Assembly
California Legislature
Committee on Rules
KEN COOLEY
CHAIR

Thursday, March 30, 2017
10 minutes prior to Session
State Capitol, Room 3162

CONSENT AGENDA

BILL REFERRALS
1. Bill Referral Memo
2. Consent Bill Referrals
3. Bill Re-referrals

RESOLUTIONS
4. ACR-34 (Baker) Relative to Child Abuse Prevention Month.
5. ACR-35 (Cooper) Relative to California Wines: Down to Earth Month.
7. ACR-41 (Bonta) Relative to the Bataan Death March Veterans Commemoration Day.

REQUEST TO ADD URGENCY CLAUSE
8. AB 386 (Gonzalez Fletcher) Relative to legal services for deported veterans.
Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 3/29/2017
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, the referral recommendations for AB 1080 and AB 1659 have been changed.
REFERRAL OF BILLS TO COMMITTEE
03/30/2017
Pursuant to the Assembly Rules, the following bills were referred to committee:

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Assembly Concurrent Resolution No. 34

Introduced by Assembly Member Baker

March 14, 2017

Assembly Concurrent Resolution No. 34—Relative to Child Abuse Prevention Month.

LEGISLATIVE COUNSEL'S DIGEST

ACR 34, as introduced, Baker. Child Abuse Prevention Month. This measure would acknowledge the month of April 2017 as Child Abuse Prevention Month, and encourage the people of the State of California to work together to support youth-serving child abuse prevention activities in their communities and schools.

Fiscal committee: no.

1 WHEREAS, Child abuse and neglect continue to pose serious threats to our nation’s children; and
2 WHEREAS, In 2013, according to the University of California at Berkeley, Center for Social Services Research, approximately 84,000 children in California were found to be victims of abuse or neglect; and
3 WHEREAS, In 2012, according to the State Department of Public Health, 85 children in California died as a result of child abuse and neglect; and
4 WHEREAS, Children who have been abused or neglected have a higher risk of developing various health problems as adults, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases; and
WHEREAS, California’s children deserve to grow up in a safe
and nurturing environment free from fear, abuse, and neglect; and
WHEREAS, Statewide, child abuse and neglect cases
disproportionately involve children of color; and
WHEREAS, Prevention of child abuse and neglect depends on
the involvement of people throughout the community; and
WHEREAS, Child abuse and neglect have long-term economic
and societal costs; and
WHEREAS, Providing community-based prevention services
to families whose children may be at risk of child abuse or neglect
is less costly than addressing the emotional and physical damage
that can result from child abuse and neglect; and
WHEREAS, Providing community-based prevention services
to those families can help avoid the costs of protective services,
law enforcement, the judicial system, foster care, and the treatment
of adults recovering from abuse as children; and
WHEREAS, Victims of child abuse, whether the abuse is
physical, sexual, or emotional, or any combination of these, should
have access to a safe place to live, appropriate medical care, and
counseling or mental health services; and
WHEREAS, In recent years, Prevent Child Abuse America, the
Child Abuse Prevention Center, and other groups have organized
Blue Ribbon Campaigns to increase public awareness of child
abuse and to promote ways to prevent child abuse; and
WHEREAS, Each year, the President of the United States issues
a proclamation announcing April as National Child Abuse
Prevention Month; and
WHEREAS, Pinwheels are displayed to increase the awareness
of child abuse and to focus on the positive message of preventing
child abuse and neglect by supporting families and strengthening
communities during Child Abuse Prevention Month; now,
therefore, be it

Resolved by the Assembly of the State of California, the Senate
thereof concurring, That the Legislature does hereby acknowledge
the month of April 2017 as Child Abuse Prevention Month and
encourages the people of the State of California to work together
to support youth-serving child abuse prevention activities in their
communities and schools during that month and throughout the
year; and be it further
Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.
Date of Hearing: March 30, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 34 (Baker) – As Introduced March 14, 2017

SUBJECT: Child Abuse Prevention Month

SUMMARY: Acknowledges the month of April 2017 as Child Abuse Prevention Month, and encourages the people of the State of California to work together to support youth-serving child abuse prevention activities in their communities and schools. Specifically, this resolution makes the following legislative findings:

1) Child abuse and neglect continue to pose serious threats to our children. According to the United States Department of Health and Human Services, 85 children in California died as a result of child abuse and neglect in 2012.

2) Prevention of child abuse and neglect depends on the involvement of people throughout the community. Providing community-based prevention services to families is less costly than addressing the emotional and physical damage that can result from child abuse and neglect, including the costs of protective services, law enforcement, the judicial system, foster care, and the treatment of adults recovering from abuse as children.

3) California’s children deserve to grow up in a safe and nurturing environment free from fear, abuse, and neglect. Victims of child abuse, whether the abuse is physical, sexual, or emotional, or any combination of these, should have access to a safe place to live, appropriate medical care, and counseling or mental health services.

4) In recent years, child abuse prevention groups have organized Blue Ribbon Campaigns to increase public awareness and promote ways to prevent child abuse and neglect. Pinwheels are displayed to increase the awareness of child abuse and to focus on the positive message of preventing child abuse and neglect by supporting families and strengthening communities during Child Abuse Prevention Month.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

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

Opposition
None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800
March 21, 2017

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

RE: Assembly Concurrent Resolution 34 (Baker) – AFSCME SUPPORTS

The American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, would like to inform you of our support of Assembly Concurrent Resolution 34, as introduced on March 14, 2017.

ACR 34 would designate the month of April 2017 as Child Abuse Prevention Month, and encourage Californians to work together to support youth-serving child abuse prevention activities in their communities and schools. According to the University of California at Berkeley Center for Social Services Research, approximately 84,000 children in California were found to be victims of abuse or neglect in 2013. Children who have been abused or neglected have a higher risk of developing health issues as adults, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide and certain chronic diseases.

Victims of child abuse, whether the abuse is physical, sexual or emotional, deserve to have access to a safe living space, appropriate medical care and mental health services. Providing community-based prevention services to families whose children may be at risk of child abuse or neglect can help avoid the costs of protective services, law enforcement, the judicial system, foster care and the treatment of adults recovering from abuse as children. Increasing public awareness of methods to prevent child abuse and neglect supports families and proves less costly than addressing the emotional and physical damage that can result from child abuse and neglect.

Please join us in supporting Assembly Concurrent Resolution 34.

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

Sincerely,

Brian A. Allison
Political and Legislative Director, California

BAA/sd
Assembly Concurrent Resolution No. 35

Introduced by Assembly Member Cooper
(Principal coauthor: Senator Dodd)
(Coauthors: Assembly Members Baker, Bigelow, Flora, Frazier, Gonzalez Fletcher, Levine, Mathis, Quirk-Silva, Salas, Waldron, and Wood)
(Coauthors: Senators Berryhill, Galgiani, McGuire, Nielsen, and Stone)

March 15, 2017

Assembly Concurrent Resolution No. 35—Relative to California Wines: Down to Earth Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 35, as introduced, Cooper. California Wines: Down to Earth Month.

This measure would proclaim the month of April 2017 as California Wines: Down to Earth Month, to celebrate the sustainable leadership of California wineries and winegrape growers throughout the month of April.

Fiscal committee: no.

WHEREAS, Sustainability is a vital part of the long-term future of California wine, which contributes an estimated $57.6 billion in annual economic impact to California’s economy; and

WHEREAS, The Wine Institute and the California Association of Winegrape Growers created the California Code of Sustainable Winegrowing more than a decade ago and it has since been used by vineyards and wineries representing nearly three-quarters of
California’s wine grape acreage and production to self-assess operations; and

WHEREAS, The California Code of Sustainable Winegrowing, now managed by the California Sustainable Winegrowing Alliance, is comprised of more than 200 best practices for vineyards and wineries that benefit the environment, employees, neighbors, and the production of high quality wine; and

WHEREAS, Wineries that produce more than half of California wine are Certified California Sustainable Winegrowing, a third-party certification option added in 2010 and updated in 2017; and

WHEREAS, Other state and regional sustainability programs, such as Lodi Rules, Napa Green, Sustainability in Practice, along with sustainability commitments by Sonoma County, Napa Valley, and others, all play an important role in the California wine communities’ efforts to grow grapes and produce wine in a manner that is environmentally sound, economically feasible, and socially equitable; and

WHEREAS, Growing participation in organic, biodynamic, and sustainable certification programs further conveys California vintners’ and growers’ adherence to high standards, desire for transparency, and dedication to continuous improvement; and

WHEREAS, California’s wine community conserves water, energy, and other natural resources; protects habitat, employee well-being, and air, water, and soil quality; and promotes the use of natural pest management and alternative energy and fuels; and

WHEREAS, California wineries and winegrape growers make charitable contributions of $101.5 million annually and generously contribute their time and expertise to communities and nonprofit organizations; and

WHEREAS, California’s 4,600 wineries and 5,900 winegrape growers are primarily family businesses with a long-term commitment to the health and vitality of their communities and to preserving the land for future generations; and

WHEREAS, California growers’ and vintners’ commitment to sustainability was recognized with a Governor’s Environmental and Economic Leadership Award, for the third time, in 2015; and

WHEREAS, California wineries and regional associations host Down to Earth and Earth Day activities such as eco-tours, winemaker dinners pairing sustainably produced wine and food,
and other green activities during the month of April; now, therefore,
be it
Resolved by the Assembly of the State of California, the Senate
thereof concurring, That the Legislature proclaims the month of
April 2017 as California Wines: Down to Earth Month, to celebrate
the sustainable leadership of California wineries and winegrape
growers throughout the month of April; and be it further
Resolved, That the Chief Clerk of the Assembly transmit copies
of this resolution to the author for appropriate distribution.
Date of Hearing: March 30, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 35 (Cooper) – As Introduced March 15, 2017

SUBJECT: California Wines: Down to Earth Month

SUMMARY: Proclaims the month of April 2017 as California Wines: Down to Earth Month, and celebrates the sustainable leadership of California wineries and winegrape growers throughout the month of April. Specifically, this resolution makes the following legislative findings:

1) Sustainability is a vital part of the long-term future of California wine, which contributes an estimated $57.6 billion in annual economic impact to California's economy.

2) The California Code of Sustainable Winegrowing, created over a decade ago, is comprised of more than 200 best practices for vineyards and wineries that benefit the environment, employees, neighbors, and the production of high quality wine.

3) California's 4,600 wineries and 5,900 winegrape growers are primarily family businesses with a long-term commitment to the health and vitality of their communities and to preserving the land for future generations.

4) California's wine community conserves water, energy, and other natural resources; protects habitat, employee well-being, and air, water, and soil quality; and promotes the use of natural pest management and alternative energy and fuels.

5) California growers' and vintners' commitment to sustainability was recognized with a Governor's Environmental and Economic Leadership Award, for the third time, in 2015. These wineries and regional associations will host Down to Earth and Earth Day activities such as eco-tours, winemaker dinners pairing sustainably produced wine and food, and other green activities during the month of April.

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. 39

Introduced by Assembly Member Cooper

March 20, 2017

Assembly Concurrent Resolution No. 39—Relative to Crime Victims’ Rights Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 39, as introduced, Cooper. Crime Victims’ Rights Week.

This measure would recognize the week of April 2 to April 8, 2017, inclusive, as Crime Victims’ Rights Week in California.

Fiscal committee: no.

1 WHEREAS, Violent crime continues to exist in California, and
2 crime in one part of the state, or crime against one person, affects
3 our entire sense of well-being; and
4 WHEREAS, All Californians are affected by crime, not just the
5 victims of violent crime; and
6 WHEREAS, The most effective aid that can be provided to
7 victims of crime is to prevent crime from happening in the first
8 place; and
9 WHEREAS, Since 1981, National Crime Victims’ Rights Week
10 has raised awareness of the special needs of crime victims; and
11 WHEREAS, This year, the theme for this week is “Strength.
12 Resilience. Justice.”; and
13 WHEREAS, 2017 is a landmark year for crime victims and
14 survivors, as well as those who serve them; and
WHEREAS, The respect for and protection of victims’ rights within the legal process is one of the most critical components of an effective criminal justice system; and
WHEREAS, Victims and witnesses of crime require special attention to ensure that they are thoroughly informed about, and effectively participate in, the criminal justice system; and
WHEREAS, To the maximum extent allowed by law, victims of violent crime should receive compensation for their losses; and
WHEREAS, Each day thousands of victims and witnesses receive assistance from victim support organizations, victim-witness assistance centers, private service providers, and state and local governments; and
WHEREAS, The criminal justice system in this state must persist in its effort to better coordinate and improve the quality of services provided to victims and witnesses; and
WHEREAS, California has been an innovator in the victims’ rights movement, establishing the first crime victim compensation program in the nation in 1965; Women’s Advocates and Haven House in Pasadena established the first shelters for battered women in the nation in 1976; and Mothers Against Drunk Driving was founded in 1980 with the establishment of a chapter in Sacramento; and
WHEREAS, California citizens enshrined victims’ rights in the California Constitution in 1982 through the passage of Proposition 8, the Victims’ Bill of Rights; and
WHEREAS, California citizens reaffirmed and afforded additional rights to victims in the California Constitution and in California law in 2008 through the passage of Proposition 9, the Victims’ Bill of Rights Act of 2008: Marsy’s Law; and
WHEREAS, Each year, the observance of National Crime Victims’ Rights Week focuses on the problems confronting victims of crime and the services available to support these victims; and
WHEREAS, The remembrances observed during National Crime Victims’ Rights Week promote awareness of victims’ issues and acknowledge the combined efforts of citizens, the government, and the criminal justice system to improve victims’ services in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby recognizes the
week of April 2, 2017, through April 8, 2017, inclusive, as Crime Victims’ Rights Week in California; and be it further
Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.
Date of Hearing: March 30, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 39 (Cooper) – As Introduced March 20, 2017

SUBJECT: Crime Victims’ Rights Week

SUMMARY: Recognizes the week of April 2 to April 8, 2017, inclusive, as Crime Victims’ Rights Week in California. Specifically, this resolution makes the following legislative findings:

1) Since 1981, National Crime Victims' Rights Week has raised awareness of the special needs of crime victims and the services available to support these victims. This year’s theme is "Strength. Resilience. Justice."

2) California has been an innovator in the victims' rights movement, establishing the first crime victim compensation program in the nation in 1965; Women's Advocates and Haven House in Pasadena established the first shelters for battered women in the nation in 1976; and Mothers Against Drunk Driving was founded in 1980 with the establishment of a chapter in Sacramento.

3) California citizens protected victims' rights in 1982 through the passage of Proposition 8, the Crime Victims' Bill of Rights; and California citizens reaffirmed and afforded additional rights to victims in 2008 through the passage of Proposition 9, the Victims' Bill of Rights Act of 2008: Marsy's Law.

4) The respect and protection of victims' rights within the legal process is one of the most critical components of an effective criminal justice system; and the criminal justice system in this state must persist in its effort to better coordinate and improve the quality of services provided to victims and witnesses.

5) Each day thousands of victims and witnesses receive assistance from victim support organizations, victim-witness assistance centers, private service providers, and state and local governments.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support
Crime Victims Action Alliance

Opposition
None on file

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

Back to Agenda
March 27, 2017

The Honorable Ken Cooley
California State Assembly
State Capitol, Room 3013
Sacramento, CA 95814

ASSEMBLY CONCURRENT RESOLUTION 39 (COOPER)
CRIME VICTIMS’ RIGHTS WEEK
SPONSOR

Dear Assembly Member Cooley:

The Crime Victims Action Alliance is pleased to sponsor Assembly Concurrent Resolution 39 (Cooper) which would declare the week of April 2nd to April 8th as Crime Victims’ Rights Week in California.

Since 1981, each April National Crime Victims’ Rights Week (NCVRW) is observed throughout the country to promote victims’ rights and to honor crime victims and those who advocate on their behalf. NCVRW honors and celebrates the achievements of the past thirty years in securing rights, protections, and services for victims. This year’s NCVRW theme is “Strength. Resilience. Justice.” This year’s theme recognizes that all victims are strengthened by the response they receive, organizations are resilient in response to challenges, and communities are able to seek collective justice and healing.

The state of California has always been at the forefront of the victims’ rights movement. In 1965, California became the first state in the nation to establish a crime victim compensation program. In 1976, the opening of Women’s Advocates and Haven House in Pasadena established the first shelters for battered women in the nation, and in 1980 Mothers Against Drunk Driving was established in Sacramento. California also became the first state in the nation to enshrine the rights of victims in a state constitution when Proposition 8, the Crime Victims’ Bill of Rights, was approved by California voters in 1982. California reaffirmed its position as a leader in protecting the rights of victims in 2008 with the passage of Proposition 9, the Victims’ Bill of Rights Act of 2008.

The Crime Victims Action Alliance is a non-profit social welfare organization that promotes victims’ rights and public safety.

If you have any questions please feel free to contact our office at (916) 273-3603.

Very truly yours,

CHRISTINE WARD
Executive Director

1809 S Street, #101316  Sacramento, CA 95811
Phone: 916-273-3603  Toll Free/Fax: 888-235-7067  Email: information@cvactionalliance.org
Assembly Concurrent Resolution No. 41

Introduced by Assembly Member Bonta

March 22, 2017

Assembly Concurrent Resolution No. 41—Relative to Bataan Death March Veterans Commemoration Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 41, as introduced, Bonta. Bataan Death March Veterans Commemoration Day.
This measure designates April 9, 2017, and every April 9 thereafter, as Bataan Death March Veterans Commemoration Day.
Fiscal committee: no.

WHEREAS, Commencing on April 9, 1942, during World War II, the Japanese Army forced 78,000 Filipino and American soldiers to march 82 miles from Bataan to Camp O’Donnell; and
WHEREAS, These soldiers endured brutal conditions and suffered heinous war crimes along the march; and
WHEREAS, Approximately 10,000 soldiers, both Filipino and American, lost their lives during the march; and
WHEREAS, The Bataan Death March was the greatest loss of American and Filipino prisoners of war during World War II; and
WHEREAS, Many survivors were forced to labor in prison camps in the Philippines and Japan while prisoners of war; and
WHEREAS, Californians owe a debt of gratitude to the soldiers who gave up their freedom and perished in service of their countries to preserve our freedoms and our lives; and
WHEREAS, Knowledge of this historic event is passing out of living memory as survivors pass away; and
WHEREAS, The sacrifices made by American and Filipino veterans during the Bataan Death March have received little state recognition in California; and
WHEREAS, The federal Government annually recognizes April 9th as National Former Prisoner of War Day; now, therefore, be it
Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature declares that a day be set aside for appreciation of the veterans of the Bataan Death March and a memoriam of the deceased; and be it further
Resolved, That the Legislature hereby designates and commemorates April 9, 2017, and each April 9th thereafter, as Bataan Death March Veterans Commemoration Day; and be it further
Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.
Date of Hearing: March 30, 2017

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 41 (Bonta) – As Introduced March 22, 2017

SUBJECT: Bataan Death March Veterans Commemoration Day

SUMMARY: Designates April 9, 2017, and every April 9 thereafter, as Bataan Death March Veterans Commemoration Day. Specifically, this resolution makes the following legislative findings:

1) On April 9, 1942, during World War II, the Japanese Army forced 78,000 Filipino and American soldiers to march 82 miles from Bataan to Camp O'Donnell.

2) During this march these soldiers endured brutal conditions and suffered heinous war crimes resulting in the death of 10,000 Filipino and American soldiers.

3) The Bataan Death March was the greatest loss of American and Filipino prisoners of war during World War II; and, Californians owe a debt of gratitude to the soldiers who gave up their freedom and perished in service of their countries to preserve our freedoms and our lives.

4) Knowledge of this historic even is passing out of living memory as survivors pass away and the sacrifices made by American and Filipino veterans during the Bataan Death March have received little state recognition in California.

5) The federal government annually recognizes April 9th as National Former Prisoner of War Day.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support
None on file

Opposition
None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800
March 28, 2017

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

RE: AB 386 (Gonzalez Fletcher) - Request for Urgency Clause  

Dear Assemblymember Cooley:  

Assembly Bill 386 would provide legal services to veterans that have been deported from the United States and will create a fund to continue providing legal services. I am requesting the Rules Committee’s approval to include an urgency clause in AB 386, pursuant to Joint Rule 58.  

In the event a deported military veteran is cleared of an underlying deportable offense by way of post-conviction relief, time served or a pardon, that individual would become eligible to seek reentry into the United States. Because the Department of Defense has continually failed to uphold its responsibility to guide immigrants who serve in our armed forces through the naturalization process -- a responsibility the Pentagon guarantees to prospective soldiers, sailors, Marines and airmen at the time of their enlistment -- these veterans are left without the resources they are duly owed to seek citizenship or an immigration status that would prevent their deportation from the United States in the first place.  

An urgency clause is necessary to provide these deported veterans with the legal services they require as soon as they become eligible to seek reentry into the United States. It’s very possible that some of these heroes will become eligible several months before the typical Jan. 1 implementation date.  

Last year, the American Civil Liberties Union of Southern California released a reported highlighting the lives of 59 deported veterans and the impact of deportation in their personal lives and loved ones. A big consequence of being deported is the loss of vital VA health care benefits that provide veterans with treatments for post-traumatic stress and traumatic brain injuries associated with their military service. These are health care services that are relatively expensive in other countries or aren’t offered by foreign health care providers.  

It is time to take care of the men and women that were willing to sacrifice their lives for our freedom by providing legal services that will explore options for reentry into the United States.  

For these reasons, I respectfully urge your approval to include an urgency clause in AB 386.  

Thank you for your time and consideration.  

Sincerely,  
LORENA GONZALEZ FLETCHER  
Assemblywoman, 80th District  

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