



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

CHIEF ADMINISTRATIVE OFFICER
LIA LOPEZ

**Assembly
California Legislature
Committee on Rules**

**JAMES RAMOS
CHAIR**

VICE CHAIR
WALDRON, MARIE

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ESSAYLI, BILL
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LOW, EVAN
LOWENTHAL, JOSH
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PACHECO, BLANCA
REYES, ELOISE GÓMEZ
RUBIO, BLANCA E.
VALENCIA, AVELINO
WARD, CHRISTOPHER M.

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

Thursday, August 24, 2023
10 minutes prior to Session
State Capitol, Room 126

CONSENT AGENDA

BILL REFERRALS

1. Bill Referrals [Page 2](#)

RESOLUTIONS

2. ACR-114 (Luz Rivas) Cindy Montañez Day. (refer/hear) [Page 4](#)
3. SCR-72 (Min) The 70th anniversary of the Mutual Defense Treaty between the United States and the Republic of Korea. [Page 9](#)
4. SCR-86 (Ochoa Bogh) Breastfeeding Awareness Month of 2023. (refer/hear) [Page 14](#)

REQUEST TO WAIVE JOINT RULE 61(A)

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ADMINISTRATIVE ITEM

6. Assembly Contribution for Medical Insurance [Page 24](#)



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BLANCA E. RUBIO
AVELINO VALENCIA
CHRISTOPHER M. WARD

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

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 8/23/2023
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, ACR 115 has been added to the referral list.

REFERRAL OF BILLS TO COMMITTEE

08/24/2023

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

Assembly Bill No.	Committee:
<u>ACR 114</u>	RLS.
<u>ACR 115</u>	RLS.
<u>SCR 74</u>	TRANS.
<u>SCR 86</u>	RLS.

Assembly Concurrent Resolution

No. 114

Introduced by Assembly Member Luz Rivas

(Coauthors: Assembly Members Aguiar-Curry, Bonta, Calderon, Wendy Carrillo, Cervantes, Friedman, Stephanie Nguyen, Ortega, Pacheco, Pellerin, Blanca Rubio, Santiago, and Wicks)

(Coauthors: Senators Alvarado-Gil, Durazo, Gonzalez, Menjivar, Rubio, and Wahab)

August 21, 2023

Assembly Concurrent Resolution No. 114—Relative to Cindy Montañez Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 114, as introduced, Luz Rivas. Cindy Montañez Day.

This measure would declare that the Legislature honors the life and legacy of Cindy Montañez and declares January 19 as Cindy Montañez Day.

Fiscal committee: no.

- 1 WHEREAS, Cindy Montañez is a lifelong Angeleno raised in
- 2 the northeast San Fernando Valley. A daughter of immigrants, her
- 3 mother was raised in a remote, mountainous region of the State of
- 4 Veracruz, Mexico, and her father in the dry border State of
- 5 Chihuahua; and
- 6 WHEREAS, Cindy’s parents ignited her passion for the
- 7 environment and together the family would identify environmental
- 8 injustices in their neighborhood. As a family, they participated in
- 9 tree plantings and volunteered with local organizations when Cindy
- 10 was just 12 years of age. They often visited state and national parks

1 and the children were encouraged to pursue careers in social justice;
2 and

3 WHEREAS, During her freshman year as a student at the
4 University of California, Los Angeles (UCLA), Cindy participated
5 in a 14-day hunger strike on campus that forced the university to
6 start a Chicano Studies department, which led to the creation of
7 the César E. Chávez Department of Chicana/o and Central
8 American Studies. The department later became the second
9 University of California campus to offer a doctorate degree in
10 Chicana and Chicano Studies; and

11 WHEREAS, At 25 years of age, Cindy was elected as the
12 youngest council member of her hometown of the City of San
13 Fernando, California. She became mayor at 27 years of age, and
14 at 28 years of age, she made history by becoming the youngest
15 woman elected to the Legislature, where she became a champion
16 for the environment, sustainable urban planning, and social justice;
17 and

18 WHEREAS, In February 2004, Cindy was named the Chair of
19 the Assembly Committee on Rules. At 30 years of age, she was
20 the youngest person to ever chair the powerful committee, as well
21 as the first Latina and the first Democratic woman to chair the
22 committee; and

23 WHEREAS, Her legislative work focused on issues that were
24 vital to her district. Specific focuses included education, the
25 environment, health care, and consumer and worker protections.
26 During her first term, 10 of her bills made it out of the Legislature
27 and were signed into law. These bills included statutes to improve
28 the management of urban landfills, a law to protect children from
29 a sexually abusive parent, and laws to ensure the safety of workers.
30 Cindy was the author of the landmark Car Buyer's Bill of Rights;
31 and

32 WHEREAS, Cindy then moved on to serve as Assistant General
33 Manager at the Los Angeles Department of Water and Power,
34 where she was a core part of the team transitioning the nation's
35 largest publicly owned utility to cleaner energy and a more
36 sustainable local water supply; and

37 WHEREAS, In 2016, Cindy became the Chief Executive Officer
38 (CEO) of TreePeople, making her the first Latina CEO of an
39 environmental organization in United States history; and

1 WHEREAS, Some of Cindy’s favorite things to do included
2 hiking our local mountains, exploring California, and giving back
3 to the City of Los Angeles. She is inspired by the magic of
4 California’s ancient 2,000-year-old giant sequoia trees, the
5 delectable taste of the fruit from her mother’s trees, and the ability
6 to live and work inside oak woodlands within a major metropolis;
7 and

8 WHEREAS, In addition to her role as CEO of TreePeople, Cindy
9 was elected to a second term on the City Council of the City of
10 San Fernando in November 2020 and is currently a board member
11 of the UCLA Institute of the Environment and Sustainability; now,
12 therefore, be it

13 *Resolved by the Assembly of the State of California, the Senate*
14 *thereof concurring*, That the Legislature honors the life and legacy
15 of Cindy Montañez and declares January 19 as Cindy Montañez
16 Day; and be it further

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

O

Date of Hearing: August 24, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
ACR 114 (Luz Rivas) – As Introduced August 21, 2023

SUBJECT: Cindy Montañez Day.

SUMMARY: Declares January 19 as Cindy Montañez Day to honor her life and legacy. Specifically, **this resolution** makes the following legislative findings:

- 1) Cindy Montañez is a lifelong Angeleno raised in the northeast San Fernando Valley. A daughter of immigrants, her mother was raised in a remote, mountainous region of the State of Veracruz, Mexico, and her father in the dry border State of Chihuahua.
- 2) Cindy’s parents ignited her passion for the environment and together the family would identify environmental injustices in their neighborhood. As a family, they participated in tree plantings and volunteered with local organizations when Cindy was just 12 years of age. They often visited state and national parks and the children were encouraged to pursue careers in social justice.
- 3) During her freshman year as a student at the University of California, Los Angeles (UCLA), Cindy participated in a 14-day hunger strike on campus that forced the university to start a Chicano Studies department, which led to the creation of the César E. Chávez Department of Chicana/o and Central American Studies. The department later became the second University of California campus to offer a doctorate degree in Chicana and Chicano Studies.
- 4) At 25 years of age, Cindy was elected as the youngest council member of her hometown of the City of San Fernando, California. She became mayor at 27 years of age, and at 28 years of age, she made history by becoming the youngest woman elected to the Legislature, where she became a champion for the environment, sustainable urban planning, and social justice.
- 5) In February 2004, Cindy was named the Chair of the Assembly Committee on Rules. At 30 years of age, she was the youngest person to ever chair the powerful committee, as well as the first Latina and the first Democratic woman to chair the committee.
- 6) Her legislative work focused on issues that were vital to her district. Specific focuses included education, the environment, health care, and consumer and worker protections. During her first term, 10 of her bills made it out of the Legislature and were signed into law. These bills included statutes to improve the management of urban landfills, a law to protect children from a sexually abusive parent, and laws to ensure the safety of workers. Cindy was the author of the landmark Car Buyer’s Bill of Rights.
- 7) Cindy then moved on to serve as Assistant General Manager at the Los Angeles Department of Water and Power, where she was a core part of the team transitioning the nation’s largest publicly owned utility to cleaner energy and a more sustainable local water supply.
- 8) In 2016, Cindy became the Chief Executive Officer (CEO) of TreePeople, making her the first Latina CEO of an environmental organization in United States history.

- 9) In addition to her role as CEO of TreePeople, Cindy was elected to a second term on the City Council of the City of San Fernando in November 2020 and is currently a board member of the UCLA Institute of the Environment and Sustainability.
- 10) Some of Cindy's favorite things to do include hiking our local mountains, exploring California, and giving back to the City of Los Angeles. She is inspired by the magic of California's ancient 2,000-year-old giant sequoia trees, the delectable taste of the fruit from her mother's trees, and the ability to live and work inside oak woodlands within a major metropolis.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN ASSEMBLY AUGUST 17, 2023

Senate Concurrent Resolution

No. 72

Introduced by Senator Min

(Coauthors: Senators Alvarado-Gil, Becker, Caballero, Durazo, Gonzalez, Newman, Nguyen, Rubio, Umberg, Wahab, and Wiener)

(Coauthors: Assembly Members Chen, Vince Fong, Low, Quirk-Silva, and Ta)

May 31, 2023

Senate Concurrent Resolution No. 72—Relative to the Mutual Defense Treaty between the United States and the Republic of Korea.

LEGISLATIVE COUNSEL'S DIGEST

SCR 72, as amended, Min. The 70th anniversary of the Mutual Defense Treaty between the United States and the Republic of Korea.

This measure would commemorate the 70th anniversary of the alliance between the United States and the Republic of Korea.

Fiscal committee: no.

1 WHEREAS, the Mutual Defense Treaty between the United
2 States and the Republic of Korea was signed on October 1, 1953;
3 and
4 WHEREAS, In 2023, the alliance between the United States
5 and the Republic of Korea (~~U.S.-ROK~~ *U.S.-R.O.K.* alliance) marks
6 70 years since the cessation of hostilities in the Korean ~~war~~, *War*;
7 the signing of the Korean Armistice Agreement on July 27, 1953,
8 which remains in place today, and that the terms of the agreement
9 have neither formally ended the Korean ~~war~~, *War*, nor constituted
10 a permanent settlement of peace on the Korean Peninsula; and

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1 WHEREAS, The year 2023 also marks 120 years since the first
2 immigration of Koreans to the United States, who later came to
3 America through San Francisco, California; and

4 WHEREAS, The ~~U.S.-ROK~~ *U.S.-R.O.K.* alliance is rooted in
5 mutual trust, shared sacrifice, common values, economic interests,
6 and generations of people-to-people ties that provide a foundation
7 for one of the strongest, most robust, and successful alliances in
8 the world; and

9 WHEREAS, The ~~U.S.-ROK~~ *U.S.-R.O.K.* alliance was forged
10 in shared sacrifice, with 1,789,000 United States soldiers, sailors,
11 airmen, and marines serving during the Korean ~~war~~, *War*, of whom
12 over 36,000 paid the ultimate sacrifice with their lives in defense
13 of the Republic of Korea, including over 7,000 Korean
14 Augmentation to the United States Army soldiers, and over 7,500
15 members of the United States Armed Forces remain classified by
16 the United States Department of Defense as missing in action; and

17 WHEREAS, Since its founding, the Republic of Korea has
18 become a thriving democracy with a vibrant press and commitment
19 to the rule of law and a free market economy; and

20 WHEREAS, The Republic of Korea is the sixth largest trading
21 partner of the United States with over \$160,000,000,000 in total
22 trade goods and over \$30,000,000,000 in total trade services, for
23 more than \$194,400,000,000 combined trade during 2021; and

24 WHEREAS, The Republic of Korea is one of the top sources
25 of foreign direct investment for both the United States and
26 California, with Korean companies such as Samsung Electronics,
27 LG Electronics, and SK hynix creating over 13,000 jobs in
28 California in 2021; and

29 WHEREAS, The trade volume between the Republic of Korea
30 and California amounted to well over \$40,000,000,000 in 2022.
31 California exported over \$11,000,000,000 to the Republic of Korea,
32 which makes the Republic of Korea the fourth largest export
33 destination of California trade; and

34 WHEREAS, In addition to its longstanding relationship with
35 the United States as a whole, the Republic of Korea has a strong
36 connection to California in particular. California is home to over
37 800,000 Koreans and Korean Americans that have made significant
38 contributions to every facet of American society and its ~~leadership~~;
39 ~~including State Senator Dave Min, members of the House of~~

1 ~~Representatives, Young Kim, and Michelle Steel of California;~~
2 ~~leadership; and~~

3 WHEREAS, The Cities of San Francisco, California and Seoul,
4 Republic of Korea have been sister cities since 1975,
5 acknowledging the ties between California and the Republic of
6 Korea and encouraging cultural and economic exchanges; and

7 WHEREAS, California is a host-city state of the 2023
8 Asia-Pacific Economic Cooperation Creating Economic
9 Opportunity Summit in November 2023, where the Republic of
10 Korea will participate; now, ~~therefore~~ *therefore*, be it

11 *Resolved by the Senate of the State of California, the Assembly*
12 *thereof concurring*, That the Legislature hereby commemorates
13 the 70th anniversary of the ~~U.S.-ROK~~ *U.S.-R.O.K.* alliance; ~~and~~,
14 *and* be it further

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

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Date of Hearing: August 24, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
SCR 72 (Min) – As Amended August 17, 2023

SENATE VOTE: 39-0

SUBJECT: The 70th anniversary of the Mutual Defense Treaty between the United States and the Republic of Korea.

SUMMARY: Commemorates the 70th anniversary of the alliance between the United States and the Republic of Korea. Specifically, **this resolution** makes the following legislative findings:

- 1) The Mutual Defense Treaty between the United States and the Republic of Korea was signed on October 1, 1953.
- 2) In 2023, the alliance between the United States and the Republic of Korea (U.S.-R.O.K. alliance) marks 70 years since the cessation of hostilities in the Korean War, the signing of the Korean Armistice Agreement on July 27, 1953, which remains in place today, and that the terms of the agreement have neither formally ended the Korean War, nor constituted a permanent settlement of peace on the Korean Peninsula.
- 3) The U.S.-R.O.K. alliance is rooted in mutual trust, shared sacrifice, common values, economic interests, and generations of people-to-people ties that provide a foundation for one of the strongest, most robust, and successful alliances in the world.
- 4) The U.S.-R.O.K. alliance was forged in shared sacrifice. 1,789,000 United States soldiers, sailors, airmen, and marines served during the Korean War, of whom over 36,000 paid the ultimate sacrifice with their lives in defense of the Republic of Korea, including over 7,000 Korean Augmentation to the United States Army soldiers; and, over 7,500 members of the United States Armed Forces remain classified by the United States Department of Defense as missing in action.
- 5) Since its founding, the Republic of Korea has become a thriving democracy with a vibrant press and commitment to the rule of law and a free market economy. The Republic of Korea is the sixth largest trading partner of the United States with over \$160 billion in total trade goods and over \$30 billion in total trade services, for more than \$194.4 billion combined trade during 2021.
- 6) The Republic of Korea is one of the top sources of foreign direct investment for both the United States and California, with Korean companies such as Samsung Electronics, LG Electronics, and SK hynix creating over 13,000 jobs in California in 2021.
- 7) The trade volume between the Republic of Korea and California amounted to well over \$40 billion in 2022. California exported over \$11 billion to the Republic of Korea, which makes the Republic of Korea the fourth largest export destination of California trade.

- 8) In addition to its longstanding relationship with the United States as a whole, the Republic of Korea has a strong connection to California in particular. California is home to over 800,000 Koreans and Korean Americans that have made significant contributions to every facet of American society and its leadership.
- 9) The year 2023 also marks 120 years since the first immigration of Koreans to the United States, who later came to America through San Francisco, California.
- 10) The Cities of San Francisco, California and Seoul, Republic of Korea have been sister cities since 1975, acknowledging the ties between California and the Republic of Korea and encouraging cultural and economic exchanges. California is a host state of the 2023 Asia-Pacific Economic Cooperation Creating Economic Opportunity Summit in November 2023, where the Republic of Korea will participate.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Ochoa Bogh
(Coauthors: Senators Allen, Alvarado-Gil, Archuleta, Blakespear, Caballero, Dahle, Dodd, Gonzalez, Grove, Hurtado, Jones, Limón, Nguyen, Niello, Roth, Smallwood-Cuevas, Stern, Wahab, and Wilk)

August 14, 2023

Senate Concurrent Resolution No. 86—Relative to Breastfeeding Awareness Month of 2023.

LEGISLATIVE COUNSEL’S DIGEST

SCR 86, as introduced, Ochoa Bogh. Breastfeeding Awareness Month of 2023.

This measure would proclaim August 2023 as Breastfeeding Awareness Month of 2023 in California. The measure would recognize the unique benefits that breastfeeding provides, as specified, and would affirm that Californians should work to ensure that barriers to initiation and continuation of breastfeeding are removed. The measure would encourage Californians to work together to explore ways to, among other things, improve women’s access to breastfeeding support services in medical, social, and employment settings.

Fiscal committee: no.

1 WHEREAS, Breastfeeding is an issue of great importance to
2 women, infants, their families, and their physicians and is,
3 therefore, of interest to the Legislature; and

4 WHEREAS, It is the first food system that, as babies, many
5 humans are introduced to and sustained by; and

6 WHEREAS, The American Academy of Pediatrics, the
7 American College of Obstetricians and Gynecologists, the

1 American Academy of Family Physicians, the Academy of
2 Breastfeeding Medicine, and the World Health Organization
3 recommend that babies be exclusively breastfed for the first six
4 month of age and continue to be breastfed up to two years of age
5 or longer, along with nutritious complementary foods; and

6 WHEREAS, In January 2011, the United States Surgeon General
7 announced a “Call to Action to Support Breastfeeding” that
8 identifies barriers to optimal breastfeeding in health care practices,
9 employment, communities, research, public health infrastructure,
10 and social networks, while also recommending methods in which
11 families, communities, employers, and health care professionals
12 could help to eliminate those barriers to improve breastfeeding
13 rates and increase support for breastfeeding; and

14 WHEREAS, Research shows that human milk and breastfeeding
15 provide advantages to general health, growth, and development
16 while significantly decreasing the risk of a large number of acute
17 and chronic diseases, including, among others, sudden infant death
18 syndrome, asthma, allergies, diabetes, viral and bacterial infections,
19 childhood obesity, childhood leukemia, necrotizing enterocolitis,
20 and infant mortality; and

21 WHEREAS, Mothers who breastfeed have a decreased risk of
22 breast, uterine, and ovarian cancer, postpartum depression, and
23 osteoporosis later in life; and

24 WHEREAS, The nutrients exclusive to human milk are vital to
25 the growth, development, and maintenance of the human brain
26 and cannot be manufactured; and

27 WHEREAS, Breastfeeding has positive economic impacts on
28 families by decreasing the need to pay for medical care for a sick
29 infant and by eliminating the need to purchase infant formula; and

30 WHEREAS, The health benefits to breastfed children and their
31 mothers result in lower health care costs for employers, less
32 employee time off to care for sick children, and higher productivity
33 and employee loyalty; and

34 WHEREAS, Employers, employees, and society benefit by
35 supporting a mother’s decision to breastfeed and by helping to
36 reduce the obstacles to initiating and continuing breastfeeding;
37 now, therefore, be it

38 *Resolved by the Senate of the State of California, the Assembly*
39 *thereof concurring,* That the Legislature hereby proclaims the

1 month of August 2023 as Breastfeeding Awareness Month of 2023
2 in California; and be it further

3 *Resolved*, That the Legislature recognizes the unique health,
4 economic, and societal benefits that breastfeeding provides to
5 babies, mothers, families, and the community as a whole and
6 affirms that Californians should work to ensure that barriers to
7 initiation and continuation of breastfeeding are removed; and be
8 it further

9 *Resolved*, That the Legislature encourages Californians to work
10 together to explore ways to improve women's access to
11 breastfeeding support services in medical, social, and employment
12 settings, to facilitate increased awareness and education about
13 breastfeeding, to explore and encourage the use of breastfeeding
14 supports, and to improve the availability of effective breastfeeding
15 resources and community support services; 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 24, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
SCR 86 (Ochoa Bogh) – As Introduced August 14, 2023

SENATE VOTE: 38-0

SUBJECT: Breastfeeding Awareness Month of 2023.

SUMMARY: Proclaims the month of August 2023 as Breastfeeding Awareness Month of 2023 in California; recognizes the unique health, economic, and societal benefits that breastfeeding provides to babies, mothers, families, and the community as a whole; and, affirms that Californians should work to ensure that barriers to initiation and continuation of breastfeeding are removed. Specifically, **this resolution** makes the following legislative findings:

- 1) Breastfeeding is an issue of great importance to women, infants, their families, and their physicians and is, therefore, of interest to the Legislature. It is the first food system that, as babies, many humans are introduced to and sustained by.
- 2) Research shows that human milk and breastfeeding provide advantages to general health, growth, and development while significantly decreasing the risk of a large number of acute and chronic diseases, including, among others, sudden infant death syndrome, asthma, allergies, diabetes, viral and bacterial infections, childhood obesity, childhood leukemia, necrotizing enterocolitis, and infant mortality.
- 3) The American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, the American Academy of Family Physicians, the Academy of Breastfeeding Medicine, and the World Health Organization recommend that babies be exclusively breastfed for the first six months of age and continue to be breastfed up to two years of age or longer, along with nutritious complementary foods.
- 4) The nutrients exclusive to human milk are vital to the growth, development, and maintenance of the human brain and cannot be manufactured.
- 5) Breastfeeding has positive economic impacts on families by decreasing the need to pay for medical care for a sick infant and by eliminating the need to purchase infant formula.
- 6) The health benefits to breastfed children and their mothers result in lower health care costs for employers, less employee time off to care for sick children, and higher productivity and employee loyalty.
- 7) Mothers who breastfeed have a decreased risk of breast, uterine, and ovarian cancer, postpartum depression, and osteoporosis later in life.
- 8) Employers, employees, and society benefit by supporting a mother's decision to breastfeed and by helping to reduce the obstacles to initiating and continuing breastfeeding.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

LEGISLATIVE OFFICE BUILDING
1020 N STREET, ROOM 369
SACRAMENTO, CA 95814
(916) 319-2086
FAX (916) 319-2186
CHIEF CONSULTANT
KATHLEEN O'MALLEY
PRINCIPAL CONSULTANT
CLAIRE WENDT
COMMITTEE SECRETARY
TIFFANY MORRISON



VICE CHAIR
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LIZ ORTEGA
FREDDIE RODRIGUEZ
ESMERALDA SORIA
AVELINO VALENCIA
JIM WOOD

August 23, 2023

Honorable James Ramos, Chair
Assembly Committee on Rules
1021 O Street, Suite 6250
Sacramento, CA 95814

Dear Mr. Ramos:

I respectfully request a waiver of Joint Rule 61(a) for Senate Bill 799 (Portantino).

If you have questions regarding this request, please feel free to contact my Chief Consultant Kathleen O'Malley. Thank you for your consideration of this request.

Sincerely,

Lisa Calderon
Chair, Assembly Insurance Committee

AMENDED IN ASSEMBLY AUGUST 22, 2023

SENATE BILL

No. 799

Introduced by ~~Senator~~ **Senators Portantino, Durazo Durazo, and**
Assembly Member Holden

(Coauthors: Senators Cortese, Gonzalez, Menjivar, and Wiener)

*(Principal coauthors: Assembly Members Friedman, Gipson, Kalra,
Reyes, and Luz Rivas)*

*(Coauthors: Assembly Members Addis, Boerner, Bonta, Wendy Carrillo,
Connolly, Mike Fong, Jackson, Lee, McCarty, McKinnor, Ortega,
Santiago, Wicks, and Wood)*

February 17, 2023

An act to ~~add~~ *amend* Section ~~6405 to~~ *1262* of the ~~Penal~~ *Unemployment Insurance Code*, relating to ~~prisons~~, *unemployment compensation, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 799, as amended, ~~Durazo Portantino. Prisons: inmate visitation.~~
Unemployment insurance: trade disputes: eligibility for benefits.

Existing law provides for the payment of unemployment compensation benefits and extended benefits to eligible individuals who meet specified requirements.

Under existing law, unemployment benefits are paid from the Unemployment Fund, which is continuously appropriated for these purposes.

Existing law makes an employee ineligible for benefits if the employee left work because of a trade dispute and specifies that the employee remains ineligible for the duration of the trade dispute. Existing case law holds that employees who left work due to a lockout by the employer, even if it was in anticipation of a trade dispute, are eligible for benefits.

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This bill would restore eligibility after the first 2 weeks for an employee who left work because of a trade dispute. The bill would codify specified case law that holds that employees who left work due to a lockout by the employer, even if it was in anticipation of a trade dispute, are eligible for benefits. The bill would specify that the bill's provisions do not diminish eligibility for benefits of individuals deprived of work due to an employer lockout or similar action, as specified.

Because this bill would expand the categories of people eligible to receive benefits from a continuously appropriated fund, it would make an appropriation.

~~Existing law authorizes the Secretary of the Department of Corrections and Rehabilitation to prescribe and amend rules and regulations for the administration of prisons, and requires regulations, which are adopted by the Department of Corrections and Rehabilitation, that may impact the visitation of inmates to recognize and consider the value of inmate visitation as a means of increasing safety in prisons, maintaining family and community connections, and preparing inmates for successful release and rehabilitation. Existing regulations establish the framework for establishing a visiting process in prisons that is conducted in as accommodating a manner as possible, subject to the need to maintain order, the safety of persons, the security of institutions and facilities, and required prison activities and operations.~~

~~This bill would require the department to, upon request by a visitor, scan certain documents into the Strategic Offender Management Systems (SOMS), including, among other documents, a birth certificate for a visiting minor, as specified. The bill would require the department to allow a visitor for an in-person visit or an approved family visit to bring certain items for the visit, including, among other things, items for infants and toddlers, as specified.~~

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

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

- 1 SECTION 1. Section 1262 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 1262. (a) An individual is not eligible for unemployment
- 4 compensation benefits, and these benefits shall not be payable to
- 5 ~~him or her~~, payable, if the individual left his or her work because
- 6 of a trade dispute. ~~The individual shall remain ineligible for the~~

1 period during which he or she continues out of work by reason of
2 the fact that the trade dispute is still *dispute, other than a lockout*
3 ~~in active progress in the establishment in which he or she where~~
4 ~~the individual was employed. For purposes of this subdivision,~~
5 ~~“lockout” has the same meaning as defined in Section 1132.8 of~~
6 ~~the Labor Code.~~

7 (b) ~~The ineligibility of an individual to receive benefits pursuant~~
8 ~~to subdivision (a) shall expire after the first two weeks of the trade~~
9 ~~dispute.~~

10 (c) ~~This section shall not diminish the eligibility of individuals~~
11 ~~who were deprived of work as a result of an employer lockout or~~
12 ~~similar action under the principles set out in *Coast Packing Co.*~~
13 ~~*v. California Unemployment Ins. Appeals Bd. (1966) 64 Cal.2d*~~
14 ~~76.~~

15 SECTION 1. ~~Section 6405 is added to the Penal Code, to read:~~

16 6405. ~~(a) Upon request by a visitor, the department shall scan~~
17 ~~documents into the Strategic Offender Management Systems~~
18 ~~(SOMS), including, but not limited to, all of the following:~~

19 ~~(1) A birth certificate for a visiting minor.~~

20 ~~(2) A parental consent form for a visiting minor.~~

21 ~~(3) A marriage license or domestic partnership form for a person~~
22 ~~attending an approved family visit.~~

23 ~~(4) A birth certificate for a parent or sibling attending an~~
24 ~~approved family visit.~~

25 ~~(5) A medical note for a visitor.~~

26 (b) ~~For an in-person visit, the department shall allow a visitor~~
27 ~~with an infant or toddler to bring all of the following:~~

28 ~~(1) A combination of six factory-sealed single-serving packets~~
29 ~~of baby formula or four transparent plastic baby bottles or cups~~
30 ~~that are empty or contain premixed formula, milk, almond milk,~~
31 ~~soy milk, rice milk, lactose-free milk, juice, or water.~~

32 ~~(2) Six nonglass containers of baby food or snacks in sealed~~
33 ~~packaging.~~

34 ~~(3) Two plastic spoons.~~

35 ~~(4) Ten disposable diapers.~~

36 ~~(5) One sealed package of baby wipes.~~

37 ~~(6) Three changes of clothing.~~

38 ~~(7) Two small blankets.~~

39 ~~(8) Two pacifiers.~~

40 ~~(9) Three burp cloths.~~

- 1 ~~(10) Diaper cream.~~
- 2 ~~(11) A baby carrier or wrap.~~
- 3 ~~(12) A clear plastic diaper bag.~~
- 4 ~~(13) Toys, including an electronic toy, two children’s books,~~
5 ~~and up to 10 pages of homework or coloring pages.~~
- 6 ~~(e) For an approved family visit, the department shall allow a~~
7 ~~visitor to bring all of the following:~~
- 8 ~~(1) Personal linens, including a mattress cover, flat sheet, fitted~~
9 ~~sheet, single layer blanket, bath towel, hand towel, and washcloth,~~
10 ~~for each person and for the length of the visit.~~
- 11 ~~(2) A bath mat and disposable shower curtain.~~
- 12 ~~(3) A sealed lubricant bottle.~~
- 13 ~~(4) Items for infants or toddlers, including all of the following:~~
- 14 ~~(A) A combination of 14 factory-sealed single-serving packets~~
15 ~~of baby formula; one factory-sealed container of milk for each day~~
16 ~~of the visit, including formula milk, almond milk, soy milk, oat~~
17 ~~milk, rice milk, or lactose-free milk; or four transparent plastic~~
18 ~~baby bottles or cups.~~
- 19 ~~(B) Two gallons of factory-sealed distilled water.~~
- 20 ~~(C) Factory-sealed juice.~~
- 21 ~~(D) Six nonglass containers of baby food or snacks in sealed~~
22 ~~packaging for each day of the visit.~~
- 23 ~~(E) Two plastic spoons.~~
- 24 ~~(F) One package of diapers.~~
- 25 ~~(G) One sealed package of baby wipes.~~
- 26 ~~(H) Three changes of clothing for each day of the visit.~~
- 27 ~~(I) Two small blankets.~~
- 28 ~~(J) Two pacifiers.~~
- 29 ~~(K) Three burp cloths.~~
- 30 ~~(L) Diaper cream.~~
- 31 ~~(M) A baby carrier or wrap.~~
- 32 ~~(N) A clear plastic diaper bag.~~
- 33 ~~(O) Toys, including an electronic toy, two children’s books,~~
34 ~~and up to 10 pages of homework or coloring pages.~~

O

**ADMINISTRATIVE ITEM:
ASSEMBLY CONTRIBUTION FOR MEDICAL INSURANCE**

ISSUE:

Should the maximum amount the Assembly contributes for the cost of employees' medical insurance coverage be increased to cover the cost of the monthly premiums effective January 1, 2024?

BACKGROUND:

The Assembly Rules Committee establishes the maximum monthly employer contribution toward the cost of employees' medical insurance premiums.

The California Public Employees' Retirement System (CalPERS) contracts with the insurance carriers offering plans available to Assembly employees. Premiums for the plans in which Assembly employees are currently enrolled will increase between 2.4% and 13.07% effective January 1, 2024.

By increasing the Assembly's current maximum employer contribution rate by 12%, the employer contribution will cover the full cost of the premiums for the medical insurance plans in which Assembly employees are currently enrolled.

RECOMMENDATION:

Approve