably change for the better the world of
22 today’s women and girls; and

23 WHEREAS, Despite the many efforts of policymakers and
24 advocates, both women and men, toward ensuring equality for

1 women, gender inequality persists in many areas, as evidenced by
2 the ongoing struggle for fair pay and equal job opportunities, job
3 training opportunities, access to child care, family friendly
4 workplaces, and against poverty, especially among women and
5 children; and

6 WHEREAS, Despite important steps to achieve equal access in
7 the workplace and to educational opportunities, women face
8 barriers in education and employment that are not experienced at
9 the same magnitude by men, including, the presence of historical
10 male privilege and gender bias; sex discrimination, harassment,
11 and sexual violence in the workplace and on campus; the
12 complications of having caregiving duties in the unpaid economy;
13 and being undervalued for their work in the paid economy; and

14 WHEREAS, Women are critical to a strong and vibrant
15 California economy and play a pivotal role in spurring economic
16 growth in California; and

17 WHEREAS, Women comprise almost one-half of the workforce
18 in our state and are primary income earners in many households;
19 and

20 WHEREAS, The lack of affordable, quality child care and
21 affordable housing makes it hard for women to provide safe and
22 secure environments for their families; and

23 WHEREAS, Women’s earnings are still far too low compared
24 to men’s in California, and women are disproportionately employed
25 in jobs that pay the minimum wage; and

26 WHEREAS, Women are also disproportionately disadvantaged
27 by the stresses of poverty and the constraints of the social services
28 system; and

29 WHEREAS, Ensuring the economic security of all California
30 women and their families will benefit all communities, including
31 men, children, and families who count on public policies to meet
32 their basic needs, earn a decent living, and care for their families;
33 and

34 WHEREAS, The women of the United States have designated
35 August 26 as a symbol of the continued fight for equal rights; and

36 WHEREAS, The United States Congress recognizes that August
37 26 of each year is designated as Women’s Equality Day and the
38 President of the United States annually issues a proclamation
39 commemorating August 26, 1920, as the day when the women of
40 the United States were first given the right to vote and recognizes

1 that same date in 1970 when a nationwide demonstration for
2 women’s rights took place; now, therefore, be it

3 *Resolved by the Assembly of the State of California*, That upon
4 the anniversary of the Nineteenth Amendment to the United States
5 Constitution, the Legislature recognizes August 26, 2018, as
6 Women’s Equality Day and its historic importance to women’s
7 rights, including the battle to attain those rights in the past, present,
8 and future; and be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 123 (Eggman) – As Introduced August 8, 2018

SUBJECT: Women’s Equality Day.

SUMMARY: Recognizes August 26, 2018, as Women’s Equality Day and its historic importance to women’s rights, including the battle to attain those rights in the past, present, and future. Specifically, **this resolution** makes the following legislative findings:

- 1) The first women’s rights convention on July 19, 1848, was called by Elizabeth Cady Stanton and Lucretia Mott to win equal rights for, and expand the role of women in society; and, it was then that the fight for women’s rights came together as an organized effort.
- 2) The addition of the Nineteenth Amendment to the United States Constitution on August 26, 1920, secured for women the right to vote and the passage of the federal Civil Rights Act of 1964 barred employment discrimination against women.
- 3) The enactment of Title IX of the federal Education Amendments of 1972 guaranteed equal opportunity for women in all aspects of education.
- 4) Despite important steps to achieve equal access in the workplace and to educational opportunities, women face barriers in education and employment that are not experienced at the same magnitude by men, including: the presence of historical male privilege and gender bias; sex discrimination, harassment, and sexual violence in the workplace and on campus; the complications of having caregiving duties in the unpaid economy; and being undervalued for their work in the paid economy.
- 5) Ensuring the economic security of all California women and their families will benefit all communities; including men, children, and families who count on public policies to meet their basic needs, earn a decent living, and care for their families.
- 6) The United States Congress recognizes that August 26 of each year is designated as Women’s Equality Day and the President of the United States annually issues a proclamation commemorating August 26, 1920, as the day when the women of the United States were first given the right to vote and recognizes that same date in 1970 when a nationwide demonstration for women’s rights took place.

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

January 3, 2018

Senate Concurrent Resolution No. 87—Relative to the Republic of Vietnam Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 87, as introduced, Nguyen. Republic of Vietnam Month.

This measure proclaims the month of October 2018 as Republic of Vietnam Month, in commemoration of the 62nd anniversary of the adoption of the first Constitution of the Republic of Vietnam, in honor of the lives lost for freedom and democracy during the Vietnam War, and in recognition of the positive contributions of Vietnamese Americans to the State of California.

Fiscal committee: no.

- 1 WHEREAS, The people of the Republic of Vietnam (South
- 2 Vietnam) and the United States found common ground in their
- 3 shared principles of democracy and individual liberties, coming
- 4 together to valiantly defend these tenets against communism; and
- 5 WHEREAS, October 2018 marks the 62nd anniversary of the
- 6 adoption of the first Constitution of the Republic of Vietnam,
- 7 which established that nation’s first democracy; and
- 8 WHEREAS, Until the Fall of Saigon on April 30, 1975, the
- 9 government of the Republic of Vietnam sought to defend the lives,
- 10 freedom, and property of its people and was at the forefront of the
- 11 fight for democracy in Southeast Asia; and
- 12 WHEREAS, In an effort to protect the democratic government
- 13 of the Republic of Vietnam from socialist control, the United
- 14 States, Australia, the Philippines, New Zealand, South Korea,

1 Taiwan, and Thailand fought vigorously to aid the Republic of
2 Vietnam in their fight against communism; and

3 WHEREAS, Despite a valiant effort from countries around the
4 world, Saigon fell, compelling nearly three million Vietnamese to
5 flee the country in search of freedom and refuge in neighboring
6 countries with approximately half of these individuals perishing
7 at sea before reaching a safe haven; and

8 WHEREAS, The United States welcomed many Vietnamese
9 refugees following the collapse of the Republic of Vietnam, and
10 today the State of California is home to more than 500,000
11 Vietnamese Americans that enrich the social, cultural, and
12 economic fabric of our state through their significant contributions
13 to the fields of education, business, politics, arts, science, and
14 technology; and

15 WHEREAS, The United States Department of State's 2016
16 edition of the Country Reports on Human Rights Practices for
17 Vietnam estimates that 94 political detainees are being held, and
18 the International Labor Rights Forum reports that mistreatment
19 has continued at reeducation centers, including forcing detainees
20 to produce goods for private companies; and

21 WHEREAS, Human rights, religious freedom, democracy, and
22 protection against threats of aggression are important concerns of
23 Vietnamese Americans and Vietnamese communities worldwide
24 that stem from human rights abuses that continue to occur in
25 Vietnam in areas that include, among others, child labor, human
26 trafficking, religious and political persecution, suppression of the
27 press, unlawful deprivation of life, forced disappearances, and land
28 seizure; and

29 WHEREAS, We must teach our children and future generations
30 important lessons from the Vietnam War and the continuing
31 situation in Vietnam, including how the plight of the Vietnamese
32 refugees following the end of the war serves as a powerful example
33 of the values of freedom and democracy, and how we can improve
34 the quality of life of the veterans and disabled veterans of the Army
35 of the Republic of Vietnam and draw attention to the plight of the
36 wives of the fallen soldiers who continue to suffer; and

37 WHEREAS, For their brave resolve to defend freedom around
38 the world, Republic of Vietnam Month seeks to recognize the
39 sacrifice of the more than 58,000 American service members who
40 lost their lives to defend democracy in Vietnam, as well as the

1 more than one million people, including service members,
2 supporting personnel, and their families, who made great sacrifices
3 and contributions to the fight for freedom; and

4 WHEREAS, Republic of Vietnam Month also honors the
5 members of the Army of the Republic of Vietnam and government
6 officials, many of whom perished or were captured and held in
7 communist labor camps where they suffered unspeakable abuses,
8 as well as to recognize the sacrifice of their families, especially
9 the wives who displayed admirable courage in the face of tragedy;
10 and

11 WHEREAS, To honor the great sacrifices made in the fight for
12 democracy, communities throughout California will dedicate the
13 month of October as a time to reflect on principles of freedom and
14 democracy and the sacrifices that have been made towards the
15 attainment of these ideals, as well as to commemorate the
16 anniversary of the first democracy of the Republic of Vietnam and
17 to thank the millions of veterans around the world who fought
18 during the Vietnam War; now, therefore, be it

19 *Resolved by the Senate of the State of California, the Assembly*
20 *thereof concurring,* That the Legislature hereby proclaims the
21 month of October 2018 as Republic of Vietnam Month, in
22 commemoration of the 62nd anniversary of the adoption of the
23 first Constitution of the Republic of Vietnam, in honor of the lives
24 lost for freedom and democracy during the Vietnam War, and in
25 recognition of the positive contributions of Vietnamese Americans
26 to the State of California; and be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 87 (Nguyen) – As Introduced January 3, 2018

SENATE VOTE: 35-0

SUBJECT: Republic of Vietnam Month.

SUMMARY: Proclaims the month of October 2018 as the Republic of Vietnam Month, in commemoration of the 62nd anniversary of the adoption of the first Constitution of the Republic of Vietnam, in honor of the lives lost for freedom and democracy during the Vietnam War, and in recognition of the positive contributions of Vietnamese Americans to the State of California. Specifically, **this resolution** makes the following legislative findings:

- 1) October 2018 marks the 62nd anniversary of the adoption of the first Constitution of the Republic of Vietnam, which established that nation's first democracy.
- 2) Until the Fall of Saigon on April 30, 1975, the government of the Republic of Vietnam sought to defend the lives, freedom, and property of its people and was at the forefront of the fight for democracy in Southeast Asia.
- 3) In an effort to protect the democratic government of the Republic of Vietnam from socialist control, the United States, Australia, the Philippines, New Zealand, South Korea, Taiwan, and Thailand fought vigorously to aid the Republic of Vietnam in their fight against communism.
- 4) The United States welcomed many Vietnamese refugees following the collapse of the Republic of Vietnam, and today, the State of California is home to more than 500,000 Vietnamese Americans that enrich the social, cultural, and economic fabric of our state through their significant contributions to the fields of education, business, politics, arts, science, and technology.
- 5) For their brave resolve to defend freedom around the world, Republic of Vietnam Month seeks to recognize the sacrifice of the more than 58,000 American service members who lost their lives to defend democracy in Vietnam, as well as the more than one million people, including service members, supporting personnel, and their families, who made great sacrifices and contributions to the fight for freedom.
- 6) Republic of Vietnam Month also honors the members of the Army of the Republic of Vietnam and government officials; many of whom perished or were captured and held in communist labor camps where they suffered unspeakable abuses, as well as to recognize the sacrifice of their families, especially the wives who displayed admirable courage in the face of tragedy.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN SENATE JULY 5, 2018

Senate Concurrent Resolution

No. 156

Introduced by Senator Hertzberg

**(Coauthors: Senators Dodd, *Hueso*, Gaines, Monning, Nielsen,
Stern, and Wilk)**

(Coauthors: Assembly Members Eduardo Garcia, Gonzalez Fletcher,
and Lackey)

June 20, 2018

Senate Concurrent Resolution No. 156—Relative to Diabetes
Awareness Month.

LEGISLATIVE COUNSEL'S DIGEST

SCR 156, as amended, Hertzberg. Diabetes Awareness Month.

This measure would designate November 2018 as Diabetes Awareness
Month and would, among other things, encourage individuals to seek
screening to understand their diabetes risk.

Fiscal committee: no.

- 1 WHEREAS, Diabetes is a leading cause of disabling and
2 life-threatening complications, including cardiovascular disease,
3 stroke, amputation of the lower extremities, kidney failure, gum
4 disease, tooth loss, and new cases of blindness among adults; and
5 WHEREAS, Type 2 diabetes is one of the fastest growing and
6 most costly preventable chronic diseases impacting our children
7 and families. Type 2 diabetes afflicts 30 million Americans, over
8 4 million of whom are Californians, and this disease is the cause
9 of death of approximately 8,000 Californians each year; and
10 WHEREAS, Between 90 and 95 percent of adults diagnosed
11 with diabetes have type 2 diabetes, the most common form of the

1 disease, and 13 million Californians, or 46 percent of the adult
2 population, have prediabetes, putting them at an increased risk for
3 diabetes; and

4 WHEREAS, Prediabetes rates are higher among adults of color,
5 with at least half of Pacific Islanders, American Indians, and
6 African Americans estimated to have prediabetes; and

7 WHEREAS, The percentage of American teens who have
8 diabetes or prediabetes has increased from 9 percent to 25 percent
9 in the last 10 years. Sugary drinks provide more daily calories to
10 teens' diets than any other single type of food or beverage, and 62
11 percent of California teens ages 12 to 17, inclusive, consume at
12 least one sugary drink per day. People consuming one or more
13 sugary drinks per day have a 26 percent higher risk of type 2
14 diabetes; and

15 WHEREAS, Sugar and sugary beverages are a major contributor
16 of tooth decay. 71 percent of California's children experience tooth
17 decay by the time they reach the 3rd grade. More than half a million
18 children in California miss at least one school day per year to due
19 dental problems; and

20 WHEREAS, Fifty percent of California infants ages 0-2 years,
21 inclusive, have never been to the dentist. In 2007, nearly 1 in 5
22 persons were uninsured; and

23 WHEREAS, Tooth decay is more common among Hispanic
24 and African American children than among non-Hispanic white
25 children. Among children ages 3 to 5, inclusive, tooth decay was
26 found in 47.2 percent of Hispanic children, 36.8 percent of African
27 American children, and 29.2 percent of non-Hispanic white
28 children. Among children ages 6 to 9 years, inclusive, tooth decay
29 was found in 70.3 percent of Hispanic children, 55.6 percent of
30 African-American children, and 50 percent of non-Hispanic white
31 children; and

32 WHEREAS, Patients with diabetes have a higher risk of oral
33 health problems, such as gingivitis, gum disease, and tooth decay
34 due to a higher risk of bacterial infection and decreased ability to
35 fight bacteria that invades the gums; and

36 WHEREAS, There is a proven relationship between serious
37 gum disease and diabetes. People with diabetes are more
38 susceptible to serious gum disease, and serious gum disease may
39 have the potential to affect blood glucose control and contribute
40 to the progression of diabetes; and

1 WHEREAS, Hispanics and African Americans are 70 percent
2 more likely to develop type 2 diabetes compared to non-Hispanic
3 whites, and 20 percent of Asian Americans are more likely to
4 develop diabetes compared to their non-Hispanic white
5 counterparts; and

6 WHEREAS, Fifty-one percent of Asian Americans with type 2
7 diabetes remain undiagnosed, and deaths associated with diabetes
8 are twice as high among African Americans and Hispanics as
9 compared to ~~non-Hispanics~~ *non-Hispanic* whites; and

10 WHEREAS, California has the largest population with diabetes
11 in the nation. Early diagnosis and treatment can improve an
12 individual's odds in avoiding diabetes; and

13 WHEREAS, Diabetes has a severe financial impact on patients
14 with the disease. People diagnosed with diabetes assume an average
15 of \$16,752 in medical expenses annually, which is approximately
16 2.3 times higher than medical expenses for people without diabetes;
17 and

18 WHEREAS, Government insurance provides 66 percent of the
19 cost for diabetes care in the United States, and the total cost related
20 to the treatment of diabetes in California alone is approximately
21 \$39.5 billion each year; and

22 WHEREAS, People with diabetes who do not have health
23 insurance have 60 percent fewer physician office visits and are
24 prescribed 52 percent fewer medications than people with insurance
25 coverage, but suffer 168 percent more emergency room visits than
26 people who have insurance; and

27 WHEREAS, thirty-one percent of Californians admitted to
28 hospitals in 2011 had diabetes. Populations with an even higher
29 rate of hospital admittance include Hispanics at 43 percent, Native
30 Americans at 40 percent, African Americans at 39 percent, and
31 Asian Pacific Islanders at 38 percent; and

32 WHEREAS, Type 2 diabetes may be prevented or delayed; and

33 WHEREAS, Investing in programs to address the root causes
34 of diabetes through education can improve an individual's odds
35 at preventing the onset of the disease; and

36 ~~WHEREAS, The onset of type 2 diabetes may be prevented or
37 delayed; and~~

38 ~~WHEREAS, Investing in programs to address the root causes
39 of diabetes through education can improve an individual's odds
40 at preventing the onset of the disease; and~~

1 WHEREAS, Access to appropriate health care, open spaces,
2 parks, physical activity, clean drinking water, and healthy,
3 affordable food, while limiting the marketing of harmful junk food
4 and products, is necessary to combat this disease; now, therefore,
5 be it

6 *Resolved by the Senate of the State of California, the Assembly*
7 *thereof concurring,* That the Legislature declares November 2018
8 as Diabetes Awareness Month; and be it further

9 *Resolved,* That individuals are encouraged to seek screening to
10 better understand their diabetes risk and to pursue early treatment,
11 if necessary, to reduce the incidence of diabetes and its
12 complications; and be it further

13 *Resolved,* That there is a significant need to focus additional
14 prevention efforts in communities that are disproportionately
15 affected by this disease; and be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 156 (Hertzberg) – As Amended July 5, 2018

SENATE VOTE: 37-0

SUBJECT: Diabetes Awareness Month.

SUMMARY: Designates November 2018 as Diabetes Awareness Month and encourages individuals to seek screening to understand their diabetes risk. Specifically, **this resolution** makes the following legislative findings:

- 1) Diabetes is a leading cause of disabling and life-threatening complications, including cardiovascular disease, stroke, amputation of the lower extremities, kidney failure, gum disease, tooth loss, and new cases of blindness among adults.
- 2) Type 2 diabetes is one of the fastest growing and most costly preventable chronic diseases impacting our children and families. Type 2 diabetes afflicts 30 million Americans, over 4 million of whom are Californians, and this disease is the cause of death of approximately 8,000 Californians each year.
- 3) Between 90 and 95 percent of adults diagnosed with diabetes have type 2 diabetes, the most common form of the disease, and 13 million Californians, or 46 percent of the adult population, have prediabetes, putting them at an increased risk for diabetes.
- 4) Prediabetes rates are higher among adults of color, with at least half of Pacific Islanders, American Indians, and African Americans estimated to have prediabetes; and, the percentage of American teens who have diabetes or prediabetes has increased from 9 percent to 25 percent in the last 10 years.
- 5) Patients with diabetes have a higher risk of oral health problems, such as gingivitis, gum disease, and tooth decay due to a higher risk of bacterial infection and decreased ability to fight bacteria that invades the gums; and, there is a proven relationship between serious gum disease and diabetes. People with diabetes are more susceptible to serious gum disease, and serious gum disease may have the potential to affect blood glucose control and contribute to the progression of diabetes.
- 6) California has the largest population with diabetes in the nation. Early diagnosis and treatment can improve an individual's odds in avoiding diabetes.
- 7) Diabetes has a severe financial impact on patients with the disease. People diagnosed with diabetes assume an average of \$16,752 in medical expenses annually, which is approximately 2.3 times higher than medical expenses for people without diabetes.
- 8) People with diabetes who do not have health insurance have 60 percent fewer physician office visits and are prescribed 52 percent fewer medications than people with insurance

coverage, but suffer 168 percent more emergency room visits than people who have insurance.

- 9) Access to appropriate health care, open spaces, parks, physical activity, clean drinking water, and healthy, affordable food, while limiting the marketing of harmful junk food and products, is necessary to combat this disease.

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 Wiener

(Coauthors: Senators Atkins, Beall, Dodd, Galgiani, Glazer, Hill, Lara, and Portantino)

(Coauthors: Assembly Members Cervantes, Chiu, Cooley, Eggman, Gloria, Kalra, Lackey, Low, Mayes, Rodriguez, Rubio, and Steinorth)

August 6, 2018

Senate Concurrent Resolution No. 161—Relative to California Runaway and Homeless Youth Prevention Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 161, as introduced, Wiener. California Runaway and Homeless Youth Prevention Month.

This measure would designate the month of November 2018 as California Runaway and Homeless Youth Prevention Month and would recognize the need for individuals, schools, communities, businesses, local governments, and the state to take action on behalf of runaway and homeless youth in California.

Fiscal committee: no.

- 1 WHEREAS, Runaway and homeless youth are young people
- 2 12 to 24 years of age, inclusive, who have the least access to
- 3 essential opportunities and supports; and
- 4 WHEREAS, The prevalence of runaways and homelessness
- 5 among youth is staggering, with studies suggesting that nationally
- 6 between 1.6 and 2.8 million youth up to 24 years of age experience
- 7 homelessness every year, of which an overrepresentation, compared
- 8 to the general youth population, are gay, lesbian, bisexual, or
- 9 transgender; and

1 WHEREAS, Based on national surveys and California’s youth
2 population, an estimated 200,000 youth under 18 years of age, and
3 thousands more who are 18 to 24 years of age, are homeless for
4 one or more days each year; and

5 WHEREAS, The United States Department of Housing and
6 Urban Development’s 2017 point-in-time homeless count shows
7 that the number of unaccompanied homeless youth in California
8 has increased to more than 15,000 youth, a 26-percent increase
9 from 2016 and a 32-percent increase from 2015. A study released
10 in November 2017 by the University of Chicago’s Chapin Hall
11 found that one in 10 young adults between 18 and 25 years of age,
12 inclusive, and at least one in 30 adolescents between 13 and 17
13 years of age, inclusive, experiences homelessness over the course
14 of a year; and

15 WHEREAS, Of the unaccompanied homeless youth in
16 California, 82.5 percent are unsheltered, which is the second
17 highest percentage in the country. Thirty-eight percent of homeless
18 youth in the country are located in California, and California has
19 the largest number of homeless youth in any state; and

20 WHEREAS, Runaway and homeless youth flee conflict, abuse,
21 neglect, and, increasingly, poverty in their homes. They have
22 become disconnected from educational systems and the workforce
23 and do not have the skills or financial resources to live on their
24 own. The factors impacting youth homelessness are complex and
25 differ from those impacting other homeless populations; and

26 WHEREAS, Runaway and homeless youth who live on the
27 street are victims of physical abuse, sexual exploitation, human
28 trafficking, and crime in untold numbers. Each year an estimated
29 300,000 youth are either victims, or at risk of becoming victims,
30 of commercial sexual exploitation. Of these victimized children,
31 approximately 60 percent are homeless; and

32 WHEREAS, Homeless youth tend to start using drugs at a
33 younger age, often before 15 years of age. Early drug use and
34 abuse is predictive of serious adult addiction problems and
35 long-term homelessness; and

36 WHEREAS, Youths who “age out” of the foster care system
37 are at an increased risk of homelessness and represent an estimated
38 20 percent of the 20,000 youth who leave foster care and are
39 currently homeless; and

1 WHEREAS, Many of these youths are on the street because
2 they feel there are no other options open to them; and

3 WHEREAS, The number of emergency shelter beds available
4 to homeless youth has dropped from 587 beds in 1990 to 555 beds
5 in 2010, as of the last comprehensive survey in 2010; and

6 WHEREAS, Providing safe, stable, and permanent housing for
7 runaway and homeless youth is a family, community, state, and
8 national priority, and homeless youth are considered a unique
9 population in the homeless community by the United States
10 Interagency Council on Homelessness; and

11 WHEREAS, The future well-being of our state depends on the
12 value we place on our youth, and, in particular, on our actions to
13 provide the most vulnerable young people in the state with
14 opportunities to acquire the knowledge, skills, and abilities they
15 need to find and maintain stable housing and develop into healthy
16 and productive adults; and

17 WHEREAS, The number of effective programs providing
18 services and support to runaway and homeless youth in California
19 is a fraction of what is needed to fully address the needs of these
20 young people, as only 20 of California's 58 counties have programs
21 for runaway and homeless youth; and

22 WHEREAS, The California Coalition for Youth has operated
23 the California Youth Crisis Line (1-800-843-5200), 24 hours a
24 day, seven days a week for over 29 years as the state's only
25 emergency response system for youth in crisis, and began offering
26 chat-to-text counseling services in 2016; and

27 WHEREAS, November is National Runaway and Homeless
28 Youth Awareness Month; and

29 WHEREAS, The California Coalition for Youth, along with
30 other community-based organizations, providers, and advocates,
31 is sponsoring the eighth annual California Runaway and Homeless
32 Youth Prevention Month to increase awareness and action on
33 behalf of youth who are at risk or currently living on the street;
34 and

35 WHEREAS, Awareness of the tragedy of youth homelessness
36 and its causes must be heightened to ensure greater support for
37 effective programs aimed at preventing homelessness and helping
38 youth remain off the streets; now, therefore, be it

39 *Resolved by the Senate of the State of California, the Assembly*
40 *thereof concurring*, That the Legislature recognizes the need for

1 individuals, schools, communities, businesses, local governments,
2 and the state to take action on behalf of runaway and homeless
3 youth in California; and be it further

4 *Resolved*, That the Legislature hereby designates the month of
5 November 2018 as California Runaway and Homeless Youth
6 Prevention Month; and be it further

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

O

Date of Hearing: August 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 161 (Wiener) – As Introduced August 6, 2018

SENATE VOTE: 36-0

SUBJECT: California Runaway and Homeless Youth Prevention Month.

SUMMARY: Designates the month of November 2018 as California Runaway and Homeless Youth Prevention Month and recognizes the need for individuals, schools, communities, businesses, local governments, and the state to take action on behalf of runaway and homeless youth in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Runaway and homeless youth are young people 12 to 24 years of age, inclusive, who have the least access to essential opportunities and supports; and, the prevalence of runaways and homelessness among youth is staggering, with studies suggesting that nationally between 1.6 and 2.8 million youth up to 24 years of age experience homelessness every year, of which an overrepresentation, compared to the general youth population, are gay, lesbian, bisexual, or transgender.
- 2) Based on national surveys and California's youth population, an estimated 200,000 youth under 18 years of age, and thousands more who are 18 to 24 years of age, are homeless for one or more days each year.
- 3) Of the unaccompanied homeless youth in California, 82.5 percent are unsheltered, which is the second highest percentage in the country. Thirty-eight percent of homeless youth in the country are located in California, and California has the largest number of homeless youth in any state.
- 4) Runaway and homeless youth flee conflict, abuse, neglect, and, increasingly, poverty in their homes. They have become disconnected from educational systems and the workforce and do not have the skills or financial resources to live on their own. The factors impacting youth homelessness are complex and differ from those impacting other homeless populations.
- 5) Homeless youth tend to start using drugs at a younger age, often before 15 years of age. Early drug use and abuse is predictive of serious adult addiction problems and long-term homelessness.
- 6) Youths who "age out" of the foster care system are at an increased risk of homelessness and represent an estimated 20 percent of the 20,000 youth who leave foster care and are currently homeless; and, many of these youths are on the street because they feel there are no other options open to them.
- 7) The number of emergency shelter beds available to homeless youth has dropped from 587 beds in 1990 to 555 beds in 2010, as of the last comprehensive survey in 2010; and, providing safe, stable, and permanent housing for runaway and homeless youth is a family, community, state, and national priority, and homeless youth are considered a unique

population in the homeless community by the United States Interagency Council on Homelessness.

- 8) The future well-being of our state depends on the value we place on our youth, and, in particular, on our actions to provide the most vulnerable young people in the state with opportunities to acquire the knowledge, skills, and abilities they need to find and maintain stable housing and develop into healthy and productive adults.
- 9) The number of effective programs providing services and support to runaway and homeless youth in California is a fraction of what is needed to fully address the needs of these young people, as only 20 of California's 58 counties have programs for runaway and homeless youth.
- 10) The California Coalition for Youth has operated the California Youth Crisis Line, 24 hours a day, seven days a week for over 29 years as the state's only emergency response system for youth in crisis, and began offering chat-to-text counseling services in 2016.
- 11) The California Coalition for Youth, along with other community-based organizations, providers, and advocates, is sponsoring the eighth annual California Runaway and Homeless Youth Prevention Month to increase awareness and action on behalf of youth who are at risk or currently living on the street.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California Coalition for Youth

Opposition

None on file

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



California Coalition for Youth

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Home Start, Inc.

East Coast

Youth Representative

The Honorable Ken Cooley
Chair, Assembly Rules Committee
State Capitol, Room 3013
Sacramento, CA 95814

**RE: SCR 161 (Wiener) - Runaway & Homeless Youth Prevention Month
POSITION: SUPPORT**

Dear Assembly Member Cooley and Members of the Committee,

On behalf of the California Coalition for Youth (CCY), I would like to urge your support for Senate Concurrent Resolution 161 (Wiener), which would establish November 2018 as the California Runaway & Homeless Youth Prevention Month. CCY is pleased to lend our support and sponsor this resolution. Nationally, November was officially declared National Runaway & Homeless Youth Month by the United States Congress on July 11, 2007.

CCY is a thirty-six year old grassroots non-profit organization located in Sacramento that, as a statewide coalition, takes positions on and advocates for public policies, programs and services that empower and improve the lives of all California's youth ages 12-24, with a strong focus on disconnected, runaway and homeless youth. CCY represents several hundred youth and community agencies throughout California. Our coalition acts as a voice for youth and young adults by advocating for public policies, programs, and services that respect, empower, and protect the rights of all youth.

Additionally, we operate the California Youth Crisis Line (CYCL), a state-mandated program under the Office of Emergency Services. The CYCL is a 24-hour hotline for youth, ages 12-24, to call when they are in crisis or when they just need someone to talk to. The CYCL provides crisis intervention counseling on many issues including family issues, sexual assault, eating disorders, teen pregnancy, substance abuse, suicide and more. The CYCL receives over 25,000 calls a year, many of which are calls asking for referrals to homeless shelters for youth and young adults, and recently, we implemented chat-to-text counseling services.

This resolution is important to raise the awareness about the issues runaway and homeless youth face as well as to educate the public about solutions aimed at preventing youth from running away from home. Almost 200,000 youth up to the age of 18 and many thousands more between the ages of 18 to 24 are or have experienced homelessness over the past year. Research has shown that homeless youth and young adults are at greater risk for physical abuse, sexual exploitation, mental health



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Jessica Russell
Youth Representative

Laura Tancredi-Baese
Home Start, Inc.

East Coast
Youth Representative

disabilities, chemical or alcohol dependency, and death. The cost of youth homelessness to the State of California is considerable, while the number of effective programs providing services and supports to runaway and homeless youth in California is a fraction of what is needed to fully address the needs of these young people.

For these reasons, CCY is pleased to support and sponsor this resolution, SCR 161, and urges you to vote "aye" when it comes before you.

Sincerely,

Sherilyn Adams
Board Chair

cc: Members and Staff of the Assembly Rules Committee
Senator Scott Wiener

AMENDED IN ASSEMBLY JULY 3, 2018
AMENDED IN ASSEMBLY JUNE 20, 2018
AMENDED IN SENATE JANUARY 3, 2018
AMENDED IN SENATE SEPTEMBER 8, 2017
AMENDED IN SENATE APRIL 19, 2017

SENATE BILL

No. 759

Introduced by Senator McGuire
(Principal coauthor: Assembly Member Mullin)
(Coauthors: Senators Beall, Dodd, and Wieckowski)
(Coauthor: Assembly Member Gonzalez Fletcher)

February 17, 2017

An act to amend Section 3019 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 759, as amended, McGuire. Elections: vote by mail ballots.

Existing law requires an elections official, upon receipt of a vote by mail ballot, to compare the signature on the identification envelope with either the signature appearing on the voter's affidavit of registration, or the signature appearing on a form issued by an elections official that contains the voter's signature and that is part of the voter's registration record. Existing law provides that, if the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted.

This bill would eliminate the prohibition on counting the ballot and would instead require the elections official to follow specified procedures to notify the voter and allow the voter an opportunity to

verify his or her signature before certification of the election. The bill would also make technical, nonsubstantive changes to these provisions. By increasing the duties of local election officials, the bill would impose a state-mandated local program.

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

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

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

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

1 SECTION 1. It is the intent of the Legislature that the
2 procedures in Section 3019 of the Elections Code apply only to
3 signatures that do not compare because of a mismatched signature
4 submitted by the voter himself or herself.

5 SEC. 2. Section 3019 of the Elections Code is amended to read:

6 3019. (a) (1) Upon receiving a vote by mail ballot, the
7 elections official shall compare the signature on the identification
8 envelope with either of the following to determine if the signatures
9 compare:

10 (A) The signature appearing on the voter’s affidavit of
11 registration or any previous affidavit of registration of the voter.

12 (B) The signature appearing on a form issued by an elections
13 official that contains the voter’s signature and that is part of the
14 voter’s registration record.

15 (2) In comparing signatures pursuant to this section, the elections
16 official may use facsimiles of voters’ signatures, provided that the
17 method of preparing and displaying the facsimiles complies with
18 the law.

19 (3) In comparing signatures pursuant to this section, an elections
20 official may use signature verification technology. If signature
21 verification technology determines that the signatures do not
22 compare, the elections official shall visually examine the signatures
23 and verify that the signatures do not compare.

1 (4) The variation of a signature caused by the substitution of
2 initials for the first or middle name, or both, is not grounds for the
3 elections official to determine that the signatures do not compare.

4 (b) If upon conducting the comparison of signatures pursuant
5 to subdivision (a) the elections official determines that the
6 signatures compare, he or she shall deposit the ballot, still in the
7 identification envelope, in a ballot container in his or her office.

8 (c) If upon conducting the comparison of signatures pursuant
9 to subdivision (a) the elections official determines that the
10 signatures do not compare, the identification envelope shall not
11 be opened and the ballot shall not be counted. The elections official
12 shall write the cause of the rejection on the face of the identification
13 envelope only after completing the procedures described in
14 subdivision (d).

15 (d) (1) A minimum of eight days prior to the certification of
16 the election, the elections official shall provide notice to all voters
17 identified pursuant to subdivision (c) of the opportunity to verify
18 their signatures no later than 5 p.m. two days prior to the
19 certification of the election.

20 (2) The notice and instructions shall be in substantially the
21 following form:

22
23 “READ THESE INSTRUCTIONS CAREFULLY. FAILURE TO FOLLOW THESE
24 INSTRUCTIONS MAY CAUSE YOUR VOTE BY MAIL BALLOT NOT TO
25 COUNT.
26

27 1. We have determined that the signature you provided on your vote by mail
28 ballot does not match the signature(s) on file in your voter record. In order to
29 ensure that your vote by mail ballot will be counted, the signature verification
30 statement must be completed and returned as soon as possible.

31 2. The signature verification statement must be received by the elections
32 official of the county where you are registered to vote no later than 5 p.m. two
33 days prior to certification of the election.

34 3. You must sign your name where specified on the signature verification
35 statement (Voter’s Signature).

36 4. Place the signature verification statement into a mailing envelope addressed
37 to your local elections official. Mail, deliver, or have the completed statement
38 delivered to the elections official. Be sure there is sufficient postage if mailed
39 and that the address of the elections official is correct.

1 5. If you do not wish to send the signature verification statement by mail or
2 have it delivered, you may submit your completed statement by email or
3 facsimile transmission to your local elections official using the information
4 provided.

5
6 (3) The elections official shall not reject a vote by mail ballot
7 identified pursuant to subdivision (c) if each of the following
8 conditions is satisfied:

9 (A) The voter delivers, in person, by mail, *by fax*, or by email,
10 a signature verification statement signed by the voter and the
11 elections official receives the statement no later than 5 p.m. two
12 days prior to the certification of the election, or the voter, before
13 the close of the polls on election day, completes and submits a
14 signature verification statement to a polling place within the county
15 or a ballot dropoff box.

16 (B) Upon receipt of the signature verification statement, the
17 elections official shall
18 ~~process the ballot in accordance with subdivision (b).~~
19 *compare the signature on the statement with the signature on file*
20 *in the voter’s record.*

21 (i) *If upon conducting the comparison of signatures the elections*
22 *official determines that the signatures compare, he or she shall*
23 *deposit the ballot, still in the identification envelope, in a ballot*
24 *container in his or her office.*

25 (ii) *If upon conducting the comparison of the signatures the*
26 *elections official determines that the signatures do not compare,*
27 *the identification envelope shall not be opened and the ballot shall*
28 *not be counted. The elections official shall write the cause of the*
29 *rejection on the face of the identification envelope.*

30 (4) The signature verification statement shall be in substantially
31 the following form and may be included on the same page as the
32 notice and instructions specified in paragraph (2):

33
34 “SIGNATURE VERIFICATION STATEMENT
35
36 I, _____, am a registered voter of _____ County,
37 State of California. I declare under penalty of perjury that I requested and
38 returned a vote by mail ballot. I am a resident of the precinct in which I have
39 voted, and I am the person whose name appears on the vote by mail ballot
40 envelope. I understand that if I commit or attempt any fraud in connection

1 with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection
2 with voting, I may be convicted of a felony punishable by imprisonment for
3 16 months or two or three years. I understand that my failure to sign this
4 statement means that my vote by mail ballot will be invalidated.

5 _____
6 Voter's Signature

7 _____
8 Address”
9

10 (5) An elections official shall include the vote by mail ballot
11 signature verification statement and instructions provided in this
12 subdivision on his or her Internet Web site, and shall provide the
13 election official's mailing address, email address, and *facsimile*
14 transmission number on the Internet Web page containing the
15 statement and instructions.

16 (6) If the elections official determines pursuant to subparagraph
17 ~~(B) of paragraph (3)~~ that the signatures compare, the official shall
18 use the signature in the signature verification statement, even if
19 returned untimely, to update the voter's signature for future
20 elections.

21 (e) (1) (A) Notwithstanding any other law, if an elections
22 official determines that a voter has failed to sign the identification
23 envelope, the elections official shall not reject the vote by mail
24 ballot if the voter does any of the following:

25 (i) Signs the identification envelope at the office of the elections
26 official during regular business hours before 5 p.m. on the eighth
27 day after the election.

28 (ii) Before 5 p.m. on the eighth day after the election, completes
29 and submits an unsigned ballot statement in substantially the
30 following form:

31
32 “UNSIGNED BALLOT STATEMENT

33
34 I, _____, am a registered voter of _____ County,
35 State of California. I declare under penalty of perjury that I requested and
36 returned a vote by mail ballot and that I have not and will not vote more than
37 one ballot in this election. I am a resident of the precinct in which I have voted,
38 and I am the person whose name appears on the vote by mail ballot envelope.
39 I understand that if I commit or attempt any fraud in connection with voting,
40 or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting,

1 I may be convicted of a felony punishable by imprisonment for 16 months or
2 two or three years. I understand that my failure to sign this statement means
3 that my vote by mail ballot will be invalidated.

4 _____
5 Voter’s Signature
6 _____
7 Address”
8

9 (iii) Before the close of the polls on election day, completes and
10 submits an unsigned ballot statement, in the form described in
11 clause (ii), to a polling place within the county or a ballot dropoff
12 box.

13 (B) If timely submitted, the elections official shall accept any
14 completed unsigned ballot statement. Upon receipt of the unsigned
15 ballot statement, the elections official shall compare the voter’s
16 signature on the statement in the manner provided by this section.

17 (i) If the elections official determines that the signatures
18 compare, he or she shall attach the unsigned ballot statement to
19 the identification envelope and deposit the ballot, still in the
20 identification envelope, in a ballot container in his or her office.

21 (ii) If the elections official determines that the signatures do not
22 compare, the identification envelope shall not be opened and the
23 ballot shall not be counted.

24 (C) An elections official may use methods other than those
25 described in subparagraph (A) to obtain a voter’s signature on an
26 unsigned identification envelope.

27 (2) Instructions shall accompany the unsigned ballot statement
28 in substantially the following form:

29
30 “READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
31 STATEMENT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
32 YOUR BALLOT NOT TO COUNT.

- 33 1. In order to ensure that your vote by mail ballot will be counted, your
34 statement should be completed and returned as soon as possible so that
35 it can reach the elections official of the county in which your precinct
36 is located no later than 5 p.m. on the eighth day after the election.
- 37 2. You must sign your name on the line above (Voter’s Signature).
- 38 3. Place the statement into a mailing envelope addressed to your local
39 elections official. Mail, deliver, or have delivered the completed

1 statement to the elections official. Be sure there is sufficient postage
 2 if mailed and that the address of the elections official is correct.
 3 4. If you do not wish to send the statement by mail or have it delivered,
 4 you may submit your completed statement by facsimile or email
 5 transmission to your local elections official, or submit your completed
 6 statement to a polling place within the county or a ballot dropoff box
 7 before the close of the polls on election day.
 8

9 (3) An elections official shall include the unsigned ballot
 10 statement and instructions described in this subdivision on his or
 11 her Internet Web site, and shall provide the elections official’s
 12 mailing address, email address, and facsimile transmission number
 13 on the Internet Web page containing the statement and instructions.

14 (f) A ballot shall not be removed from its identification envelope
 15 until the time for processing ballots. A ballot shall not be rejected
 16 for cause after the identification envelope has been opened.

17 SEC. 3. If the Commission on State Mandates determines that
 18 this act contains costs mandated by the state, reimbursement to
 19 local agencies and school districts for those costs shall be made
 20 pursuant to Part 7 (commencing with Section 17500) of Division
 21 4 of Title 2 of the Government Code.
 22

23 _____
 24 **REVISIONS:**
 25 **Heading—Line 2.**
 26 _____

O

California State Senate

SENATOR MIKE MCGUIRE

NORTHERN CALIFORNIA'S SECOND SENATE DISTRICT



August 15, 2018

Chairman Ken Cooley
Assembly Committee on Rules
California State Capitol, Room 3061
Sacramento, CA 95814

RE: Urgency Clause Request – SB 759 (McGuire)

Dear Chairman Cooley,

A strong democracy depends on a voter's belief that their ballot counts. However, in California, according to the Secretary of State's Office, over 25,000 residents would be shocked to know that their ballots were not counted and thrown out in the November 2016 General Election.

While mismatching signatures can occur for a number of reasons, there is no law that requires local election officials to notify voters that their ballot will be tossed out or to provide them with an opportunity to correct the mistake. SB 759 establishes a process for elections officials to notify voters when their Vote by Mail (VBM) ballot signature mismatches the one on file. In addition, it will require those voters whose signatures mismatch be given the opportunity to correct the discrepancy so that their votes can be counted.

As the use of Vote By Mail ballots increase in California, we cannot ignore this issue any longer. Today, over half of Californians vote by mail. Currently, some smaller counties, such as Sierra and Plumas, conduct entire elections by mail. Those numbers could increase further with the Voter's Choice Act, passed in 2016, which will allow all counties to conduct elections by mail by 2020.

To ensure that the clear process laid out in SB 759 is implemented in time for county registrars to use it by the November 2018 election, the proposed language for SB 759 includes an urgency clause. This process is supported by the Registrars, the Secretary of State, and the ACLU.

If you have any questions, please contact my office at (916) 651-4337. Thank you for your consideration.

Warmest Regards,


MIKE MCGUIRE

AMENDED IN ASSEMBLY JUNE 20, 2018

AMENDED IN SENATE MAY 25, 2018

AMENDED IN SENATE APRIL 30, 2018

AMENDED IN SENATE APRIL 16, 2018

AMENDED IN SENATE APRIL 5, 2018

AMENDED IN SENATE MARCH 15, 2018

SENATE BILL

No. 1029

Introduced by Senator McGuire

February 8, 2018

An act to add Chapter 4 (commencing with Section 93030) to Title 12 of, and to add and repeal Section 14533.4 of, the Government Code, to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, and to amend Sections 105001, 105003, 105012, 105020, and 105095 of, to add Sections 105032.5 and 105088 to, and to repeal Sections 105104, 105105, and 105180 of, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1029, as amended, McGuire. North Coast Railroad Authority: right-of-way: Great Redwood Trail Agency: Sonoma-Marín Area Rail Transit District.

(1) Existing law creates the North Coast Railroad Authority with various powers and duties relating to rail service in the north coast area of the state, including the authority to acquire, own, operate, and lease real and personal property reasonably related to the operation and maintenance of railroads.

93

Existing law establishes in state government the California Transportation Commission with specified powers and duties relative to the programming of transportation capital improvement projects and other related matters.

This bill would require the commission to conduct an assessment of the authority's preexisting liabilities related to debt, litigation, or contractual obligations and report that information to the Legislature before July 1, 2019.

This bill would require the authority, before April 1, 2019, to transfer its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to ~~both its right-of-way south of a point in the City of Willits mile post 142.5, its licenses and certificates of public convenience and necessity, common carrier obligations held by the authority or an associated freight operator,~~ and the railroad assets the authority owns to the Sonoma-Marín Area Rail Transit District, and would require the authority, before July 1, 2019, to transfer its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to its right-of-way north of ~~that point in the City of Willits mile post 142.5~~ to the Great Redwood Trail Agency. The bill would abolish the authority after those transfers are made.

This bill would create the Great Redwood Trail Agency, and provide for the appointment of its board of directors. The bill would, to the extent funding is available, require the agency ~~to to, among other things, inventory any parcel parcel, easement, or contract related to the northern portion of the right-of-way, complete an environmental assessment of the conditions of the northern portion of the right-of-way, create plan, construct, operate, and maintain a trail in, or next to, the northern portion of the right-of-way, and complete the a railbanking process on a portion of the northern right-of-way, and authorize the agency to contract with an operator to operate freight or excursion rail service on the remaining portion of the northern right-of-way, as specified. process, if and where appropriate. The bill would also provide that the agency has certain enumerated rights and powers, including to fix and collect fees, make grants, acquire interests in real property, and to enter into contracts and joint powers agreements.~~

This bill would create the Great Redwood Trail Program Fund, and would require certain moneys to be deposited into the fund and to be available for certain purposes.

(2) Existing law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District, which is governed by a 12-member board of directors, with specified duties and powers. Existing law requires the district to work with specified authorities to achieve a safe, efficient, and compatible system of passenger and freight rail service and authorizes the district to own, operate, manage, and maintain a passenger rail system within the territory of the district.

This bill would authorize the district to consider the need and financing for employee workforce housing, and would add a member to the district's board of directors, to be appointed by the Mendocino County Board of Supervisors. The bill would require the district to conduct a freight rail study incorporating the southern *portion of the right-of-way* transferred to the district as described in paragraph ~~(1)~~: *(1), and would require the district to create and maintain a trail that begins at mile post 142.5, runs in, or parallel to, the southern portion of the right-of-way, as appropriate, and connects to the district's bicycle and pedestrian pathways to the extent feasible.* The bill would also make various conforming changes to the district's provisions relating to the abolishment of the North Coast Rail Authority. The bill would repeal the requirement that the district obtain coverage for itself and its employees under certain federal laws.

(3) Because this bill would impose new requirements on local entities, it would impose a state-mandated local program.

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

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

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

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

- 1 SECTION 1. This bill shall be known, and may be cited, as
- 2 the Great Redwood Trail Act.
- 3 SEC. 2. It is the intent of the Legislature to do all of the
- 4 following:

1 (a) Create a systemwide hiking, biking, and riding trail along
 2 or parallel to the North Coast Railroad Authority's railroad tracks
 3 on the north-coast coast, which will be known as the Great
 4 Redwood Trail.

5 (b) Ascertain all liabilities, debts, contractual obligations, and
 6 leasehold interests held by the Northwestern Pacific Railroad
 7 Company, and other legal obligations of the North Coast Railroad
 8 Authority, transfer the authority's assets and the right-of-way as
 9 provided for in this act, and abolish the North Coast Railroad
 10 Authority, which was established by statute in 1989.

11 (c) (1) Transfer the North Coast Railroad Authority's real
 12 property, rail assets, rail easements, licenses and certificates of
 13 public convenience and necessity, common carrier obligations,
 14 and right-of-way south of mile post 142.5 in Willits, California,
 15 to the Sonoma-Marín Area Rail Transit District.

16 (2) To the extent funding is available from nonlocal sources,
 17 the Sonoma-Marín Area Rail Transit District will be responsible
 18 for creating and maintaining a trail that begins at mile post 142.5,
 19 runs in, or parallel to, the southern portion of the right-of-way,
 20 as appropriate, and connects to the district's bicycle and pedestrian
 21 pathways to the extent feasible.

22 (d) (1) Create the Great Redwood Trail Agency, which will
 23 be responsible for constructing and maintaining a hiking, biking,
 24 and riding trail in, or parallel to, the northern portion of the
 25 right-of-way, from mile post 142.5 to mile post 300.5.

26 (e)

27 (2) Transfer the northern portion of the North Coast Railroad
 28 Authority's right-of-way, from mile post 142.5 to mile post 300.5,
 29 to the Great Redwood Trail Agency.

30 (3) Authorize the Great Redwood Trail Agency to work with
 31 landowners and fishing organizations to locate and provide
 32 appropriate fishing access sites along the northern portion of the
 33 right-of-way.

34 (f)

35 (e) Ensure each portion of the right-of-way not used for rail is
 36 railbanked or otherwise used as a trail.

37 (g)

38 (f) Ensure each portion of the right-of-way used for rail also has
 39 a trail created and maintained in, or next parallel to, it.

40 (h) (1) Provide

1 (g) *As the right-of-way runs through working ranch lands and*
2 *farms, much of it very remote, the Sonoma-Marín Area Rail Transit*
3 *District and the Great Redwood Trail Agency should take special*
4 *concern to work with landowners and businesses to mitigate*
5 *concerns raised by the changes to the right-of-way.*

6 (h) *For the portion of the right-of-way from mile post 85 at the*
7 *Cloverdale Depot to mile post 300.5:*

8 (1) *Provide for the creation of the trail the Great Redwood Trail*
9 *as a multiuse trail wherever practical, provide a safe, continuous*
10 *contiguous alignment with appropriate and flexible design*
11 *standards for site conditions, and support the intended uses of the*
12 *trail. To the extent possible, trail alignments should promote*
13 *connectivity between communities adjacent, or in close proximity,*
14 *to established right-of-ways rights-of-way in order to link*
15 *populations and population centers and to provide enhanced*
16 *recreation and commuter opportunities. As such, it is the intent of*
17 *the Legislature to authorize the applicable successor agencies*
18 *entities to identify nodes that promote connectivity along the route.*

19 (2) *Provide for the specific trail use types, including hiking,*
20 *biking, and equestrian uses, to be determined by site specific*
21 *studies and a broad community engagement process.*

22 SEC. 3. Section 14533.4 is added to the Government Code, to
23 read:

24 14533.4. (a) *The commission shall conduct an assessment of*
25 *the North Coast Railroad Authority’s preexisting liabilities related*
26 *to debt, litigation, or contractual obligations and report that*
27 *information to the Legislature before July 1, 2019.*

28 (b) *The commission may request the Department of Finance,*
29 *or contract with another entity, to perform the work the commission*
30 *deems necessary to carry out the duties described in subdivision*
31 *(a).*

32 (b)
33 (c) (1) *The report to be submitted pursuant to subdivision (a)*
34 *shall be submitted in compliance with Section 9795.*

35 (2) *Pursuant to Section 10231.5, this section is repealed on*
36 *January 1, 2023.*

37 SEC. 4. Chapter 4 (commencing with Section 93030) is added
38 to Title 12 of the Government Code, to read:

CHAPTER 4. ABOLISHMENT

1
 2
 3 93030. Before April 1, 2019, the authority shall transfer its
 4 rights, privileges, and responsibilities, excluding any preexisting
 5 liability related to debt, litigation, or contractual obligations,
 6 relating to ~~both~~ its right-of-way south of mile post ~~142.5 in the~~
 7 ~~City of Willits, 142.5~~, including any associated real property, rail
 8 easements, and branch or spur lines, *its* licenses and certificates
 9 of public convenience and necessity, common carrier ~~obligations,~~
 10 ~~obligations held by the authority or an associated freight operator,~~
 11 and the railroad assets the authority owns to the Sonoma-Marin
 12 Area Rail Transit District created pursuant to Section 105010 of
 13 the Public Utilities Code.

14 93030.5. *In making the transfer pursuant to Section 93030, it*
 15 *is the intent of the legislature to make the Sonoma-Marin Area*
 16 *Rail Transit District the exclusive holder of the right to restart or*
 17 *operate freight service along that portion of the right-of-way and*
 18 *that no third party shall acquire that right.*

19 93031. (a) Before July 1, 2019, the authority shall transfer
 20 its rights, privileges, and responsibilities, excluding any preexisting
 21 liability related to debt, litigation, or contractual obligations,
 22 relating to its right-of-way north of mile post ~~142.5 in the City of~~
 23 ~~Willits, 142.5~~, including any associated branch or spur lines, to
 24 the Great Redwood Trail Agency created pursuant to Section 5880
 25 of the Public Resources Code.

26 (b) *The transfer made pursuant to subdivision (a) shall not affect*
 27 *or negate any rights under Memorandum of Agreement 1991-2324,*
 28 *which was filed on January 31, 1991, with the county*
 29 *clerk-recorder’s office for the County of Humboldt.*

30 93032. In making the transfers pursuant to Sections 93030 and
 31 93031, the authority shall transfer all of its rights, privileges, and
 32 responsibilities, excluding any preexisting liability related to debt,
 33 litigation, or contractual obligations, relating to any right-of-way.

34 ~~93032.5. The transfers made pursuant to this chapter shall not~~
 35 ~~effect or negate rights under the Memorandum of Agreement~~
 36 ~~1991-2324, which was filed on January 31, 1991, with the county~~
 37 ~~clerk-recorder’s office for the County of Humboldt.~~

38 93033. Upon making all of the transfers described in this
 39 chapter, the authority shall be abolished.

1 SEC. 5. Chapter 14 (commencing with Section 5880) is added
2 to Division 5 of the Public Resources Code, to read:

3
4 CHAPTER 14. GREAT REDWOOD TRAIL AGENCY
5

6 5880. (a) The Great Redwood Trail Agency is hereby created.

7 (b) *The goal of this chapter is for the agency to use the existing*
8 *right-of-way, or paths parallel to the right-of-way, to plan, design,*
9 *construct, operate, and maintain the northern portion of the Great*
10 *Redwood Trail in, or parallel to, the right-of-way.*

11 5881. For purposes of this chapter, the following definitions
12 shall apply:

13 (a) "Agency" means the Great Redwood Trail Agency.

14 (b) "Board" means the agency's board of directors described in
15 Section 5882.

16 (c) *"Northern portion of the Great Redwood Trail" means the*
17 *trail planned, designed, constructed, operated, and maintained in,*
18 *or parallel to, the right-of-way pursuant to paragraph (4) of*
19 *subdivision (a) of Section 5883.*

20 ~~(e)~~

21 (d) "Right-of-way" means the entire length of the right-of-way
22 transferred to the agency pursuant to Section 93031 of the
23 Government Code.

24 5882. (a) The agency shall be governed by a board of
25 directors, composed as follows:

26 ~~(a)~~

27 (1) The Governor shall appoint two board members, one
28 representing the Department of Transportation and one representing
29 the Natural Resources Agency, who are knowledgeable about
30 trails, parks, railroads, or rivers.

31 ~~(b)~~

32 (2) The Senate Committee on Rules shall appoint one board
33 member who is knowledgeable about trails, parks, railroads, or
34 rivers.

35 ~~(c)~~

36 (3) The Speaker of the Assembly shall appoint one board
37 member who is knowledgeable about trails, parks, railroads, or
38 rivers.

39 ~~(d)~~

- 1 (4) The Board of Supervisors of the County of Mendocino may
- 2 appoint one of its members to serve as a board member.
- 3 ~~(e)~~
- 4 (5) The Board of Supervisors of the County of Humboldt may
- 5 appoint one of its members to serve as a board member.
- 6 ~~(f) _____ may appoint one board member.~~
- 7 (6) *The Redwood Empire Division of the League of California*
- 8 *Cities, or its successor, may appoint one member who is a mayor,*
- 9 *or city council member, of a city or town on the right-of-way in*
- 10 *the County of Mendocino or Humboldt.*
- 11 (b) (1) *Each member of the board shall serve a term of four*
- 12 *years, except that the term of a member appointed pursuant to*
- 13 *paragraph (4), (5), or (6) of subdivision (a) shall cease if the*
- 14 *member no longer serves as a member of the specified board of*
- 15 *supervisors or specified city council, or as the mayor of the*
- 16 *specified city.*
- 17 (2) *Notwithstanding paragraph (1), each member shall serve*
- 18 *on the board until his or her successor has been appointed.*
- 19 5883. Upon receiving the North Coast Railroad Authority’s
- 20 rights, privileges, and responsibilities, excluding any preexisting
- 21 liability related to debt, litigation, or contractual obligations,
- 22 relating to the authority’s right-of-way north of mile post ~~142.5 in~~
- 23 ~~the City of Willits, 142.5~~, including any associated branch or spur
- 24 lines, pursuant to Section 93031, ~~the agency shall do both of the~~
- 25 ~~following as soon as possible, to the extent funding is available:~~
- 26 *both of the following subdivisions shall become effective:*
- 27 (a) *To the extent funding is available, the agency shall do all*
- 28 *of the following:*
- 29 ~~(a)~~
- 30 (1) *Inventory any ~~parcel~~ parcel, easement, or contract related*
- 31 *to the right-of-way.*
- 32 ~~(b)~~
- 33 (2) *Complete an environmental assessment of the ~~right-of-way.~~*
- 34 *conditions of the right-of-way for purposes of trail development.*
- 35 (3) *If and where appropriate to further the goal of this chapter,*
- 36 *initiate and complete the federal Surface Transportation Board’s*
- 37 *railbanking process.*
- 38 (4) *Plan, design, construct, operate, and maintain a trail in, or*
- 39 *parallel to, the right-of-way.*

1 (5) Conduct a thorough community engagement process that
2 includes landowners, trail advocates, environmental groups, and
3 the community at large. Items to be discussed during this process
4 include, but are not limited to, trail configurations parallel to the
5 right-of-way, including those on public lands, connecting the
6 northern portion of the Great Redwood Trail to existing trails,
7 and rail-crossing fees.

8 (6) Honor existing trail licenses and work with local and state
9 governments and community groups to expeditiously provide new
10 trail license agreements that meet the goal of this chapter.

11 (7) Utilize the services of the California Conservation Corps,
12 wherever feasible, for projects related to trails, environmental
13 enhancements and restoration, and other improvement projects.

14 (8) Utilize the services of conservation organizations, wherever
15 feasible, for projects related to fishing access, fish passage barrier
16 restoration, and other environmental enhancement, restoration,
17 and improvement projects.

18 (9) Prepare a master plan for the northern portion of the Great
19 Redwood Trail, including any environmental analysis required
20 pursuant to the California Environmental Quality Act (Division
21 13 (commencing with Section 21000)).

22 (10) Before January 1, 2020, and annually thereafter, submit
23 a report to the Legislature, in compliance with Section 9795 of
24 the Government Code, describing the agency's progress towards
25 fulfilling the requirements and goal relating to the right-of-way.

26 (11) Restrict public access to each segment of the right-of-way
27 until the construction of the trail segment is completed, as
28 determined by the agency.

29 (b) To the extent funding is available, the agency may do any
30 of the following:

31 (1) Contract with a trail manager or organization to meet the
32 requirements of this section.

33 (2) Contract with an operator to operate freight or excursion
34 rail service except that the service shall not interfere with or harm
35 the northern portion of the Great Redwood Trail.

36 (3) Work with landowners and fishing organizations to locate
37 and provide appropriate fishing access sites along the right-of-way.
38 In doing so, the agency shall seek to discourage and prevent
39 trespassing on private property.

1 5885. The agency shall do all of the following, to the extent
2 funding is available:

3 (a) For the portion of the right-of-way between mile post 142.5
4 and mile post 284, including any associated branch or spur lines,
5 the agency shall complete the railbanking process on, and create
6 and maintain a trail in, or next to, that portion of the right-of-way.
7 The agency may contract with a trail manager or organization to
8 meet the requirements of this subdivision.

9 (b) For the portion of the right-of-way between mile post 284
10 and mile post 300.5, including any associated branch or spur lines,
11 the agency shall create and maintain a trail in, or next to, that
12 portion of the right-of-way, and may contract with a trail manager
13 or organization to meet these requirements. The agency may
14 contract with an operator to operate freight or excursion rail service
15 on this portion of the right-of-way, except that the service shall
16 not interfere with or harm the agency’s trail.

17 (c) Before January 1, 2020, and annually thereafter, submit a
18 report to the Legislature, in compliance with Section 9795 of the
19 Government Code, describing its progress towards fulfilling the
20 requirements and goals relating to the right-of-way.

21 (d) Utilize the services of the California Conservation Corps
22 wherever possible on projects related to trails, environmental
23 enhancements and restoration, and other improvement projects.

24 5884. Upon the completion of the planning, design, and
25 construction of the northern portion of the Great Redwood Trail,
26 the agency may transfer the responsibility of performing the acts
27 described in this chapter to a more appropriate permanent
28 operating entity for the operation and maintenance of the northern
29 portion of the Great Redwood Trail.

30 5885. (a) The Great Redwood Trail Program Fund is hereby
31 created. Moneys in the fund shall accrue interest and be available
32 for the purposes of this chapter.

33 (b) All revenue, including fee revenue, received pursuant to this
34 chapter shall be deposited in the fund.

35 5886. The agency shall have and may exercise all rights and
36 powers, expressed or implied, necessary to carry out the purposes
37 and intent of this chapter, including, but not limited to, to enter all
38 of the following:

1 (a) To enter into and perform all necessary contracts pursuant
2 to Article 53.5 (commencing with Section 20815) of Chapter 1 of
3 Part 3 of Division 2 of the Public Contract Code.

4 (b) To fix and collect fees for the use of any land owned or
5 controlled, or for any service provided, by the agency.

6 (c) To make grants.

7 (d) To acquire interests in real property.

8 (e) To lease, rent, sell, exchange, or transfer interests in real
9 property.

10 (f) To undertake or fund projects and programs implementing
11 this chapter or relating to the northern portion of the Great
12 Redwood Trail.

13 (g) To provide for the management of the right-of-way and the
14 northern portion of the Great Redwood Trail.

15 (h) To apply for and accept grants, gifts, donations of money
16 and property, subventions, rents, royalties, or other assistance
17 from public or private sources.

18 (i) To recruit and coordinate volunteers and experts to conduct
19 interpretive and recreational programs and to assist with
20 construction projects and the maintenance of facilities.

21 (j) To enter into contracts and joint powers agreements.

22 (k) To sue and be sued.

23 5887. The agency shall be subject to the Ralph M. Brown Act
24 (Chapter 9 (commencing with Section 54950) of Part 1 of Division
25 2 of Title 5 of the Government Code) and the California Public
26 Records Act (Chapter 3.5 (commencing with Section 6250) of
27 Division 7 of Title 1 of the Government Code).

28 SEC. 6. Section 105001 of the Public Utilities Code is amended
29 to read:

30 105001. It is the intent of the Legislature in enacting this part
31 to provide for a unified, comprehensive institutional structure for
32 the ownership and governance of a passenger rail system within
33 the Counties of Sonoma and Marin and a freight service that
34 operates upon the same rail line and serves the Counties of
35 Humboldt, Marin, Mendocino, Napa, and Sonoma.

36 SEC. 7. Section 105003 of the Public Utilities Code is amended
37 to read:

38 105003. As used in this part, the following terms have the
39 following meanings:

- 1 (a) “District” means the Sonoma-Marine Area Rail Transit
2 District.
 - 3 (b) “Rail transit” means the transportation of passengers and
4 their incidental baggage by rail and provision of freight service by
5 rail.
 - 6 (c) “Rail transit works” or “rail transit facilities” means any or
7 all real and personal property, equipment, rights, or interests owned
8 or to be acquired by the district for rail transit service purposes,
9 including ancillary bicycle and pedestrian pathways that provide
10 connections between and access to station sites.
 - 11 (d) “Board of directors,” “board,” or “directors” means the board
12 of directors of the district.
 - 13 (e) “Public agency” includes the state, and any county, city and
14 county, city, district, or other political subdivision or public entity
15 of, or organized under the laws of, this state, or any department,
16 instrumentality, or agency thereof.
- 17 SEC. 8. Section 105012 of the Public Utilities Code is amended
18 to read:
- 19 105012. (a) Upon the dissolution of the Sonoma-Marine Area
20 Rail Transit Commission and the Northwestern Pacific Railroad
21 Authority, the district shall succeed to any or all of the powers,
22 duties, rights, obligations, liabilities, indebtedness, bonded and
23 otherwise, immunities, and exemptions of the commission and its
24 board of commissioners and the authority and its board of directors.
 - 25 (b) Upon the dissolution of the Sonoma-Marine Area Rail Transit
26 Commission and the Northwestern Pacific Railroad Authority, the
27 district shall assume the rights and obligations of the commission
28 and the authority under any contract to which the commission or
29 the authority is a party and that is to be performed, in whole or in
30 part, on or after the date of dissolution of the Sonoma-Marine Area
31 Rail Transit Commission and the Northwestern Pacific Railroad
32 Authority.
 - 33 (c) All real and personal property owned by the Sonoma-Marine
34 Area Rail Transit Commission and the Northwestern Pacific
35 Railroad Authority may be transferred to the district.
 - 36 (d) Upon the dissolution of the Sonoma-Marine Area Rail Transit
37 Commission, the district shall assume, without any condition
38 whatsoever, all responsibilities and obligations previously assumed
39 by the commission with respect to its fund transfer agreement with

1 the Department of Transportation for the funding of the
2 Sonoma-Marín Area Rail Transit Project.

3 (e) On and after the date of dissolution of the Sonoma-Marín
4 Area Rail Transit Commission and the Northwestern Pacific
5 Railroad Authority, any reference in any provision of law or
6 regulation to the commission or the authority shall be deemed to
7 refer to the district.

8 SEC. 9. Section 105020 of the Public Utilities Code is amended
9 to read:

10 105020. The government of the district shall be vested in a
11 board of directors, which shall consist of 12 or 13 members,
12 appointed as follows:

13 (a) Two members of the Sonoma County Board of Supervisors,
14 each of whom shall also serve on the Board of Directors of the
15 Sonoma County Transportation Authority, appointed by the
16 Sonoma County Board of Supervisors.

17 (b) Two members of the Marin County Board of Supervisors,
18 appointed by the Marin County Board of Supervisors.

19 (c) Three members, each of whom shall be a mayor or council
20 member of a city or town within the County of Sonoma, appointed
21 by the Sonoma County Mayors and Council Members Association
22 or its successor, provided the following conditions are met:

23 (1) At least two members are also city representatives for the
24 Sonoma County Transportation Authority.

25 (2) All of the members are from cities on the rail line in Sonoma
26 County.

27 (3) No city has more than one member.

28 (d) The member of the City Council of the City of Novato who
29 also serves on the Marin County Congestion Management Agency,
30 appointed by the Marin County Congestion Management Agency
31 or its successor.

32 (e) The member of the City Council of the City of San Rafael
33 who also serves on the Marin County Congestion Management
34 Agency, appointed by the Marin County Congestion Management
35 Agency or its successor.

36 (f) One member, who shall be a mayor or council member of a
37 city or town within the County of Marin and a member of the
38 Marin County Congestion Management Agency, appointed by the
39 Marin County Council of Mayors and Council Members or its
40 successor.

1 (g) Two members of the Golden Gate Bridge, Highway and
 2 Transportation District, neither of whom shall be a member of the
 3 Marin or Sonoma County Boards of Supervisors, appointed by the
 4 Golden Gate Bridge, Highway and Transportation District or its
 5 successor.

6 (h) One member, who shall be a member of the Mendocino
 7 County Board of Supervisors, appointed by the Mendocino County
 8 Board of Supervisors, if it chooses to do so.

9 SEC. 10. Section 105032.5 is added to the Public Utilities
 10 Code, to read:

11 105032.5. The board may consider the need and financing for
 12 employee workforce housing.

13 SEC. 11. Section 105088 is added to the Public Utilities Code,
 14 to read:

15 105088. Upon receiving the North Coast Railroad Authority’s
 16 rights, privileges, and responsibilities relating to the authority’s
 17 right-of-way south of mile post 142.5 ~~in the City of Willits~~ pursuant
 18 to Section 93030 of the Government Code, and upon receiving
 19 ~~funding~~, *funding from nonlocal sources*, the district shall do all of
 20 the following:

21 (a) Conduct a freight rail study incorporating the portion of the
 22 right-of-way between mile post 0.0 and mile post 142.5.

23 (b) *Create and maintain a trail that begins at mile post 142.5,*
 24 *runs in, or parallel to, the southern portion of the right-of-way,*
 25 *as appropriate, and connects to the district’s bicycle and pedestrian*
 26 *pathways to the extent feasible. This trail shall be the southern*
 27 *portion of the Great Redwood Trail.*

28 (c) *Conduct a thorough community engagement process that*
 29 *includes landowners, trail advocates, environmental groups, and*
 30 *the community at large. Items to be discussed during this process*
 31 *include, but are not limited to, trail configurations parallel to the*
 32 *southern portion of the right-of-way, including those on public*
 33 *lands, connecting the southern portion of the right-of-way to*
 34 *existing trails, and rail-crossing fees.*

35 ~~(b)~~

36 (d) Create or assign the positions of trail manager and freight
 37 rail manager.

38 ~~(e)~~

39 (e) Before January 1, 2020, and annually thereafter, submit a
 40 report to the Legislature, in compliance with Section 9795 of the

1 Government Code, describing its progress towards fulfilling the
2 requirements and goals relating to the *southern portion of the*
3 right-of-way.

4 SEC. 12. Section 105095 of the Public Utilities Code is
5 amended to read:

6 105095. The district may provide a rail transit system for the
7 transportation of passengers and their incidental baggage by rail
8 and provision of freight service by rail.

9 SEC. 13. Section 105104 of the Public Utilities Code is
10 repealed.

11 SEC. 14. Section 105105 of the Public Utilities Code is
12 repealed.

13 SEC. 15. Section 105180 of the Public Utilities Code is
14 repealed.

15 SEC. 16. If the Commission on State Mandates determines
16 that this act contains costs mandated by the state, reimbursement
17 to local agencies and school districts for those costs shall be made
18 pursuant to Part 7 (commencing with Section 17500) of Division
19 4 of Title 2 of the Government Code.

O

California State Senate

SENATOR MIKE MCGUIRE

NORTHERN CALIFORNIA'S SECOND SENATE DISTRICT



August 15, 2018

Chairman Ken Cooley
Assembly Committee on Rules
California State Capitol, Room 3061
Sacramento, CA 95814

RE: Urgency Clause Request – SB 1029 (McGuire)

Dear Chairman Cooley,

In 1989, the Legislature created the North Coast Railroad Authority (NCRA) in a last-ditch effort to save freight rail traffic on the North Coast. But when the governor at the time vetoed the funding mechanism for the Authority, it never had a chance. And when the huge mountain slides covered large swaths of the track in the Eel River Canyon during the rains of 1997, the trains stopped, with most of the line ordered closed by the federal government and never reopened. Since this closure, the condition of many sections of tracks - north of the Sonoma County Airport - have become impassable or have washed out.

With most of the rail line shut down for the last 20 years, NCRA virtually bankrupt, and the estimated cost of over \$1 billion dollars to get it running again, there is simply no possibility of that the entire rail line will ever be in operation again. The landslides that closed the railroad in the 1990's have only gotten worse and the terrain along much of the line remains unstable.

SB 1029 is the key to fixing this 30 year mess - it gets the ball rolling to transfer the Authority's assets to responsible rail and trail agencies. But we need to keep NCRA in business for the next year to make it work, and we need them to cooperate with the financial analysis the state will be conducting.

NCRA is in danger of becoming a defunct agency immediately. To ensure the continued regulatory oversight and safety of the active freight rail on the NCRA rail line, it is necessary for this measure to take effect immediately. Additionally, Federal Positive Train Control regulations are required by January 1, 2018 and the authority and freight rail contractor need the resolution in this act to proceed. For that reason, the proposed language includes an urgency clause to ensure the safety of the active passenger and freight rail lines and the public.

Chairman Ken Cooley
August 15, 2018
Page 2

Thank you for your consideration, and please feel free to contact me at 916.651.4002 if you have any questions.

Warmest Regards,



MIKE McGUIRE
Senator

VICE CHAIR
TOM LACKEY

MEMBERS
ROB BONTA
SABRINA CERVANTES
EDUARDO GARCIA
CHRIS R. HOLDEN
EVAN LOW
BRIAN MAIENSCHIN
DEVON MATHIS
PATRICK O'DONNELL
SHARON QUIRK-SILVA
FREDDIE RODRIGUEZ
RANDY VOEPEL

Assembly
California Legislature



ASSEMBLY COMMITTEE ON
COMMUNICATIONS AND CONVEYANCE
MIGUEL SANTIAGO, CHAIR
ASSEMBLYMEMBER, FIFTY-THIRD DISTRICT

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0094
(916) 319-2637
FAX (916) 319-3560

CHIEF CONSULTANT
EDMOND CHEUNG

COMMITTEE SECRETARY
KALA TAILOR

August 15, 2018

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

Dear Mr. Cooley:

I respectfully request a Joint Rule 61(b) waiver so that the Assembly Committee on Communications and Conveyance can meet and hear SB 822 (Wiener) and SB 460 (De Leon) after the policy committee deadline.

If you have any questions regarding this request, please feel free to contact me or my Chief Consultant, Edmond Cheung at 319-2637. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Miguel Santiago".

MIGUEL SANTIAGO

Chair, Assembly Committee on Communications and Conveyance

MS:ec

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0094
(916) 319-2200
FAX (916) 319-3222



August 15, 2018

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

Dear Assemblymember Cooley:

I respectfully request a Joint Rule 61(b) waiver so that the Assembly Committee on Privacy and Consumer Protection can meet and hear SB 460 (De Leon) after the policy committee deadline.

If you have any questions regarding this request, please feel free to contact me or my Chief Consultant, Ronak Daylami, at 319-2200. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to be "Ed Chau", written in a cursive style.

Ed Chau
Chair