

Assembly California Legislature Committee on Rules

KEN COOLEY CHAIR

Thursday, June 3, 2021 9:45 a.m.

State Capitol, Room 4202 **CONSENT AGENDA**

VICE CHAIR CUNNINGHAM, JORDAN

MEMBERS

BENNETT, STEVE FLORA, HEATH GIPSON, MIKE A. LEE, ALEX MAIENSCHEIN, BRIAN

MATHIS, DEVON J. RAMOS, JAMES C. RUBIO, BLANCA E. VILLAPUDUA, CARLOS WEBER, M.D., AKILAH

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

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BILL REFERRALS

Bill Referrals

1.

RESOLUTIONS				
2.	ACR-59 (Aguiar-Curry)	Portuguese Heritage Month.	Page 5	
3.	ACR-72 (Nguyen)	Veterans of the Republic of Vietnam Armed Forces Day.	<u>Page 11</u>	
4.	ACR-90 (Mathis)	USS Liberty Day. (refer/hear)	<u>Page 16</u>	



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DEBRA GRAVERT



VICE CHAIR
JORDAN CUNNINGHAM

MEMBERS

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BLANCA E. RUBIO
CARLOS VILLAPUDUA
AKILAH WEBER, M.D.

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

Memo

To: Rules Committee Members

From: Michael Erke, Bill Referral Consultant

Date: 6/2/2021

Re: Consent Bill Referrals

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

REFERRAL OF BILLS TO COMMITTEE

06/03/2021

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

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Assembly Bill No.	Committee:
ACR 89	TRANS.
<u>ACR 90</u>	RLS.
<u>SB 2</u>	PUB. S.
<u>SB 2</u>	JUD.
<u>SB 9</u>	L. GOV.
<u>SB 9</u>	H. & C.D.
<u>SB 18</u>	U. & E.
<u>SB 18</u>	NAT. RES.
<u>SB 27</u>	NAT. RES.
<u>SB 39</u>	P. & C.P.
<u>SB 39</u>	INS.
<u>SB 40</u>	HEALTH
<u>SB 41</u>	P. & C.P.
<u>SB 41</u>	JUD.
<u>SB 44</u>	NAT. RES.
<u>SB 44</u>	JUD.
<u>SB 63</u>	NAT. RES.
<u>SB 63</u>	H. & C.D.
<u>SB 68</u>	U. & E.
<u>SB 81</u>	PUB. S.
<u>SB 83</u>	NAT. RES.
<u>SB 108</u>	HUM. S.
<u>SB 277</u>	G.O.
<u>SB 309</u>	ED.
<u>SB 315</u>	JUD.
<u>SB 317</u>	PUB. S.
<u>SB 346</u>	P. & C.P.
<u>SB 349</u>	HEALTH
<u>SB 349</u>	JUD.
<u>SB 354</u>	HUM. S.
<u>SB 354</u>	JUD.
<u>SB 365</u>	HEALTH
<u>SB 371</u>	HEALTH
<u>SB 380</u>	HEALTH
<u>SB 380</u>	JUD.
<u>SB 383</u>	PUB. S.
<u>SB 390</u>	INS.
<u>SB 416</u>	PUB. S.
<u>SB 416</u>	HIGHER ED.
<u>SB 433</u>	NAT. RES.
<u>SB 447</u>	JUD.
<u>SB 447</u>	APPR.
<u>SB 452</u>	JUD.
<u>SB 477</u>	H. & C.D.

SB 477	L. GOV.
SB 478	H. & C.D.
<u>SB 478</u>	L. GOV.
<u>SB 507</u>	HEALTH
<u>SB 507</u>	JUD.
<u>SB 544</u>	B. & P.
<u>SB 551</u>	A. & A.R.
<u>SB 551</u>	TRANS.
<u>SB 559</u>	W., P., & W.
<u>SB 628</u>	A.,E.,S.,T., & I.M.
<u>SB 628</u>	L. & E.
<u>SB 671</u>	TRANS.
<u>SB 671</u>	NAT. RES.
<u>SB 734</u>	L. GOV.
<u>SB 734</u>	H. & C.D.
<u>SB 743</u>	C. & C.
<u>SB 743</u>	H. & C.D.
<u>SB 802</u>	HIGHER ED.
<u>SB 802</u>	B. & P.
<u>SB 805</u>	A.,E.,S.,T., & I.M.
<u>SB 805</u>	L. & E.

Introduced by Assembly Members Aguiar-Curry and Salas

(Principal coauthor: Senator Stern)

March 25, 2021

Assembly Concurrent Resolution No. 59—Relative to Portuguese Heritage Month.

LEGISLATIVE COUNSEL'S DIGEST

ACR 59, as introduced, Aguiar-Curry. Portuguese Heritage Month. This measure would declare the month of June 2021, as Portuguese Heritage Month, in recognition of June 10 as the Day of Portugal, and June 1 as the Day of the Azores.

Fiscal committee: no.

- WHEREAS, Portuguese presence in California predates the establishment of California as a State in the Union; and
- WHEREAS, The first Portuguese settlers came to California
- 4 from the Azores Islands in the early 19th century. Waves of 5 Azorean immigrants moved to California just before and during
- 5 Azorean immigrants moved to California just before and during 6 the 20th century, with the first wave of Azorean immigrants
- 7 moving to California just before and after the turn of the 20th
- 8 century, followed by the second and largest wave between 1958
- 9 and 1976, each contributing substantially to setting up agricultural
- operations, especially dairy, livestock, vegetable, fruit farms, and
- 11 the tuna industry in southern California; and
- WHEREAS, Throughout most of the 20th century, as many as
- 13 one-half of all Portuguese Californians owned or operated a dairy
- 14 farm, worked on a dairy farm, or worked in a dairy-related industry.

 $ACR 59 \qquad \qquad -2-$

Applying the Portuguese belief in hard work and thriftiness, along with additional labor from family members, Portuguese settlers could earn enough to reinvest in their businesses, and buy more land and cattle. Still today, Portuguese Americans in California continue to play an important role in agriculture and dairying, as proprietors and innovators; and

WHEREAS, Historically, California has been a popular destination for immigrants from the Azores Islands, creating strong cultural ties between the two regions; currently there are more than 350,000 persons of Portuguese heritage living in California, approximately 90 percent of whom have either come directly from the Azores Islands or are of Azorean ancestry; and

WHEREAS, In early 1855, the Old Company of Portuguese Whalers, a 15-member enterprise, was owned and operated by Azoreans in the City of Monterey, and, in the City of San Diego, Portuguese immigrants, mostly from the islands of the Azores and Madeira, had a prominent position in the tuna industry; and

WHEREAS, The Portuguese fraternal movement has played a role in the financial and cultural stability of the community, led today by two societies, the Portuguese Fraternal Society of America and the Luso-American Fraternal Federation, with headquarters in this state; and

WHEREAS, Portuguese language courses taught at community heritage schools, public elementary and high schools, community colleges, the California State University system, University of California campuses, and private colleges build cognizance of the importance of the Portuguese language as a world language and awareness to the contributions that Californians of Portuguese ancestry have given this state, as well as building exchanges with colleges and universities in Portugal, including the recently created Portuguese Beyond Borders Institute at the California State University, Fresno, with its new approach to conferences, oral history, research, academic publications, symposiums, exchange programs in agriculture, and community outreach, including the only Azorean Diaspara Center in the CSU system; and

WHEREAS, Californians of Portuguese ancestry came together in 2016 to create the California Portuguese American Coalition sponsored by the Luso-American Development Foundation to create a network of public servants of Portuguese ancestry and elected officials who represent areas where Californians of

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Portuguese ancestry live and contribute to our rich diversity and to encourage young Portuguese Americans to participate in our democracy through public service; and

WHEREAS, In March of 2018 Californians of Portuguese ancestry created the only strategic plan in the United States to teach the Portuguese language and cultures in California public and private schools, colleges, and universities in order to contribute to the rich linguistic and cultural diversity of our state and to foster a deeper connection to, and increase economic opportunities between, California and all the Portuguese-speaking countries throughout the world; and

WHEREAS, The State of California has a sister state relationship with the Autonomous Region of the Azores, adopted in 2002, and recently revised by working with a Friends of the Azores group to bring further development in not only cultural exchanges, but also in important areas such as renewable energy, sustainable agriculture, tourism, and technology; and

WHEREAS, Among the great Portuguese Americans who have contributed significantly to this country are: composer John Philip Sousa, best known for composing "Stars and Stripes Forever"; poet Emma Lazarus, best known for her sonnet about the Statue of Liberty, "The New Colossus"; and architect William L. Pereira, best known for designing the Transamerica Pyramid in San Francisco. Many Portuguese Americans have also served with distinction in local, state, and federal office, and have served proudly in this country's military; and

WHEREAS, Portuguese Americans have made valuable and substantial contributions to every facet of California life including the entertainment industry, the most notable of whom are Mary Astor, Katy Perry, Tom Hanks, Joe Perry, Nuno Bettencourt, Steve Perry, and James Franco; and

WHEREAS, The Portuguese community press, through radio, newspaper, and television, have been important vehicles in maintaining the Portuguese American experience in California, serving as bridges to our multicultural state, currently through the Tribuna Portuguesa, the only bilingual Portuguese newspaper in the western United States; and

WHEREAS, The Portuguese Heritage Society of California built the Portuguese Historical Museum to serve as a center for the display of Portuguese heritage and culture, and the Portuguese

ACR 59 —4—

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Heritage Publications of California, through book publications,
have recorded Portuguese contributions to this state in various
facets; and

WHEREAS, The Portuguese Holy Ghost Festival and other religious and cultural festivals are an important part of the communities in which they are held, bringing communities together and preserving and disseminating in mainstream California the rich traditions of a proud people who are completely integrated into Californian society; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby declares the month of June 2021, as Portuguese Heritage Month, in recognition of June 10 as the Day of Portugal, and June 1 as the Day of the Azores; and be it further

15 Resolved, That the Chief Clerk of the Assembly transmit copies16 of this resolution to the author for appropriate distribution.

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Date of Hearing: June 3, 2021

ASSEMBLY COMMITTEE ON RULES Ken Cooley, Chair ACR 59 (Aguiar-Curry) – As Introduced March 25, 2021

SUBJECT: Portuguese Heritage Month.

SUMMARY: Declares the month of June 2021, as Portuguese Heritage Month, in recognition of June 10 as the Day of Portugal, and June 1 as the Day of the Azores. Specifically, **this resolution** makes the following legislative findings:

- 1) The first Portuguese settlers came to California from the Azores Islands in the early 19th century. The first wave of Azorean immigrants moved to California just before and after the turn of the 20th century, followed by the second and largest wave between 1958 and 1976, each contributing substantially to setting up agricultural operations, especially dairy, livestock, vegetable, fruit farms, and the tuna industry in southern California.
- 2) Throughout most of the 20th century, as many as one-half of all Portuguese Californians owned or operated a dairy farm, worked on a dairy farm, or worked in a dairy-related industry. Applying the Portuguese belief in hard work and thriftiness, along with additional labor from family members, Portuguese settlers could earn enough to reinvest in their businesses, and buy more land and cattle. Still today, Portuguese Americans in California continue to play an important role in agriculture and dairying, as proprietors and innovators.
- 3) Historically, California has been a popular destination for immigrants from the Azores Islands, creating strong cultural ties between the two regions; currently there are more than 350,000 persons of Portuguese heritage living in California, approximately 90 percent of whom have either come directly from the Azores Islands or are of Azorean ancestry.
- 4) Californians of Portuguese ancestry came together in 2016 to create the California Portuguese American Coalition sponsored by the Luso-American Development Foundation to create a network of public servants of Portuguese ancestry and elected officials who represent areas where Californians of Portuguese ancestry live and contribute to our rich diversity and to encourage young Portuguese Americans to participate in our democracy through public service.
- 5) In March of 2018 Californians of Portuguese ancestry created the only strategic plan in the United States to teach the Portuguese language and cultures in California public and private schools, colleges, and universities in order to contribute to the rich linguistic and cultural diversity of our state and to foster a deeper connection to, and increase economic opportunities between, California and all the Portuguese-speaking countries throughout the world.
- 6) Portuguese Americans have made valuable and substantial contributions to every facet of California life including the entertainment industry, the most notable of whom are Mary Astor, Katy Perry, Tom Hanks, Joe Perry, Nuno Bettencourt, Steve Perry, and James Franco.
- 7) The Portuguese community press, through radio, newspaper, and television, have been important vehicles in maintaining the Portuguese American experience in California, serving

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- as bridges to our multicultural state, currently through the Tribuna Portuguesa, the only bilingual Portuguese newspaper in the western United States.
- 8) The Portuguese Heritage Society of California built the Portuguese Historical Museum to serve as a center for the display of Portuguese heritage and culture, and the Portuguese Heritage Publications of California, through book publications, have recorded Portuguese contributions to this state in various facets.
- 9) The Portuguese Holy Ghost Festival and other religious and cultural festivals are an important part of the communities in which they are held, bringing communities together and preserving and disseminating in mainstream California the rich traditions of a proud people who are completely integrated into Californian society.

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 Assembly Member Nguyen

April 20, 2021

Assembly Concurrent Resolution No. 72—Relative to veterans.

LEGISLATIVE COUNSEL'S DIGEST

ACR 72, as introduced, Nguyen. Veterans of the Republic of Vietnam Armed Forces Day.

This measure would proclaim June 19, 2021, as Veterans of the Republic of Vietnam Armed Forces Day.

Fiscal committee: no.

- 1 WHEREAS, The Republic of Vietnam Military Forces, or South
- 2 Vietnamese Armed Forces, were formally established on December
- 3 30, 1955, by Ngo Dinh Diem, the first President of South Vietnam;
- 4 and
- 5 WHEREAS, The Republic of Vietnam Military Forces consisted
- 6 of four branches: the Army of the Republic of Vietnam, the
- 7 Republic of Vietnam Air Force, the Republic of Vietnam Navy,
- 8 and the Republic of Vietnam Marine Division; and
- 9 WHEREAS, The duties of all four branches included: protecting
- 10 the sovereignty of the free Vietnamese nation and that of the
- 11 Republic, maintaining the political and social order and the rule
- 12 of law by providing internal security, defending the newly
- 13 independent Republic of Vietnam from external and internal
- threats, and ultimately, helping to reunify Vietnam, a country that
- 15 had been divided since the Geneva Accords of 1954; and

 $ACR 72 \qquad \qquad -2-$

WHEREAS, The Vietnam War brought about the loss of more than 250,000 members of the South Vietnamese Armed Forces and more than 58,000 members of the United States Armed Forces; and

WHEREAS, More than 300,000 members of the United States Armed Forces and more than 1,000,000 members of the South Vietnamese Armed Forces were injured; and

WHEREAS, After the Fall of Saigon on April 30, 1975, more than 250,000 members of the South Vietnamese Armed Forces were sent to prison camps, where many spent 18 years or more in captivity and more than 20,000 died before they were released; and

WHEREAS, The end of the Vietnam War left the South Vietnamese Armed Forces in disarray. Many military personnel and their family members fled Vietnam to escape tyrannical authoritarian rule and oppression, and hoped to find democracy and freedom in the United States and other free nations. They spent months at sea and in jungles, battling hunger, thirst, and separation from their families and loved ones; and

WHEREAS, Many of those who reached the United States found refuge in California and in various states throughout the country. They faced socioeconomic challenges but were determined to build entirely new lives here; and

WHEREAS, In the United States, these military personnel continued to fight for their home country and the people there. They have been a strong voice for democracy, religious freedom, and human rights in Vietnam and have contributed culturally and economically to our society and to the diversity of our nation; and

WHEREAS, These veterans were fighting side by side with American soldiers against a common enemy and risked their lives to save many American lives. All veterans who risked their lives fighting for freedom should be honored for their distinguished service in the Vietnam War and for the contributions they provide to the United States as American citizens, and it is the intent of the State of California to honor the sacrifices, commitment, dedication, and courage of everyone who fought for the freedom of the Republic of Vietnam; and

WHEREAS, Annually, Vietnamese Americans around the world recognize the Republic of Vietnam Armed Forces Day on June

-3- ACR 72

1 19, and this year, 2021, marks the 56th anniversary of this annual commemoration; and

WHEREAS, Thousands of veterans of the South Vietnamese Armed Forces now reside in the United States and participate in activities sponsored by American veterans, including Memorial Day, Veterans Day, and Independence Day, and today there are more than 100,000 veterans from the Republic of Vietnam living in California; and

WHEREAS, These servicemembers who paid the ultimate sacrifice for their nation and have contributed greatly to the development of our society deserve to be honored and recognized; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature recognizes June 19, 2021, as Veterans of the Republic of Vietnam Armed Forces Day, in memory of the soldiers who sacrificed their lives for freedom and democracy and the victims of the Vietnam War, and in honor of the survivors, activists, and freedom fighters of that war; and be it further

20 Resolved, That the Chief Clerk of the Assembly transmit copies21 of this resolution to the author for appropriate distribution.

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Date of Hearing: June 3, 2021

ASSEMBLY COMMITTEE ON RULES Ken Cooley, Chair ACR 72 (Nguyen) – As Introduced April 20, 2021

SUBJECT: Veterans of the Republic of Vietnam Armed Forces Day.

SUMMARY: Proclaims June 19, 2021, as Veterans of the Republic of Vietnam Armed Forces Day, in memory of the soldiers who sacrificed their lives for freedom and democracy and the victims of the Vietnam War, and in honor of the survivors, activists, and freedom fighters of that war. Specifically, **this resolution** makes the following legislative findings:

- 1) The Republic of Vietnam Military Forces consisted of four branches: the Army of the Republic of Vietnam, the Republic of Vietnam Air Force, the Republic of Vietnam Navy, and the Republic of Vietnam Marine Division.
- 2) The duties of all four branches included: protecting the sovereignty of the free Vietnamese nation and that of the Republic, maintaining the political and social order and the rule of law by providing internal security, defending the newly independent Republic of Vietnam from external and internal threats; and, ultimately, helping to reunify Vietnam, a country that had been divided since the Geneva Accords of 1954.
- 3) The Vietnam War brought about the loss of more than 250,000 members of the South Vietnamese Armed Forces and more than 58,000 members of the United States Armed Forces. More than 300,000 members of the United States Armed Forces and more than 1,000,000 members of the South Vietnamese Armed Forces were injured.
- 4) The end of the Vietnam War left the South Vietnamese Armed Forces in disarray. Many military personnel and their family members fled Vietnam, and hoped to find democracy and freedom in the United States and other free nations. They spent months at sea and in jungles, battling hunger, thirst, and separation from their families and loved ones.
- 5) Many of those who reached the United States found refuge in California and in various states throughout the country. They faced socioeconomic challenges but were determined to build entirely new lives here.
- 6) Annually, Vietnamese Americans around the world recognize the Republic of Vietnam Armed Forces Day on June 19, and this year, 2021, marks the 56th anniversary of this annual commemoration.
- 7) These servicemembers who paid the ultimate sacrifice for their nation and have contributed greatly to the development of our society deserve to be honored and recognized.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

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Opposition

None on file

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

Introduced by Assembly Member Mathis

June 1, 2021

Assembly Concurrent Resolution No. 90—Relative to USS Liberty Day.

LEGISLATIVE COUNSEL'S DIGEST

ACR 90, as introduced, Mathis. USS Liberty Day. This measure would proclaim June 8, 2021, as USS Liberty Day. Fiscal committee: no.

- 1 WHEREAS, The USS Liberty was a United States Navy
- 2 technical research ship, known colloquially as a "spy ship," that
- 3 was attacked by Israeli Air Force jet fighter aircraft and Israeli
- 4 Navy motor torpedo boats on June 8, 1967, in international waters
- 5 north of the Sinai Peninsula during the Six-Day War; and
- 6 WHEREAS, Despite the United States' declaration of neutrality
- during the Six-Day War, the USS Liberty was subject to the attack
- 8 as a result of Israeli armed forces' error in designating the ship as
- 9 an enemy vessel; and
- 10 WHEREAS, The attack resulted in 34 American casualties, 171
- 11 American injuries, and a heavily damaged ship. Personnel included
- 12 naval officers, seamen, two Marines, and one civilian National
- 13 Security Agency (NSA) employee; and
- 14 WHEREAS, In the days preceding the start of the Six-Day War,
- 15 the USS Liberty was ordered to travel east across the Mediterranean
- 16 Sea to perform a signals intelligence collection mission in
- 17 international waters off the coast of Sinai, Egypt; and

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WHEREAS, As the war unfolded, several instances of miscommunication, confusion, and misidentification among American and Israeli forces culminated in the mistaken attack on the USS Liberty; and

WHEREAS, The ship was severely damaged, but its remaining crew members were able to keep it afloat and, subsequently, maneuver it out of the area. It eventually made its way back to the United States before it was sold for scrap in 1973; and

WHEREAS, Although significant controversy and disputes continue to obscure the motives of the attack on the USS Liberty, the heroism and bravery of all those aboard the ship must not be forgotten: and

WHEREAS, It is appropriate to take the time to honor and pay tribute to both the ship as a symbol of American perseverance and to its crew members who endured this tragedy, as their actions in the face of adversity still represent a patriotic commitment and service to this country; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby proclaims June 8, 2021, as USS Liberty Day; and be it further

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

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Date of Hearing: June 3, 2021

ASSEMBLY COMMITTEE ON RULES Ken Cooley, Chair ACR 90 (Mathis) – As Introduced June 1, 2021

SUBJECT: USS Liberty Day.

SUMMARY: Proclaims June 8, 2021, as USS Liberty Day. Specifically, **this resolution** makes the following legislative findings:

- 1) The USS Liberty was a United States Navy technical research ship, known colloquially as a "spy ship," that was attacked by Israeli Air Force jet fighter aircraft and Israeli Navy motor torpedo boats on June 8, 1967, in international waters north of the Sinai Peninsula during the Six-Day War.
- 2) Despite the United States' declaration of neutrality during the Six-Day War, the USS Liberty was subject to the attack as a result of Israeli armed forces' error in designating the ship as an enemy vessel.
- 3) The attack resulted in 34 American casualties, 171 American injuries, and a heavily damaged ship. Personnel included naval officers, seamen, two Marines, and one civilian National Security Agency employee.
- 4) In the days preceding the start of the Six-Day War, the USS Liberty was ordered to travel east across the Mediterranean Sea to perform a signals intelligence collection mission in international waters off the coast of Sinai, Egypt.
- 5) Several instances of miscommunication, confusion, and misidentification among American and Israeli forces culminated in the mistaken attack on the USS Liberty.
- 6) The ship was severely damaged, but its remaining crew members were able to keep it afloat and, subsequently, maneuver it out of the area.
- 7) It is appropriate to take the time to honor and pay tribute to both the ship as a symbol of American perseverance and to its crew members who endured this tragedy, as their actions in the face of adversity still represent a patriotic commitment and service to this country.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

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