

**Assembly
California Legislature
Committee on Rules**

**KEN COOLEY
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QUIRK-SILVA, SHARON
RAMOS, JAMES C.
RIVAS, ROBERT
WICKS, BUFFY

DIEP, TYLER (R-ALT)
LEVINE, MARC (D-ALT)

Thursday, May 16, 2019
10 minutes prior to Session
State Capitol, Room 3162

CONSENT AGENDA

BILL REFERRALS

1. Bill Referrals

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RESOLUTIONS

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REQUESTS TO ADD URGENCY CLAUSE

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ADMINISTRATIVE ITEM

12. Assistive Animal Policy for Employees with a Disability

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CHIEF ADMINISTRATIVE OFFICER
DEBRA GRAVERT

Assembly
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ROBERT RIVAS
BUFFY WICKS

MARC LEVINE (D-ALT.)
TYLER DIEP (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 5/15/19
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, SCR 43 has been added to the list of referrals.

REFERRAL OF BILLS TO COMMITTEE

05/16/2019

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

Assembly Bill No.	Committee:
<u>ACR 89</u>	RLS.
<u>ACR 91</u>	PUB. S.
<u>HR 36</u>	RLS.
<u>HR 37</u>	RLS.
<u>SB 17</u>	JUD.
<u>SB 27</u>	E. & R.
<u>SB 39</u>	G.O.
<u>SB 41</u>	JUD.
<u>SB 62</u>	W., P., & W.
<u>SB 141</u>	PUB. S.
<u>SB 158</u>	ED.
<u>SB 180</u>	P. & C.P.
<u>SB 187</u>	B. & F.
<u>SB 187</u>	JUD.
<u>SB 220</u>	PUB. S.
<u>SB 222</u>	JUD.
<u>SB 224</u>	PUB. S.
<u>SB 227</u>	HEALTH
<u>SB 229</u>	L. & E.
<u>SB 229</u>	JUD.
<u>SB 233</u>	PUB. S.
<u>SB 235</u>	H. & C.D.
<u>SB 235</u>	L. GOV.
<u>SB 242</u>	L. GOV.
<u>SB 249</u>	L. GOV.
<u>SB 251</u>	B. & F.
<u>SB 257</u>	PUB. S.
<u>SB 267</u>	TRANS.
<u>SB 275</u>	B. & P.
<u>SB 277</u>	TRANS.
<u>SB 284</u>	PUB. S.
<u>SB 286</u>	G.O.
<u>SB 293</u>	L. GOV.
<u>SB 306</u>	JUD.
<u>SB 322</u>	HEALTH
<u>SB 324</u>	L. GOV.
<u>SB 334</u>	B. & P.
<u>SB 338</u>	AGING & L.T.C.
<u>SB 338</u>	PUB. S.
<u>SB 339</u>	B. & P.
<u>SB 351</u>	NAT. RES.
<u>SB 367</u>	NAT. RES.
<u>SB 373</u>	P. & C.P.
<u>SB 373</u>	HEALTH

<u>SB 394</u>	PUB. S.
<u>SB 399</u>	PUB. S.
<u>SB 409</u>	PUB. S.
<u>SB 413</u>	E.S. & T.M.
<u>SB 413</u>	L. GOV.
<u>SB 418</u>	APPR.
<u>SB 431</u>	E. & R.
<u>SB 449</u>	AGRI.
<u>SB 450</u>	NAT. RES.
<u>SB 478</u>	ED.
<u>SB 483</u>	B. & P.
<u>SB 497</u>	U. & E.
<u>SB 508</u>	INS.
<u>SB 540</u>	B. & F.
<u>SB 540</u>	INS.
<u>SB 552</u>	E.S. & T.M.
<u>SB 630</u>	JUD.
<u>SB 652</u>	H. & C.D.
<u>SB 652</u>	JUD.
<u>SB 671</u>	L. & E.
<u>SB 679</u>	B. & P.
<u>SB 681</u>	E. & R.
<u>SB 696</u>	E. & R.
<u>SB 711</u>	B. & P.
<u>SB 743</u>	ED.
<u>SB 751</u>	L. GOV.
<u>SB 778</u>	L. & E.
<u>SB 783</u>	P.E. & R.
<u>SB 787</u>	B. & P.
<u>SB 789</u>	L. GOV.
<u>SCR 6</u>	ED.
<u>SCR 11</u>	TRANS.
<u>SCR 21</u>	TRANS.
<u>SCR 32</u>	TRANS.
<u>SCR 36</u>	RLS.
<u>SCR 41</u>	RLS.
<u>SCR 42</u>	RLS.
<u>SCR 43</u>	RLS.
<u>SJR 3</u>	P.E. & R.
<u>SJR 5</u>	TRANS.
<u>SJR 6</u>	P. & C.P.
<u>SJR 7</u>	V.A.

Assembly Concurrent Resolution

No. 73

Introduced by Assembly Member Bigelow

April 22, 2019

Assembly Concurrent Resolution No. 73—Relative to California Fairgrounds Appreciation Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 73, as introduced, Bigelow. California Fairgrounds Appreciation Month.

This measure would designate the month of May 2019 as California Fairgrounds Appreciation Month and would extend the Legislature’s warmest regards and appreciation to the thousands of volunteers, fair directors, staff, business supporters, and sponsors who keep the network of California state fairgrounds strong, vibrant, relevant, and successful.

Fiscal committee: no.

- 1 WHEREAS, California’s 76 state fairgrounds serve the entire
- 2 state, from the County of San Diego to Del Norte, and from the
- 3 County of Monterey to Mariposa; and
- 4 WHEREAS, California state fairgrounds attracted over
- 5 20,000,000 visitors for fairs and events in 2018; and
- 6 WHEREAS, California counties enjoy the year-round economic,
- 7 recreational, cultural, and social impacts of the fairgrounds; and
- 8 WHEREAS, California state fairgrounds expend and generate
- 9 millions of new dollars for nonprofit organizations, youth
- 10 organizations, cities and counties, small businesses, and the state’s
- 11 General Fund; and

1 WHEREAS, Due to the extreme fire season of 2018, California
2 state fairgrounds were again pressed into service for fire
3 evacuations to assist those displaced by the Camp Fire and other
4 fires that ravaged the state; and

5 WHEREAS, California state fairgrounds provide public facilities
6 for animals, pets, and livestock during good times and bad; and

7 WHEREAS, California's 76 state fairgrounds continue to serve
8 as the social and economic hub of their respective communities;
9 now, therefore, be it

10 *Resolved by the Assembly of the State of California, the Senate*
11 *thereof concurring*, That the Legislature hereby designates the
12 month of May 2019 as California Fairgrounds Appreciation Month
13 in appreciation for the services provided to California by the 76
14 fairgrounds in the state; and be it further

15 *Resolved*, That the Legislature extends its warmest regards and
16 appreciation to the thousands of volunteers, fair directors, staff,
17 business supporters, and sponsors who keep the network of
18 California state fairgrounds strong, vibrant, relevant, and
19 successful; and be it further

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

O

Date of Hearing: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 73 (Bigelow) – As Introduced April 22, 2019

SUBJECT: California Fairgrounds Appreciation Month.

SUMMARY: Designates the month of May 2019 as California Fairgrounds Appreciation Month and extends the Legislature's warmest regards and appreciation to the thousands of volunteers, fair directors, staff, business supporters, and sponsors who keep the network of California state fairgrounds strong, vibrant, relevant, and successful. Specifically, **this resolution** makes the following legislative findings:

- 1) California's 76 fairgrounds serve the entire state, from the County of San Diego to Del Norte, and from the County of Monterey to Mariposa. These fairgrounds attracted over 20,000,000 visitors for fairs and events in 2018.
- 2) California's counties enjoy the year-round economic, recreational, cultural, and social impacts of the fairgrounds.
- 3) California state fairgrounds expend and generate millions of new dollars for nonprofit organizations, youth organizations, cities and counties, small businesses, and the state's General Fund.
- 4) Due to the extreme fire season of 2018, California state fairgrounds were again pressed into service for fire evacuations to assist those displaced by the Camp Fire and other fires that ravaged the state.
- 5) These 76 fairgrounds continue to serve as the social and economic hub of their respective communities and also provide public facilities for animals, pets, and livestock during good times and bad.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

Rural County Representatives of California (RCRC)

Opposition

None on file

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



April 24, 2019

The Honorable Frank Bigelow
Member, California State Assembly
State Capitol, Room 4158
Sacramento, CA 95814

RE: Assembly Concurrent Resolution 73 - SUPPORT

Dear Assembly Member Bigelow:

On behalf of the Rural County Representatives of California (RCRC), I am writing to express our support for your Assembly Concurrent Resolution 73 which designates May 2019 as the California Fairgrounds Appreciation Month. RCRC is an association of thirty-six rural California counties, and the RCRC Board of Directors is comprised of elected supervisors from those member counties.

The health and viability of each county's local fair and fairgrounds – whether state-owned/operated or county owned - is a high priority for members of our association. These fairs and fairgrounds are an integral asset to many counties throughout the State, particularly in rural California. The property is utilized throughout the year for, among other activities, numerous community events and livestock auctions. Additionally, these properties are utilized by the California Department of Forestry and Fire Protection and others as an evacuation center and public safety command center during catastrophic wildfires, flood warnings, and other emergencies.

Given the importance of each fairground and the entire network of fairs to the State's rural areas, we join you in your efforts to promote the value of fairs and fairgrounds. As such, it is fitting that May be declared as California Fairgrounds Appreciation Month.

RCRC appreciates all of your legislative efforts over the years on the issue of promoting local fairs. If you have any questions, please contact me at (916) 447-4806 or at mwarmerdam@rcrcnet.org.

Sincerely,

MARY-ANN WARMERDAM
Senior Legislative Advocate

1215 K Street, Suite 1650, Sacramento, CA 95814 | www.rcrcnet.org | 916.447.4806 | Fax: 916.448.3154

ALPINE AMADOR BUTTE CALAVERAS COLUSA DEL NORTE EL DORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO MERCED
MODOC MONO NAPA NEVADA PLACER PLUMAS SAN BENITO SAN LUIS OBISPO SHASTA SIERRA SISKIYOU SONOMA SUTTER TEHAMA TRINITY TULARE TUOLUMNE YOLO YUBA

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Assembly Concurrent Resolution

No. 79

Introduced by Assembly Member Rodriguez

April 25, 2019

Assembly Concurrent Resolution No. 79—Relative to Emergency Medical Services Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 79, as introduced, Rodriguez. Emergency Medical Services Week.

This measure would proclaim the week of May 20, 2019, to May 26, 2019, inclusive, to be Emergency Medical Services Week in California.

Fiscal committee: no.

1 WHEREAS, It is estimated that there are over 840,000
2 emergency medical services personnel in the United States,
3 including over 80,000 in the State of California; and

4 WHEREAS, Emergency medical services are a vital public
5 service and the members of emergency medical services teams are
6 ready to provide life-saving care to those in need 24 hours a day,
7 seven days a week; and

8 WHEREAS, The emergency medical service system consists
9 of emergency physicians, emergency nurses, emergency medical
10 technicians, paramedics, firefighters, educators, administrators,
11 and others; and

12 WHEREAS, The members of emergency medical services teams,
13 whether career or volunteer, engage in thousands of hours of
14 specialized training and continuing education to enhance their
15 life-saving skills; and

1 WHEREAS, Emergency medical service providers are dedicated
2 to saving lives and possess a sense of duty to aid others that is
3 inherent in the profession and that stays with an emergency medical
4 service provider for life; and

5 WHEREAS, Emergency medical service providers have made
6 significant sacrifices in the course of duty, including the loss of
7 life in service of others; and

8 WHEREAS, Approximately 25 to 30 million patients
9 nationwide, and over 2 million patients in California, receive
10 emergency medical services each year; and

11 WHEREAS, Access to quality emergency medical care
12 dramatically improves the survival and recovery rates of those
13 who experience sudden illness or injury; and

14 WHEREAS, The American College of Emergency Physicians
15 was instrumental in establishing National Emergency Medical
16 Services Week to honor the life-saving efforts of emergency
17 medical services personnel; and

18 WHEREAS, President Gerald Ford proclaimed the first National
19 Emergency Medical Services Week in November of 1974; and

20 WHEREAS, This year marks the 45th anniversary of National
21 Emergency Medical Services Week; and

22 WHEREAS, The theme of National Emergency Medical
23 Services Week is “EMS STRONG: Beyond the Call”; and

24 WHEREAS, It is appropriate to recognize the value and
25 accomplishments of emergency medical services personnel by
26 designating Emergency Medical Services Week in California;
27 now, therefore, be it

28 *Resolved by the Assembly of the State of California, the Senate*
29 *thereof concurring*, That the Legislature proclaims the week of
30 May 20, 2019, to May 26, 2019, inclusive, to be Emergency
31 Medical Services Week in California; and be it further

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

O

Date of Hearing: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 79 (Rodriguez) – As Introduced April 25, 2019

SUBJECT: Emergency Medical Services Week.

SUMMARY: Proclaims the week of May 20, 2019, to May 26, 2019, inclusive, to be Emergency Medical Services Week in California. Specifically, **this resolution** makes the following legislative findings:

- 1) 2019 is the 45th anniversary of National Emergency Medical Services Week; and, this year's theme is "EMS STRONG: Beyond the Call."
- 2) It is estimated that there are over 840,000 emergency medical services personnel in the United States, including over 80,000 in the State of California.
- 3) Emergency medical services are a vital public service and the members of emergency medical services teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week.
- 4) The emergency medical service system consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others who engage in thousands of hours of specialized training and continuing education to enhance their life-saving skills.
- 5) Approximately 25 to 30 million patients nationwide, and over 2 million patients in California, receive emergency medical services each year.
- 6) Access to quality emergency medical care dramatically improves the survival and recovery rates of those who experience sudden illness or injury.
- 7) The American College of Emergency Physicians was instrumental in establishing National Emergency Medical Services Week to honor the life-saving efforts of emergency medical services personnel.

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. 88

Introduced by Assembly Member Reyes

May 2, 2019

Assembly Concurrent Resolution No. 88—Relative to Older Americans Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 88, as introduced, Reyes. Older Americans Month.

This bill would recognize the month of May 2019 as Older Americans Month and would encourage all Californians to recognize and treat all older adults with compassion and respect, and to participate in services and activities that contribute to the health, welfare, and happiness of older adults.

Fiscal committee: no.

1 WHEREAS, Older adults reflect the beauty, strength, and
2 struggle of the people in our state; and

3 WHEREAS, The California Senior Legislature has worked with
4 older adults since 1981 to prioritize legislation on topics such as
5 social services, long-term health, and housing and development;
6 and

7 WHEREAS, It is important to acknowledge the critical
8 contributions older adults have made in our communities to foster
9 inclusivity, diversity, and cultural competency; and

10 WHEREAS, Elder justice assures the right and equitable
11 treatment of older adults in all aspects of life; and

12 WHEREAS, Older adults are the fastest growing population in
13 California, where 1,000 Californians turn 65 years of age each day

1 and the number of Californians above 60 years of age is due to
2 increase from 7,600,000 individuals to 10,800,000 individuals by
3 the year 2050; and

4 WHEREAS, People of color will make up over one-half of
5 California's senior population by the year 2035, with the Latinx
6 and Asian-Pacific Islander community making up the fastest
7 growing racial and ethnic older adult population; and

8 WHEREAS, Women make up the majority of California's older
9 population; and

10 WHEREAS, The State of California is prioritizing its older
11 adults with a proposed master plan on aging that aims to create
12 streamlined access to care, a properly trained and competent
13 workforce, and a commitment to ensuring older adults may age in
14 their own home with dignity; now, therefore, be it

15 *Resolved by the Assembly of the State of California, the Senate*
16 *thereof concurring*, That the Legislature of the State of California
17 recognizes the month of May 2019 as Older Americans Month;
18 and be it further

19 *Resolved*, That the Legislature encourages all Californians to
20 recognize and treat all older adults with compassion and respect,
21 and to participate in services and activities that contribute to the
22 health, welfare, and happiness of older adults; and be it further

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

O

Date of Hearing: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 88 (Reyes) – As Introduced May 2, 2019

SUBJECT: Older Americans Month.

SUMMARY: Recognizes the month of May 2019 as Older Americans Month and encourages all Californians to recognize and treat all older adults with compassion and respect, and to participate in services and activities that contribute to the health, welfare, and happiness of old adults. Specifically, **this resolution** makes the following legislative findings:

- 1) Older adults reflect the beauty, strength, and struggle of the people of our state; and, it is important to acknowledge the critical contributions older adults have made in our communities to foster inclusivity, diversity, and cultural competency.
- 2) The California Senior Legislature has worked with older adults since 1981 to prioritize legislation on topics such as social services, long-term health, and housing and development.
- 3) Older adults are the fastest growing population in California, where 1,000 Californians turn 65 years of age each day and the number of Californians above 60 years of age is due to increase from 7,600,000 individuals to 10,800,000 individuals by the year 2050.
- 4) People of color will make up over one-half of California's senior population by the year 2035, with the Latinx and Asian-Pacific Islander community making up the fastest growing racial and ethnic old adult population; and, the majority of California's older population is made up of women.
- 5) The State of California is prioritizing its older adults with a proposed master plan on aging that aims to create streamlined access to care, a properly trained and competent workforce, and a commitment to ensuring older adults may age in their own home with dignity.

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. 90

Introduced by Assembly Member Cooley

May 7, 2019

Assembly Concurrent Resolution No. 90—Relative to Foster Care Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 90, as introduced, Cooley. Foster Care Month.

This measure would declare the month of May 2019 as Foster Care Month.

Fiscal committee: no.

- 1 WHEREAS, There are currently 61,660 California children and
2 youth in foster care who need and deserve safe, permanent
3 connections to loving adults, a stable home, and adequate
4 preparation for a secure future; and
5 WHEREAS, The needs of children and youth for belonging and
6 unconditional emotional commitment are best met in families; and
7 WHEREAS, Many California counties and community partners
8 have successfully supported permanent family connections for
9 foster youth, provided support for families at risk of entering the
10 child welfare system, and changed practices to fully engage youth,
11 family, and communities, thereby reducing the number of children
12 in foster care; and
13 WHEREAS, California recognizes the enduring and valuable
14 contribution of relatives and foster and adoptive parents who open
15 their hearts, families, and homes to vulnerable children and youth;
16 and

1 WHEREAS, California recognizes the numerous individuals
2 and public and private organizations that work to ensure that the
3 needs of children and youth living in, and leaving, foster care are
4 met, that help provide foster and former foster children and youth
5 with vital connections to their siblings, and that help launch young
6 people into successful adulthood; and

7 WHEREAS, California is engaged in continuum of care reform,
8 which is a comprehensive approach to improving the experience
9 and outcomes of children and youth in foster care by improving
10 assessments of children and families to make more informed and
11 appropriate initial placement decisions, emphasizing home-based
12 family care placements of children, appropriately supporting these
13 placements with needed services, creating short-term residential
14 therapeutic programs for youth whose needs cannot be met safely
15 in families, and increasing transparency and accountability for
16 child outcomes; and

17 WHEREAS, California is committed to working in partnership
18 with the federal government and local governments to improve
19 the lives and futures of all children and youth touched by the child
20 welfare system; now, therefore, be it

21 *Resolved by the Assembly of the State of California, the Senate*
22 *thereof concurring*, That the Legislature declares the month of
23 May 2019 as Foster Care Month; 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: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 90 (Cooley) – As Introduced May 7, 2019

SUBJECT: Foster Care Month.

SUMMARY: Declares the month of May 2019 as Foster Care Month. Specifically, **this resolution** makes the following legislative findings:

- 1) In California, there are approximately 61,660 children and youth in foster care who need and deserve safe, permanent connections to loving adults, a stable home, and adequate preparation for a secure future.
- 2) Many California counties and community partners have successfully supported permanent family connections for foster youth, provided support for families at risk of entering the child welfare system, and changed practices to fully engage youth, family, and communities, thereby reducing the number of children in foster care.
- 3) California recognizes the numerous individuals and public and private organizations that work to ensure that the needs of children and youth living in, and leaving, foster care are met, that help provide foster and former foster children and youth with vital connections to their siblings, and that help launch young people into successful adulthood.
- 4) California is engaged in continuum of care reform, which is a comprehensive approach to improving the experience and outcomes of children and youth in foster care by improving assessments of children and families to make more informed and appropriate initial placement decisions, emphasizing home-based family care placements of children, appropriately supporting these placements with needed services, creating short-term residential therapeutic programs for youth whose needs cannot be met safely in families, and increasing transparency and accountability for child outcomes.
- 5) California is committed to working in partnership with the federal government and local governments to improve the lives and futures of all children and youth touched by the child welfare system.

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. 92

Introduced by Assembly Member Waldron

(Coauthors: Assembly Members Aguiar-Curry, Bauer-Kahan, Boerner Horvath, Burke, Carrillo, Cervantes, Eggman, Friedman, Cristina Garcia, Limón, Petrie-Norris, Luz Rivas, Weber, and Wicks)

(Coauthors: Senators Atkins, Bates, Grove, Jackson, Leyva, and Skinner)

May 7, 2019

Assembly Concurrent Resolution No. 92—Relative to Maternal Mental Health Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 92, as introduced, Waldron. Maternal Mental Health Awareness Month.

This measure would dedicate the month of May 2019 as Maternal Mental Health Awareness Month.

Fiscal committee: no.

- 1 WHEREAS, In the United States, maternal depression is the
- 2 most common complication of pregnancy. Maternal mental health
- 3 disorders encompass a range of mental health conditions, such as
- 4 depression, anxiety, and postpartum psychosis; and
- 5 WHEREAS, Maternal mental health affects one in five women
- 6 during or after pregnancy, but all women are at risk of suffering
- 7 from maternal mental health disorders. Specifically, in California,
- 8 one in five Californian mothers suffers from pregnancy-related
- 9 depression; and

1 WHEREAS, Less than 15 percent of identified cases of maternal
2 mental health disorders are treated as a result of personal, structural,
3 and systemic barriers within the health care system; and

4 WHEREAS, Untreated maternal mental health disorders
5 significantly and negatively impact the short- and long-term health
6 and well being of affected women and their children; and

7 WHEREAS, Untreated maternal mental health disorders cause
8 adverse birth outcomes, impaired maternal-infant bonding, poor
9 infant growth, childhood emotional and behavioral problems, and
10 significant medical and economic costs, estimated to be \$22,500
11 per mother; and

12 WHEREAS, Lack of understanding and social stigma of mental
13 health disorders prevent women and families from understanding
14 the signs, symptoms, and risks involved with maternal mental
15 health and disproportionately affect women who lack access to
16 social support networks; now, therefore, be it

17 *Resolved by the Assembly of the State of California, the Senate*
18 *thereof concurring*, That the Legislature dedicates the month of
19 May 2019 as Maternal Mental Health Awareness Month; and be
20 it further

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

O

Date of Hearing: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 92 (Waldron) – As Introduced May 7, 2019

SUBJECT: Maternal Mental Health Awareness Month.

SUMMARY: Dedicates the month of May 2019 as Maternal Mental Health Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) In the United States, maternal depression is the most common complication of pregnancy. Maternal mental health disorders encompass a range of mental health conditions, such as depression, anxiety, and postpartum psychosis.
- 2) Maternal mental health affects one in five women during or after pregnancy, but all women are at risk of suffering from maternal mental health disorders. Specifically, in California, one in five Californian mothers suffers from pregnancy-related depression. Less than 15 percent of identified cases of maternal health disorders are treated as a result of personal, structural, and systemic barriers within the health care system.
- 3) Untreated maternal mental health disorders significantly and negatively impact the short and long-term health and well-being of affected women and their children; and, these untreated maternal mental health disorders cause adverse birth outcomes, impaired maternal-infant bonding, poor infant growth, childhood emotional and behavioral problems, and significant medical and economic costs, estimated to be \$22,500 per mother.
- 4) Lack of understanding and social stigma of mental health disorders prevent women and families from understanding the signs, symptoms, and risks involved with maternal mental health and disproportionately affect women who lack access to social support networks.

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. 31

**Introduced by Assembly Member Gloria
(Principal coauthors: Assembly Members Cervantes, Eggman, and
Low)**

April 30, 2019

House Resolution No. 31—Relative to Harvey Milk Day.

1 WHEREAS, Harvey Bernard Milk was born on May 22, 1930,
2 in Woodmere, New York. He was the first openly gay man to be
3 elected to public office in a major city of the United States. He
4 was assassinated in 1978 at San Francisco’s City Hall by a political
5 rival. Perhaps more than any other modern figure, Harvey Milk’s
6 life and political career embody the rise of the lesbian, gay,
7 bisexual, and transgender (LGBT) civil rights movement in
8 California, across the nation, and throughout the world; and
9 WHEREAS, Harvey Milk graduated from the State University
10 of New York at Albany, in Albany, New York in 1951. Thereafter,
11 he served for a short time in the United States Navy; and
12 WHEREAS, During the 1960s, Harvey Milk lived in New York
13 City, first working on Wall Street as an investment banker and
14 later as a theater producer; and
15 WHEREAS, In 1972, Harvey Milk moved with his partner,
16 Scott Smith, to San Francisco, California and opened a camera
17 shop called Castro Camera; and
18 WHEREAS, Harvey Milk soon emerged as a community leader
19 in the Castro neighborhood of San Francisco, founding the Castro
20 Valley Association of Local Merchants, and representing that
21 association’s interests before city government; and

1 WHEREAS, Harvey Milk unsuccessfully ran for the Board of
2 Supervisors of the City and County of San Francisco in 1973, and
3 unsuccessfully ran for the Assembly in 1975. With each race, he
4 gained more prominence and eventually became known endearingly
5 by his neighbors as the “Mayor of Castro Street”; and

6 WHEREAS, After San Francisco adopted a district election
7 system in 1977, Harvey Milk was elected to the Board of
8 Supervisors of the City and County of San Francisco representing
9 District 5. It was the first time in the history of the United States
10 that an openly gay man was elected to a prominent political office;
11 and

12 WHEREAS, During his term on the board of supervisors, Harvey
13 Milk sponsored and successfully passed a gay rights ordinance;
14 and

15 WHEREAS, Harvey Milk was instrumental in defeating
16 Proposition 6, commonly known as the Briggs Initiative, at the
17 General Election on November 7, 1978, that would have banned
18 gays and lesbians from teaching in the public schools of this state;
19 and

20 WHEREAS, As an openly gay leader, Harvey Milk encouraged
21 LGBT individuals to be visible in society. During the Gay Freedom
22 Day Parade of June 25, 1978, he told the crowd, “Gay people, we
23 will not win their rights by staying quietly in our closets”; and

24 WHEREAS, Harvey Milk was also successful in forging
25 coalitions with San Francisco’s other minority leaders. His message
26 was one of unity against oppression in all its forms. In the same
27 Gay Freedom Day speech, he said, “I call upon all minorities and
28 especially the millions of lesbians and gay men to wake up from
29 their dreams ... to gather on Washington and tell ... their nation:
30 ‘Wake up ... wake up, America ... no more racism, no more sexism,
31 no more ageism, no more hatred ... no more’”; and

32 WHEREAS, In 1978, Dan White, who represented District 8
33 on the Board of Supervisors of the City and County of San
34 Francisco, resigned from his seat due to financial hardship, thus
35 allowing the Mayor of San Francisco, George Moscone, to appoint
36 a successor; and

37 WHEREAS, Dan White later asked Mayor Moscone to be
38 reappointed to his seat. Mayor Moscone declined after having been
39 lobbied by several city leaders, including Harvey Milk, who often
40 clashed with Dan White due to their political differences; and

1 WHEREAS, On November 27, 1978, Dan White went to San
2 Francisco City Hall to meet with Mayor Moscone and make a final
3 plea for reappointment. When the mayor declined the request, Dan
4 White shot and killed Mayor Moscone, then went to Harvey Milk's
5 office and also shot and killed him; and

6 WHEREAS, Dan White subsequently surrendered to the
7 authorities. Though he had carried a gun, 10 extra rounds, and
8 crawled through a window to avoid metal detectors, Dan White
9 denied that the shootings were premeditated; and

10 WHEREAS, Thousands attended a spontaneous candlelight
11 memorial vigil the night of Harvey Milk's funeral; and

12 WHEREAS, Harvey Milk had anticipated the possibility of
13 assassination and had recorded several audio tapes to be played in
14 that event. One of the tapes included his now famous quote, "If a
15 bullet should enter my brain, let that bullet destroy every closet
16 door"; and

17 WHEREAS, Dan White's trial, which began four months after
18 the killings, was one of the most closely watched trials in California
19 at that time. The prosecution claimed that Dan White's motive
20 was revenge. But Dan White's attorney, Douglas Schmidt, claimed
21 that Dan White was a victim of pressure and had been depressed,
22 a state exacerbated by his consuming a large quantity of junk food
23 before the murders, which became known as the "Twinkie
24 Defense"; and

25 WHEREAS, During the trial, the jury also heard Dan White's
26 confession, which was tape recorded the day after the murders.
27 During the confession, Dan White tearfully talked of how Mayor
28 Moscone and Harvey Milk had refused to give him his supervisor's
29 job back; and

30 WHEREAS, Dan White was convicted of voluntary
31 manslaughter on the grounds of diminished capacity and sentenced
32 to seven years and eight months in prison, a sentence widely
33 denounced as lenient and motivated by homophobia. During the
34 jury selection process in the criminal trial, defense attorneys had
35 excluded candidates they deemed "pro-gay"; and

36 WHEREAS, In protest of the lenient sentence, San Francisco's
37 gay community erupted in what came to be known as the "White
38 Night Riots." It began as a peaceful march from the Castro District
39 to city hall, but turned into a riot when marchers clashed with the
40 police force outside of city hall; and

1 WHEREAS, Harvey Milk's legacy as a civil rights leader is still
2 felt today. He was named one of TIME Magazine's most influential
3 people of the 20th century. Many institutions and organizations
4 are named for Harvey Milk, including the Harvey Milk
5 Recreational Arts Center, the Harvey Milk Civil Rights Academy,
6 the Harvey Milk Institute, the Eureka Valley/Harvey Milk
7 Memorial Branch Library, and the Harvey Milk
8 Lesbian/Gay/Bisexual/Transgender Democratic Club in San
9 Francisco; and

10 WHEREAS, Outside of San Francisco, a number of alternative
11 schools in the United States are named for Harvey Milk, including
12 Harvey Milk High School in New York City, and Oakes College
13 at the University of California, Santa Cruz has an oncampus
14 apartment building named for Harvey Milk; and

15 WHEREAS, In February 2007, the City of San Francisco agreed
16 to erect a bust of Harvey Milk in city hall in tribute to his service
17 and to memorialize his life's work. A lengthy process to choose a
18 design took place, and a gala installation event took place in May
19 2008, to coincide with Harvey Milk's birthday; and

20 WHEREAS, Harvey Milk's story as California's first openly
21 gay elected official was the topic of a major motion picture released
22 in 2008, which educated audiences worldwide about Milk's place
23 in history as a trailblazer and civil rights pioneer; and

24 WHEREAS, Harvey Milk's life and social contributions have
25 left an indelible mark on the history of our nation and hold a special
26 meaning for the people of California; now, therefore, be it

27 *Resolved by the Assembly of the State of California*, That the
28 Assembly recognizes the pioneering contributions of Harvey Milk
29 to the cause of gay civil rights and commemorates May 22, 2019,
30 as Harvey Milk Day; and be it further

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

O

Date of Hearing: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 31 (Gloria) – As Introduced April 30, 2019

SUBJECT: Harvey Milk Day.

SUMMARY: Commemorates May 22, 2019, as Harvey Milk Day and recognizes the pioneering contributions of Harvey Milk to the cause of gay civil rights. Specifically, **this resolution** makes the following legislative findings:

- 1) Harvey Bernard Milk was born on May 22, 1930, in Woodmere, New York. He was the first openly gay man to be elected to public office in a major city of the United States. Perhaps more than any other modern figure, Harvey Milk's life and political career embody the rise of the lesbian, gay, bisexual, and transgender (LGBT) civil rights movement in California, across the nation, and throughout the world.
- 2) In 1972, Harvey Milk moved with his partner, Scott Smith, to San Francisco, California, founding a camera shop called Castro Camera; and, he soon emerged as a community leader in the Castro neighborhood of San Francisco, founding the Castro Valley Association of Local Merchants, and representing that association's interests before city government.
- 3) Harvey Milk unsuccessfully ran for the Board of Supervisors of the City and County of San Francisco in 1973, and unsuccessfully ran for the Assembly in 1975. With each race, he gained more prominence and eventually became known endearingly by his neighbors as the "Mayor of Castro Street."
- 4) After San Francisco adopted a district election system in 1977, Harvey Milk was elected to the Board of Supervisors of the City and County of San Francisco representing District 5. It was the first time in the history of the United States that an openly gay man was elected to a prominent political office; and, during his term on the board of supervisors, Harvey Milk sponsored and successfully passed a gay rights ordinance.
- 5) Harvey Milk was instrumental in defeating Proposition 6, commonly known as the Briggs Initiative, at the General Election on November 7, 1978, that would have banned gays and lesbians from teaching in the public schools of this state.
- 6) Harvey Milk was also successful in forging coalitions with San Francisco's other minority leaders. His message was one of unity against oppression in all its forms. During a Gay Freedom Day speech, he said, "I call upon all minorities and especially the millions of lesbians and gay men to wake up from their dreams ... to gather on Washington and tell ... their nation: 'Wake up ... wake up, America ... no more racism, no more sexism, no more ageism, no more hatred ... no more.'"
- 7) In 1978, Dan White, who represented District 8 on the Board of Supervisors of the City and County of San Francisco, resigned from his seat due to financial hardship, thus allowing the Mayor of San Francisco, George Moscone, to appoint a successor; and, Dan White later asked Mayor Moscone to be reappointed to his seat. Mayor Moscone declined after having

been lobbied by several city leaders, including Harvey Milk, who often clashed with Dan White due to their political differences.

- 8) On November 27, 1978, Dan White went to San Francisco City Hall to meet with Mayor Moscone and make a final plea for reappointment. When the mayor declined the request, Dan White shot and killed Mayor Moscone, then went to Harvey Milk's office and also shot and killed him.
- 9) Thousands attended a spontaneous candlelight memorial vigil the night of Harvey Milk's funeral; and, in anticipation of the possibility of assassination he recorded several audio tapes to be played in that event. One of the tapes included his now famous quote, "If a bullet should enter my brain, let that bullet destroy every closet door."
- 10) Harvey Milk's legacy as a civil rights leader is still felt today. He was named one of TIME Magazine's most influential people of the 20th century. Many institutions and organizations are named for Harvey Milk, including the Harvey Milk Recreational Arts Center, the Harvey Milk Civil Rights Academy, the Harvey Milk Institute, the Eureka Valley/Harvey Milk Memorial Branch Library, and the Harvey Milk Lesbian/Gay/Bisexual/Transgender Democratic Club in San Francisco.

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. 37

Introduced by Assembly Member Kamlager-Dove
(Coauthors: Assembly Members Fong, Gonzalez, Muratsuchi,
Nazarian, Obernolte, Quirk-Silva, Salas, Santiago, Smith, and
Weber)

May 8, 2019

House Resolution No. 37—Relative to the University of California, Los Angeles.

1 WHEREAS, The University of California, Los Angeles, (UCLA)
2 was founded on May 23, 1919; and
3 WHEREAS, In 1929, classes began at its current campus in the
4 Westwood neighborhood of Los Angeles; and
5 WHEREAS, UCLA consistently receives more applications for
6 undergraduate admission than any other university in the country,
7 with over 113,000 applications received for the 2018–19 academic
8 year; and
9 WHEREAS, In U.S. News and World Report’s 2018–19 overall
10 hospital rankings, the Ronald Reagan UCLA Medical Center is
11 ranked first in Los Angeles, second in California, and seventh in
12 the country; and
13 WHEREAS, UCLA is the number one public university in the
14 country in 2019 according to rankings by U.S. News and World
15 Report and the Wall Street Journal/Times Higher Education. In
16 2018, Times Higher Education ranked UCLA ninth in the world
17 in its world reputation rankings; and
18 WHEREAS, UCLA faculty and alumni have excelled in many
19 different fields: UCLA has produced 14 Nobel Prize winners, 13
20 MacArthur Fellows, 9 National Medal of Science winners, 3

1 Pulitzer Prize winners, one Fields Medalist, 2 Turing Award
2 winners, and 38 Academy Award winners; and

3 WHEREAS, UCLA also boasts exceptional athletic programs,
4 as it was the first in the nation to reach 100 National Collegiate
5 Athletic Association team championship victories, and UCLA
6 athletes and coaches have won a total of 261 Olympic medals,
7 more than half of them gold; and

8 WHEREAS, According to UCLA's economic impact report,
9 during the 2016–17 fiscal year, the university had a total impact
10 of over \$11 billion on the California economy, with more than \$4
11 billion coming in the City of Los Angeles alone, and UCLA helped
12 generate more than \$706 million in tax revenue throughout the
13 state; and

14 WHEREAS, During the 2016–17 fiscal year, 251 patents were
15 issued to UCLA, 24 startup companies were launched using
16 technology developed by UCLA, and 70 UCLA inventions were
17 licensed to companies for commercial use; and

18 WHEREAS, A total of 92 UCLA graduates have served in the
19 California Legislature, with 66 serving in the Assembly only, 6
20 serving in the Senate only, and 20 serving in both the Assembly
21 and Senate; now, therefore, be it

22 *Resolved by the Assembly of the State of California*, That the
23 Assembly recognizes May 23, 2019, as the 100th anniversary of
24 UCLA's founding and gratefully acknowledges its many
25 achievements and 100 years of service to the State of California;
26 and be it further

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

O

Date of Hearing: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 37 (Kamlager-Dove) – As Introduced May 8, 2019

SUBJECT: The University of California, Los Angeles.

SUMMARY: Recognizes May 23, 2019, as the 100th anniversary of UCLA's founding and gratefully acknowledges its many achievements and 100 years of service to the State of California. Specifically, **this resolution** makes the following legislative findings:

- 1) The University of California, Los Angeles, (UCLA) was founded on May 23, 1919; and classes began in 1929 at its current campus in the Westwood neighborhood of Los Angeles.
- 2) UCLA consistently receives more applications for undergraduate admission than any other university in the country, with over 113,000 applications received for the 2018-19 academic year.
- 3) UCLA is the number one public university in the country in 2019 according to rankings by U.S. News and World Report and the Wall Street Journal/Times Higher Education. In 2018, Times Higher Education ranked UCLA ninth in the world in its world reputation rankings.
- 4) UCLA faculty and alumni have excelled in many different fields: UCLA had produced 14 Nobel Prize winners, 13 MacArthur Fellows, 9 National Medal of Science winners, 3 Pulitzer Prize winners, one Fields Medalist, 2 Turing Award winners, and 38 Academy Award winners.
- 5) UCLA also boasts exceptional athletic programs, as it was the first in the nation to reach 100 National Collegiate Athletic Association team championship victories, and UCLA athletes and coaches have won a total of 261 Olympic medals, more than half of them gold.
- 6) According to UCLA's economic impact report, during the 2016-17 fiscal year, the university had a total impact of over \$11 billion on the California economy, with more than \$4 billion coming in the City of Los Angeles alone, and UCLA helped generate more than \$706 million in tax revenue throughout the state.
- 7) During the 2016-17 fiscal year, 251 patents were issued to UCLA, 24 startup companies were launched using technology developed by UCLA, and 70 UCLA inventions were licensed to companies for commercial use.
- 8) A total of 92 UCLA graduates have served in the California Legislature, with 66 serving in the Assembly only, 6 serving in the Senate only, and 20 serving in both the Assembly and Senate.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

UCLA Government & Community Relations

Opposition

None on file

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



May 13, 2019

The Honorable Ken Cooley
Assembly Rules Committee Chair
State Capitol, Room 3013
Sacramento, CA 94249

Dear Chair Cooley,

As we approach the date of UCLA's centennial anniversary, we are pleased to support HR 37.

Beginning with the original legislation that established UCLA in the 43rd Session of the California Assembly (AB 626, signed into law on May 23, 1919), the State of California and its governing bodies have been a vital partner with the university. The legislature has helped ensure the success of California's higher education system, including UCLA, and has played a key role in the campus' world-class reputation as a research juggernaut and highly regarded place of learning for students from across California. As a result, UCLA contributes more than \$11 billion annually in economic impact to the state, as well as numerous patents and spin-off companies, and graduates students well prepared to enter the workforce.

UCLA's achievements are the State's achievements, and we are proud and grateful for the Assembly to recognize the university for this important milestone. We look forward to collaborating and achieving even more together over the next 100 years.

Sincerely,

Jennifer Poulakidas
Associate Vice Chancellor

AMENDED IN SENATE APRIL 2, 2019

Senate Concurrent Resolution

No. 25

Introduced by Senator Galgiani

(Coauthors: Senators Bates, Beall, Caballero, Chang, Dodd, Glazer, Grove, Hertzberg, Jackson, Leyva, McGuire, Monning, Nielsen, Pan, Portantino, Roth, Stern, Stone, Wieckowski, Wiener, and Wilk)

(Coauthors: Assembly Members Aguiar-Curry, Boerner Horvath, Cervantes, Choi, Cooper, Dahle, Flora, Frazier, Cristina Garcia, Gray, Lackey, Levine, Limón, Mathis, McCarty, Ramos, Robert Rivas, Rodriguez, and Blanca Rubio)

March 14, 2019

Senate Concurrent Resolution No. 25—Relative to California Peace Officers' Memorial Day.

LEGISLATIVE COUNSEL'S DIGEST

SCR 25, as amended, Galgiani. California Peace Officers' Memorial Day.

This measure would designate Monday, May 6, 2019, as California Peace Officers' Memorial Day, urge all Californians to use that day to honor California peace officers, and recognize specified California peace officers who were killed in defense of their communities.

Fiscal committee: no.

- 1 WHEREAS, Monday, May 6, 2019, is California Peace Officers'
- 2 Memorial Day, a day Californians observe in commemoration of
- 3 those noble officers who have tragically sacrificed their lives in
- 4 the line of duty; and

1 WHEREAS, Although California citizens are indebted to our
2 California peace officers each day of the week, we make particular
3 note of their bravery and dedication and we share in their losses
4 on California Peace Officers' Memorial Day; and

5 WHEREAS, California peace officers have a job second in
6 importance to none, and it is a job that is as difficult and dangerous
7 as it is important; and

8 WHEREAS, The peace officers of California have worked
9 dutifully and selflessly on behalf of the people of this great state,
10 regardless of the peril or hazard to themselves; and

11 WHEREAS, By the enforcement of our laws, these same officers
12 have safeguarded the lives and property of the citizens of California
13 and have given their full measure to ensure these citizens the right
14 to be free from crime and violence; and

15 WHEREAS, Special ceremonies and observations on behalf of
16 California peace officers provide all Californians with the
17 opportunity to appreciate the heroic individuals who have dedicated
18 their lives to preserving public safety; now, therefore, be it

19 *Resolved by the Senate of the State of California, the Assembly*
20 *thereof concurring*, That the Legislature recognizes California's
21 peace officers who were killed in defense of their communities in
22 2018:

23 Deputy Sheriff Steven E. Belanger, Los Angeles County Sheriff's
24 Department, End of Watch: February 6, 2018.

25 Officer Gregory Casillas, Pomona Police Department, End of
26 Watch: March 9, 2018.

27 Deputy Sheriff Ryan D. Zirkle, Marin County Sheriff's Office,
28 End of Watch: March 15, 2018.

29 Officer Kirk A. Griess, California Highway Patrol, Solano Area
30 Office, End of Watch: August 10, 2018.

31 Deputy Sheriff Mark V. Stasyuk, Sacramento County Sheriff's
32 Department, End of Watch: September 17, 2018.

33 Sergeant Ronald L. Helus, Ventura County Sheriff's Office, End
34 of Watch: November 8, 2018.

35 Deputy Sheriff Tony Hinostroza, III, Stanislaus County Sheriff's
36 Department, End of Watch: November 25, 2018.

37 Corporal Ronil Singh, Newman Police Department, End of
38 Watch: December 26, 2018; and be it further

1 *Resolved*, That the Legislature also recognizes California's peace
2 officers who were killed in defense of their communities in prior
3 years, but *who are* not yet enrolled:

4 Deputy Sheriff Henry V. Snowbelt, Lake County Sheriff's
5 Department, End of Watch: October 2, 1937.

6 Deputy City Marshal Maurice W. Halloran, Vernon Police
7 Department, End of Watch: November 15, 1913; and be it further

8 *Resolved*, That the Legislature designates Monday, May 6, 2019,
9 as California Peace Officers' Memorial Day, and urges all
10 Californians to remember those individuals who have given their
11 lives for our safety and express appreciation to those who continue
12 to dedicate themselves to making California a safer place in which
13 to live and raise our families; and be it further

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

O

Date of Hearing: May 16, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 25 (Galgiani) – As Amended April 2, 2019

SENATE VOTE: 38-0

SUBJECT: California Peace Officers' Memorial Day.

SUMMARY: Designates Monday, May 6, 2019, as California Peace Officers' Memorial Day, urges all Californians to use that day to honor California peace officers, and recognizes specified California peace officers who were killed in defense of their communities. **This resolution** makes the following legislative findings:

- 1) Monday, May 6, 2019, is California Peace Officers' Memorial Day, a day Californians observe in commemoration of those noble officers who have tragically sacrificed their lives in the line of duty.
- 2) Although California citizens are indebted to our California peace officers each day of the week, we make particular note of their bravery and dedication and we share in their losses on California Peace Officers' Memorial Day.
- 3) Special ceremonies and observations on behalf of California peace officers provide all Californians with the opportunity to appreciate the heroic individuals who have dedicated their lives to preserving public safety.

This resolution recognizes California's peace officers who were killed in defense of their communities in 2018:

- Deputy Sheriff Steven E. Belanger, Los Angeles County Sheriff's Department
End of Watch: February 6, 2018.
- Officer Gregory Casillas, Pomona Police Department
End of Watch: March 9, 2018.
- Deputy Sheriff Ryan D. Zirkle, Marin County Sheriff's Office
End of Watch: March 15, 2018.
- Officer Kirk A. Griess, California Highway Patrol, Solano Area Office
End of Watch: August 10, 2018.
- Deputy Sheriff Mark V. Stasyuk, Sacramento County Sheriff's Department
End of Watch: September 17, 2018.
- Sergeant Ronald L. Helus, Ventura County Sheriff's Office
End of Watch: November 8, 2018.
- Deputy Sheriff Tony Hinostroza, III, Stanislaus County Sheriff's Department
End of Watch: November 25, 2018

- Corporal Ronil Singh, Newman Police Department
End of Watch: December 26, 2018

This resolution also recognizes California's peace officers who were killed in defense of their communities in prior years, but who are not yet enrolled:

- Deputy Sheriff Henry V. Snowbelt, Lake County Sheriff's Department
End of Watch: October 2, 1937.
- Deputy City Marshal Maurice W. Halloran, Vernon Police Department
End of Watch: November 15, 1913.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

Peace Officers Research Association of California (PORAC)

Opposition

None on file

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



May 6, 2019

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

RE: SCR 25 (Galgiani) – Support

Dear Chairman Cooley,

On behalf of our client, the Peace Officers Research Association of California (PORAC), representing 70,000 public safety members and 920 public safety associations, we are pleased to inform you of our support of SCR 25 relating to California Peace Officers' Memorial Day.

This measure would designate Monday, May 6, 2019, as California Peace Officers' Memorial Day, urge all Californians to use that day to honor California peace officers, and recognize specified California peace officers who were killed in defense of their communities.

Again, PORAC supports SCR 25. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocates, Aaron Ready or Randy Perry, at Aaron Read & Associates (916) 448-3444.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

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Secretary

AMENDED IN ASSEMBLY MAY 1, 2019
AMENDED IN ASSEMBLY MARCH 28, 2019
AMENDED IN ASSEMBLY MARCH 19, 2019
CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 217

Introduced by Assembly Member Eduardo Garcia
(Principal coauthor: Assembly Member Blanca Rubio)
(Coauthors: Assembly Members ~~Bonta~~, Bloom, *Bonta*, Carrillo,
Chau, Chiu, Gipson, Holden, Quirk, Robert Rivas, Mark Stone,
and Wicks)
(Coauthor: Senator Monning)

January 16, 2019

An act to add Article 10.5 (commencing with Section 595) to Chapter 3 of Part 1 of Division 1 of, to add Article 6.5 (commencing with Section 14615) to Chapter 5 of Division 7 of, ~~and to add Article 14.5 (commencing with Section 62215) to Chapter 2 of Part 3 of Division 21 of, and to repeal Section 14616 of,~~ the Food and Agricultural Code, ~~and to add Chapter 4.6 (commencing with Section 116765) to Part 12 of Division 104 of, to add Chapter 4.7 (commencing with Section 116774) to Part 12 of Division 104 of, and to repeal Article 5 (commencing with Section 116771) of Chapter 4.6 of Part 12 of Division 104 of, the Health and Safety Code, and to add Section 79724.5 to the~~ *Water Code*, relating to water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 217, as amended, Eduardo Garcia. Safe Drinking Water for All Act.

(1) Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

This bill would enact the Safe Drinking Water for All Act and would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the board to provide a source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, ~~and bequests~~ *bequests, and settlements from parties responsible for contamination of drinking water supplies, and to contribute funding available from other sources related to water quality*. The bill would require the board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible applicants with certain projects. The bill would require the board, working with a multistakeholder advisory group, to adopt a fund implementation plan and policy handbook with priorities and guidelines for expenditures of the fund. The bill would require the board annually to prepare and make available a report of expenditures from the fund. The bill would require the board to adopt annually, after a public hearing, an assessment of funding need that estimates the anticipated funding needed for the next fiscal year to achieve the purposes of the fund. ~~The bill would authorize the board to distribute the funds through its drinking water regional offices in an unspecified manner and would prohibit the board from distributing more than 20% of the annual expenditures from the fund in this manner.~~ By creating a new continuously appropriated fund, this bill would make an appropriation.

This bill would establish a *statewide* safe and affordable drinking water ~~fee system charge~~ in the amount of \$0.50 per service connection *per month* on all public water systems. The bill would require each public water system to remit to the board the amount of the ~~fee system charge~~ for their public water system on July 1, 2020, and by July 1 annually thereafter. The bill would require these ~~fees system charges~~ to be deposited into the fund. *The bill would authorize the board to allocate to each drinking water regional office sufficient funds to pay*

for the development and implementation of sustainable plans for restoring safe drinking water and would require the board to annually allocate 20% of the annual revenues originating in each of the Division of Drinking Water regions from the system charge to the region from which the revenues originate. The bill would require the Legislative Analyst to report to the Legislature and the board if the Legislative Analyst determines, on or before January 1, 2023, that at least \$3,000,000,000 has been made available in an interest bearing account in the State Treasury with a goal of at least \$100,000,000 in interest revenues per year available for the purposes of the Safe and Affordable Drinking Water Fund. The bill would make this reporting requirement and the requirement for the board to adopt fees imposition of the system charges inoperative upon the Legislative Analyst submitting the report, and would repeal them as of January 1, 1 of the year following that determination.

The bill would establish the Safe and Affordable Drinking Water Trust Fund and would require moneys held in the trust fund to be invested by the Treasurer, in consultation with the Director of Finance and the controller, as specified. The bill would transfer the investment income derived from the trust fund on January 1 of each year to the Safe and Affordable Drinking Water Fund. The bill would state that a transfer of \$200,000,000 is to be made by the Legislature each year for 5 years for the purpose of establishing a \$1,000,000,000 trust account to derive interest revenues to fund the Safe and Affordable Drinking Water Fund.

~~The bill would require, by January 1, 2021, the board, in consultation with local health officers and other relevant stakeholders, to make available a map of aquifers that are used or likely to be used as a source of drinking water that are at high risk of containing contaminants. For purposes of the map, the bill would require local health officers and other relevant local agencies to provide all results of, and data associated with, water quality testing performed by certified laboratories to the board, as specified. By imposing additional duties on local health officers and local agencies, the bill would impose a state-mandated local program.~~

(2) Existing law requires every person who manufactures or distributes fertilizing materials to be licensed by the Secretary of Food and Agriculture and to pay a license fee that does not exceed \$300. Existing law requires every lot, parcel, or package of fertilizing material to have a label attached to it, as required by the secretary. Existing law

requires a licensee who sells or distributes bulk fertilizing materials to pay to the secretary an assessment not to exceed \$0.002 per dollar of sales for all sales of fertilizing materials, as prescribed, for the purposes of the administration and enforcement of provisions relating to fertilizing materials. In addition to that assessment, existing law authorizes the secretary to impose an assessment in an amount not to exceed \$0.001 per dollar of sales for all sales of fertilizing materials for the purpose of providing funding for research and education regarding the use of fertilizing materials. Existing law specifies that a violation of the fertilizing material laws or the regulations adopted pursuant to those laws is a misdemeanor.

~~This bill would require a licensee whose name appears on the label of bulk or packaged fertilizing materials, excluding compost, to pay to the secretary a fertilizer safe drinking water fee of \$0.006 per \$1.00 of sales for all sales of fertilizing materials. The bill would require these moneys to be deposited into the Safe and Affordable Drinking Water Fund. The bill would authorize the secretary to adopt regulations relating to the administration and enforcement of these provisions. Because a violation of these provisions or regulations adopted pursuant to these provisions would be a crime, the bill would impose a state-mandated local program.~~

This bill, during the 2020–34 calendar years, would require a licensee to pay to the secretary a fertilizer safe drinking water fee of \$0.008 per dollar of sale for all sales of fertilizing materials intended for noncommercial use and \$0.004 per dollar of sale for all sales of packaged fertilizing materials intended for noncommercial use. The bill, beginning in the 2035 calendar year, would reduce the fee to \$0.004 per dollar of sale intended for noncommercial use and \$0.002 per dollar of sale of packaged materials intended for noncommercial use. The bill, on and after January 1, 2035, would authorize the secretary to adjust the fee as necessary to meet but not exceed 70% of the anticipated funding need for nitrate in the most recent assessment of funding need adopted by the board or the sum of \$7,000,000, whichever is less, and would authorize the secretary to adopt regulations relating to the administration and enforcement of these provisions. Because a violation of these provisions or regulations adopted pursuant to these provisions would be a crime, the bill would impose a state-mandated local program.

(3) Existing law regulates the production, handling, and marketing of milk and dairy products and requires every milk handler subject to

that regulatory scheme to pay specified assessments and fees to the Secretary of Food and Agriculture to cover the costs of regulating milk. Existing law governing milk defines “handler” as any person who, either directly or indirectly, receives, purchases, or otherwise acquires ownership, possession, or control of market milk from a producer, a producer-handler, or another handler for the purpose of manufacture, processing, sale, or other handling. Existing law defines “market milk” as milk conforming to specified standards and “manufacturing milk” as milk that does not conform to the requirements of market milk. Existing law provides that a violation of that regulatory scheme or a regulation adopted pursuant to that regulatory scheme is a misdemeanor.

This bill would require, beginning January 1, 2022, each handler to deduct from payments made to producers for market and manufacturing milk the sum of \$0.01355 per hundredweight of milk as a dairy safe drinking water fee. The bill would require the secretary to deposit these moneys into the Safe and Affordable Drinking Water Fund. The bill would authorize the secretary to take specified enforcement actions and would require the secretary to adopt regulations for the administration and enforcement of these provisions. Because a violation of these provisions or regulations adopted pursuant to these provisions would be a crime, the bill would impose a state-mandated local program.

(4) Existing law requires the Secretary of Food and Agriculture to enforce provisions governing livestock operations. Existing law generally provides that a violation of a provision of the Food and Agricultural Code is a misdemeanor.

This bill would require each producer owning a nondairy confined animal facility, as defined, beginning the 2021 calendar year to pay annually to the secretary a safe drinking water fee of \$1,000 for the first facility and \$750 per each facility thereafter owned by the same producer, not to exceed \$12,000. The bill would require these moneys to be deposited into the Safe and Affordable Drinking Water Fund. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.

~~(5) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.~~

~~With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs~~

~~so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

(5) Existing law, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, a bond act approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds to finance a water quality, supply, and infrastructure improvement program, as specified. Under the bond act, \$520,000,000 is available, upon appropriation by the Legislature, for expenditures, grants, and loans for projects that improve water quality or help provide clean, safe, and reliable drinking water to all Californians. Of these funds, the bond act makes \$260,000,000 available for grants and loans for public water system infrastructure improvements and related actions to meet safe drinking water standards, ensure affordable drinking water, or both, and requires that priority be given to projects that provide treatment for contamination or access to an alternate drinking water source or sources for small community water systems or state small water systems in disadvantaged communities whose drinking water source is impaired, as specified.

This bill, for purposes of an award of the \$260,000,000 available from the bond act, would provide that priority is a preference and not a necessary element of funding.

(6) 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 no reimbursement is required by this act for a specified reason.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

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

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 Safe Drinking Water for All Act.
- 3 SEC. 2. Article 10.5 (commencing with Section 595) is added
- 4 to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural
- 5 Code, to read:

Article 10.5. Safe Drinking Water Fee for Nondairy Confined
Animal Facilities

595. For purposes of this article, the following definitions
apply:

(a) “Fee” means the safe drinking water fee for nondairy
confined animal facilities.

(b) “Fund” means the Safe and Affordable Drinking Water Fund
established by Section 116767 of the Health and Safety Code.

(c) (1) “Nondairy confined animal facilities” means bovine
operations, poultry operations, swine operations, and other
livestock operations, excluding dairies, where all of the following
apply:

(A) Operations are designed to corral, pen, or otherwise enclose
or hold domestic livestock.

(B) Feeding is exclusively by means other than grazing.

(C) Facilities are subject to annual fees for confined animal
facilities adopted in accordance with Section 13260 of the Water
Code.

(2) “Nondairy confined animal facilities” does not include
facilities subject to Article 14.5 (commencing with Section 62215)
of Chapter 2 of Part 3 of Division 21.

596. (a) Beginning in the 2021 calendar year, each producer
owning a nondairy confined animal facility shall pay annually to
the secretary a safe drinking water fee. The amount of the fee paid
annually to the secretary shall equal one thousand dollars (\$1,000)
for a producer that owns a single nondairy confined animal facility.
For a producer that owns more than one nondairy confined animal
facility, the amount of the fee paid annually to the secretary shall
equal one thousand dollars (\$1,000) for the first facility and seven
hundred fifty dollars (\$750) per each facility thereafter owned by
the same producer.

(b) Notwithstanding subdivision (a), the amount of the fee paid
annually to the secretary by a producer that owns more than one
nondairy confined animal facility shall not exceed twelve thousand
dollars (\$12,000) per year.

(c) The secretary may prescribe, adopt, and enforce regulations
relating to the administration and enforcement of this article.

597. The secretary shall deposit all moneys received under this
article into the fund.

SEC. 3. Article 6.5 (commencing with Section 14615) is added to Chapter 5 of Division 7 of the Food and Agricultural Code, to read:

Article 6.5. Fertilizer Safe Drinking Water Fee

14615. (a) It is the intent of the Legislature to require licensees of bulk fertilizing materials, and to authorize licensees of packaged fertilizing materials, to pass the fertilizer safe drinking water fee described in Section 14616 on to the end user of the fertilizer.

(b) For purposes of this article, the following definitions apply:

(1) "Bulk fertilizing material" has the same meaning as applies to "bulk material" in Section 14517.

~~(2) "Compost" has the same meaning as defined in Section 14525.~~

~~(3)~~

(2) "Fertilizing material" has the same meaning as defined in Section 14533.

~~(4)~~

(3) "Fund" means the Safe and Affordable Drinking Water Fund established by Section 116767 of the Health and Safety Code.

~~(4) "Noncommercial use" has the same meaning as defined in Section 14549.~~

(5) "Packaged" has the same meaning as defined in Section 14551.

14616. (a) In addition to the assessments provided in Section 14611, *during calendar years 2020 to 2034, inclusive*, a licensee whose name appears on the label of ~~bulk or packaged fertilizing materials, not including compost, materials labeled for noncommercial use~~ shall pay to the secretary a fertilizer safe drinking water fee of ~~six four mills (\$0.006)~~ *(\$0.004)* per dollar of sales for all sales of fertilizing ~~materials. materials to be deposited into the fund.~~

(b) *In addition to the assessments provided in Section 14611, during calendar years 2020 to 2034, inclusive, a licensee whose name appears on the label of fertilizing materials, excluding packaged fertilizing materials labeled for noncommercial use, shall pay to the secretary a fertilizer safe drinking water fee of eight mills (\$0.008) per dollar of sales for all sales of fertilizing materials to be deposited into the fund.*

1 (c) *This section shall remain in effect only until January 1, 2035,*
2 *and as of that date is repealed, unless a later enacted statute that*
3 *is enacted before January 1, 2035, deletes or extends that date.*

4 14617. (a) *In addition to the assessments provided in Section*
5 *14611, beginning with calendar year 2035, a licensee whose name*
6 *appears on the label of packaged fertilizing materials labeled for*
7 *noncommercial use shall pay to the secretary a fertilizer safe*
8 *drinking water fee of two mills (\$0.002) per dollar of sales for all*
9 *sales of fertilizing materials to be deposited into the fund.*

10 (b) *In addition to the assessments provided in Section 14611,*
11 *beginning with calendar year 2035, a licensee whose name appears*
12 *on the label of a fertilizing material, excluding packaged fertilizing*
13 *materials labeled for noncommercial use, shall pay to the secretary*
14 *a fertilizer safe drinking water fee of four mills (\$0.004) per dollar*
15 *of sales for all sales of fertilizing materials to be deposited into*
16 *the fund.*

17 (c) (1) *The secretary may adjust the fertilizer safe drinking*
18 *water fee through regular or emergency regulation as necessary*
19 *to meet but not exceed 70 percent of the anticipated funding need*
20 *for nitrate in the most recent assessment of funding need adopted*
21 *by the State Water Resources Control Board pursuant to*
22 *subdivision (b) of Section 116769 of the Health and Safety Code,*
23 *or the sum of seven million dollars (\$7,000,000), whichever is less.*
24 *By October 1 of each year, the secretary shall notify all licensees*
25 *of the amount of the fertilizer safe drinking water fee to be assessed*
26 *in the following calendar year.*

27 (2) *An emergency regulation adopted pursuant to this*
28 *subdivision shall be adopted by the secretary in accordance with*
29 *Chapter 3.5 (commencing with Section 11340) of Part 1 of Division*
30 *3 of Title 2 of the Government Code. The adoption of these*
31 *regulations is an emergency and shall be considered by the Office*
32 *of Administrative Law as necessary for the immediate preservation*
33 *of the public peace, health, safety, and general welfare. Any*
34 *emergency regulations adopted by the secretary pursuant to this*
35 *subdivision shall remain in effect until revised by the secretary.*

36 (d) *This section shall become operative on January 1, 2035.*

37 ~~14617.~~

38 14618. (a) (1) *A licensee whose name appears on the label*
39 *who sells or distributes bulk fertilizing materials shall charge an*
40 *unlicensed purchaser the fertilizer safe drinking water fee as a*

1 charge that is separate from, and not included in, any other fee,
2 charge, or other amount paid by the purchaser. This fee shall be
3 included on the bill of sale as a separate line item.

4 (2) (A) A licensee whose name appears on the label of packaged
5 fertilizing materials may include the fertilizer safe drinking water
6 fee as a charge that is separate from, and not included in, any other
7 fee, charge, or other amount paid by the purchaser or may include
8 the charge with the assessment collected pursuant to Section 14611
9 as a separate line item on the bill of sale and identified as the
10 California Regulatory and Safe Drinking Water Assessment.

11 (B) Notwithstanding paragraph (1), a licensee whose name
12 appears on the label who sells or distributes bulk fertilizing material
13 may include the fertilizer safe drinking water fee with the
14 assessment collected pursuant to Section 14611 as a separate line
15 item on the bill of sale and identified as the California Regulatory
16 and Safe Drinking Water Assessment.

17 (b) The secretary may prescribe, adopt, and enforce regulations
18 relating to the administration and enforcement of this article.

19 ~~(c) (1) Except as provided in paragraph (2), the secretary may~~
20 ~~retain up to 4 percent of the moneys collected pursuant to this~~
21 ~~article for reasonable costs associated with the implementation~~
22 ~~and enforcement of this article.~~

23 ~~(2)~~

24 (c) Beginning July 1, 2022, the secretary may retain up to 2 5
25 percent of the moneys collected pursuant to this article for
26 reasonable costs associated with the implementation and
27 enforcement of this article.

28 14618. The secretary shall deposit all moneys received under
29 this article into the fund.

30 SEC. 4. Article 14.5 (commencing with Section 62215) is
31 added to Chapter 2 of Part 3 of Division 21 of the Food and
32 Agricultural Code, to read:

33
34 Article 14.5. Dairy Safe Drinking Water Fee
35

36 62215. (a) It is the intent of the Legislature that the dairy safe
37 drinking water fee described in Section 62216 be paid for all milk
38 produced in the state, regardless of grade.

39 (b) For purposes of this article, the following definitions apply:

40 (1) "Fee" means the dairy safe drinking water fee.

1 (2) “Fund” means the Safe and Affordable Drinking Water Fund
2 established by Section 116767 of the Health and Safety Code.

3 (3) “Manufacturing milk” has the same meaning as defined in
4 Section 32509.

5 (4) “Market milk” has the same meaning as defined in Section
6 32510.

7 (5) “Milk” includes market milk and manufacturing milk.

8 62216. (a) Beginning January 1, 2022, each handler, including
9 a producer-handler, shall deduct the sum of one cent and three
10 hundred fifty-five mills (\$0.01355) per hundredweight of milk
11 from payments made to producers for milk, including the handler’s
12 own production, as a dairy safe drinking water fee.

13 (b) The secretary shall adopt regulations necessary for the proper
14 administration and enforcement of this section by January 1, 2022.

15 62217. (a) A handler shall pay the dairy safe drinking water
16 fee to the secretary on or before the 45th day following the last
17 day of the month in which the milk was received.

18 (b) The secretary shall deposit all moneys received under this
19 article into the fund.

20 (c) (1) Except as provided in paragraph (2), the secretary may
21 retain up to 4 percent of the total amount that is paid to the
22 secretary pursuant to this article for reasonable costs of the
23 secretary associated with the implementation and enforcement of
24 this article.

25 (2) Beginning July 1, 2022, the secretary may retain up to 2
26 percent of the moneys collected pursuant to this article for
27 reasonable costs of the secretary associated with the
28 implementation and enforcement of this article.

29 (d) The secretary may require handlers, including cooperative
30 associations acting as handlers, to make reports at any intervals
31 and in any detail that the secretary finds necessary for the accurate
32 collection of the fee.

33 (e) For the purposes of enforcing this article, the secretary,
34 through the secretary’s duly authorized representatives and agents,
35 shall have access to the records of every producer and handler.
36 The secretary shall have at all times free and unimpeded access to
37 any building, yard, warehouse, store, manufacturing facility, or
38 transportation facility in which any milk or milk product is
39 produced, bought, sold, stored, bottled, handled, or manufactured.

(f) Any books, papers, records, documents, or reports made to, acquired by, prepared by, or maintained by the secretary pursuant to this article that would disclose any information about finances, financial status, financial worth, composition, market share, or business operations of any producer or handler, excluding information that solely reflects transfers of production base and pool quota among producers, is confidential and shall not be disclosed to any person other than the person from whom the information was received, except pursuant to the final order of a court with jurisdiction, or as necessary for the proper determination of any proceeding before the secretary.

SEC. 5. Chapter 4.6 (commencing with Section 116765) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 4.6. SAFE AND AFFORDABLE DRINKING WATER

Article 1. Legislative Findings and Declarations

~~116765. The Legislature finds and declares all of the following:~~

~~(a) Section 106.3 of the Water Code declares that it is the policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.~~

~~(b) For all public water systems, the operation and maintenance costs to supply, treat, and distribute potable water that complies with federal and state drinking water standards on a routine and consistent basis may be significant.~~

~~(c) All community water systems are currently required to set, establish, and charge a schedule of rates and fees that are sufficient to recover the operation and maintenance costs required to supply, treat, and distribute potable water that complies with federal and state drinking water standards on a routine and consistent basis.~~

~~(d) Hundreds of community water systems in the state cannot charge rates and fees that are affordable and sufficient to recover the full operation and maintenance costs required to supply, treat, and distribute potable water that complies with federal and state drinking water standards on a routine and consistent basis due to a combination of low income levels of customers, high treatment costs for contaminated water sources, and a lack of economies of~~

1 scale that result in high unit costs for water service. Many schools
2 that serve as their own regulated public water systems and have
3 contaminated water sources cannot afford the full operation and
4 maintenance costs required to provide water that meets federal
5 and state drinking water standards.

6 (e) Nearly all state or federal drinking water project funding
7 sources prohibit the use of that funding for operation and
8 maintenance costs, and as a result, those systems that cannot afford
9 required operation and maintenance costs are unable to access
10 funding for capital projects to meet federal and state drinking water
11 standards.

12 (f) As a result, hundreds of thousands of Californians,
13 particularly those living in small disadvantaged communities, may
14 be exposed to unsafe drinking water in their homes and schools,
15 which impacts human health, household costs, and community
16 economic development.

17 (g) A significant number of California residents rely on state
18 small water systems and domestic wells to provide their drinking
19 water.

20 (h) The state small water systems and individual domestic wells
21 face a serious threat of contamination because they often draw
22 their water from shallow groundwater sources and have fewer or
23 no chemical monitoring requirements.

24 (i) To ensure that the right of every Californian to safe, clean,
25 affordable, and accessible water adequate for human consumption,
26 cooking, and sanitary purposes is protected, it is in the interest of
27 the State of California to identify where Californians are at high
28 risk of lacking reliable access to safe drinking water or are known
29 to lack reliable access to safe drinking water, whether they rely on
30 a public water system, state small water system, or domestic well
31 for their potable water supply.

32 (j) Long-term sustainability of drinking water infrastructure and
33 service provision is necessary to secure safe drinking water for all
34 Californians and therefore it is in the interest of the state to
35 discourage the proliferation of new, unsustainable public water
36 systems and state small water systems, to prevent waste, and to
37 encourage consolidation and service extension when feasible.

38 (k) It is in the interest of all Californians to establish a fund with
39 a stable source of revenue to provide financial support, particularly
40 for operation and maintenance, necessary to secure access to safe

1 ~~drinking water for all Californians, while also ensuring the~~
2 ~~long-term sustainability of drinking water service and~~
3 ~~infrastructure.~~

4 ~~(f) It is in the interest of all Californians that when funding is~~
5 ~~available from other sources, including the General Fund, the fees~~
6 ~~necessary to enact this statute be reduced.~~

7 ~~116765.5.~~

8 116765. It is the intent of the Legislature that any interest
9 revenues from the Safe and Affordable Drinking Water Trust Fund
10 as well as revenue from fees deposited in the Safe and Affordable
11 Drinking Water Fund be available annually for the purposes of
12 this chapter.

13
14 Article 2. Definitions
15

16 116766. For the purposes of this chapter:

17 (a) "Administrator" has the same meaning as defined in Section
18 116686.

19 (b) "Board" means the State Water Resources Control Board.

20 (c) "Community water system" has the same meaning as defined
21 in Section 116275.

22 (d) "Disadvantaged community" has the same meaning as
23 defined in Section 116275.

24 (e) "Domestic well" means a groundwater well used to supply
25 water for the domestic needs of an individual residence or water
26 systems that are not public water systems and that have no more
27 than four service connections.

28 (f) "Eligible applicant" means a public water system, including,
29 but not limited to, a mutual water company; a public utility; a
30 public agency, including, but not limited to, a local educational
31 agency that owns or operates a public water system; a nonprofit
32 organization; a federally recognized Indian tribe; a state Indian
33 tribe listed on the Native American Heritage Commission's
34 California Tribal Consultation List; an administrator; or a
35 groundwater sustainability agency.

36 (g) "Fund" means the Safe and Affordable Drinking Water Fund
37 established pursuant to Section 116767.

38 (h) "Fund implementation plan" means the fund implementation
39 plan adopted pursuant to Section 116769.

1 (i) “Groundwater sustainability agency” has the same meaning
2 as defined in Section 10721 of the Water Code.

3 (j) “Low-income household” means a household with an income
4 that is less than 80 percent of the statewide median household
5 income.

6 (k) “Public water system” has the same meaning as defined in
7 Section 116275.

8 (l) “Replacement water” includes, but is not limited to, bottled
9 water, vended water, point-of-use, or point-of-entry treatment
10 units.

11 (m) “Safe drinking water” has the same meaning as defined in
12 Section 116681.

13 (n) “Service connection” has the same meaning as defined in
14 Section 116275.

15 (o) “State small water system” has the same meaning as defined
16 in Section 116275.

17 (p) “Vended water” has the same meaning as defined in Section
18 111070.

19
20 Article 3. Safe and Affordable Drinking Water Fund
21

22 116767. (a) The Safe and Affordable Drinking Water Fund is
23 hereby established in the State Treasury. Notwithstanding Section
24 13340 of the Government Code, all moneys in the fund are
25 continuously appropriated to the board without regard to fiscal
26 years, in accordance with this chapter. Moneys in the fund at the
27 close of the fiscal year shall remain in the fund and shall not revert
28 to the General Fund. Moneys in the fund shall not be available for
29 appropriation or borrowed for use for any purpose not established
30 in this chapter unless that use of the moneys receives an affirmative
31 vote of two-thirds of the membership in each house of the
32 Legislature.

33 (b) The board shall report annually in the Governor’s budget
34 fund revenues, including interest revenues, expenditures, and fund
35 balances.

36 116768. (a) The board shall administer the fund for the
37 purposes of this chapter to provide a source of funding to secure
38 access to safe drinking water for all Californians, while also
39 ensuring the long-term sustainability of drinking water service and
40 infrastructure. The board shall prioritize the use of this funding to

1 assist disadvantaged communities and low-income ~~households~~
2 ~~served by a state small water system or a domestic well.~~
3 ~~households~~. In order to maximize the use of other funding sources
4 for capital construction projects when available, the board shall
5 prioritize use of this funding for costs other than those related to
6 capital construction costs, except for capital construction costs
7 associated with consolidation and service extension to reduce the
8 ongoing unit cost of service and to increase sustainability of
9 drinking water infrastructure and service delivery. Beginning
10 January 1, 2020, an expenditure from the fund shall be consistent
11 with the annual fund implementation plan.

12 (b) In accordance with subdivision (a), the board shall expend
13 moneys in the fund for grants, loans, contracts, or services to assist
14 eligible applicants with any of the following:

15 (1) The provision of replacement water, as needed, to ensure
16 immediate protection of health and safety as a short-term solution.

17 (2) The development, implementation, and sustainability of
18 long-term drinking water solutions that include, but are not limited
19 to, the following:

20 (A) Technical assistance, planning, construction, repair, and
21 operation and maintenance costs associated with replacing,
22 blending, or treating contaminated drinking water or with fixing
23 failing water systems, pipes, or fixtures. Technical assistance and
24 planning costs may include, but are not limited to, analyses to
25 identify, and efforts to further, opportunities to reduce the unit cost
26 of providing drinking water through organizational and operational
27 efficiency improvements, system consolidation and service
28 extension, implementation of new technology, and other options
29 and approaches to reduce costs.

30 (B) Operations and maintenance costs associated with
31 consolidated water systems, extended drinking water services, or
32 reliance on a substituted drinking water source.

33 (C) Creating and maintaining natural means and green
34 infrastructure solutions that contribute to sustainable drinking
35 water.

36 (D) Consolidating water systems.

37 (E) Extending drinking water services to other public water
38 systems, domestic wells, or state small water systems.

39 (F) The satisfaction of outstanding long-term debt obligations
40 of public water systems where the board determines that a system's

1 lack of access to capital markets renders this solution the most cost
2 effective for removing a financial barrier to the system's
3 sustainable, long-term provision of drinking water.

4 (3) Identifying and providing outreach to Californians who are
5 eligible to receive assistance from the fund.

6 (4) Testing the drinking water quality of domestic wells serving
7 low-income households in high-risk areas identified pursuant to
8 ~~Article 4 (commencing with Section 116770).~~ *Section 117211.*

9 (5) The provision of administrative and managerial services
10 under Section 116686.

11 (6) Provision of wastewater treatment plant operations and
12 maintenance for areas in which polluted water originates from
13 outside the state.

14 (c) The board may expend moneys from the fund for reasonable
15 costs associated with administration of the fund. Beginning July
16 1, 2022, the board may expend no more than 5 percent of the
17 annual revenues from the fund for reasonable costs associated with
18 administration of the fund.

19 (d) The board may undertake any of the following actions to
20 implement the fund:

21 (1) Provide for the deposit of any of the following moneys into
22 the fund:

23 (A) Federal contributions.

24 (B) Voluntary contributions, gifts, grants, or bequests.

25 (C) *Settlements from parties responsible for contamination of*
26 *drinking water supplies.*

27 (2) Enter into agreements for contributions to the fund from the
28 federal government, local or state agencies, and private
29 corporations or nonprofit organizations.

30 (3) Provide for appropriate audit, accounting, and fiscal
31 management services, plans, and reports relative to the fund.

32 (4) Direct portions of the fund to a subset of eligible applicants
33 as required or appropriate based on funding source and consistent
34 with the annual fund implementation plan.

35 (5) Direct moneys deposited into the fund described in
36 subparagraph (B) of paragraph (1) towards a specific project,
37 program, or study.

38 (6) *Contribute funding available from other sources related to*
39 *water quality to the fund or combine funding from the other sources*

1 *with money from the fund to support activities otherwise authorized*
2 *by this article.*

3 ~~(6)~~

4 (7) Take additional action as may be appropriate for adequate
5 administration and operation of the fund.

6 (e) In administering the fund, the board shall make reasonable
7 efforts to ensure ~~both~~ *all* of the following:

8 (1) That funds are used to secure the long-term sustainability
9 of drinking water service and infrastructure, including, but not
10 limited to, requiring adequate technical, managerial, and financial
11 capacity of eligible applicants as part of funding agreement
12 outcomes. Funding shall be prioritized to implement consolidations
13 and service extensions when feasible, and administrative and
14 managerial contracts or grants entered into pursuant to Section
15 116686 where applicable. Funds shall not be used to delay, prevent,
16 or avoid the consolidation or extension of service to public water
17 systems where it is feasible and the least-cost alternative. The
18 board may set appropriate requirements as a condition of funding,
19 including, but not limited to, a system technical, managerial, or
20 financial capacity audit, improvements to reduce costs and increase
21 efficiencies, an evaluation of alternative treatment technologies,
22 and a consolidation or service extension feasibility study. As a
23 condition of funding, the board may require a domestic well with
24 nitrate contamination where ongoing septic system failure may be
25 causing or contributing to contamination of a drinking water source
26 to conduct an investigation and project to address the septic system
27 failure if adequate funding sources are identified and accessible.

28 (2) That funds are not used to subsidize large-scale nonpotable
29 use.

30 (3) *That the total uncommitted amount in the fund does not*
31 *exceed two times the anticipated funding need in the most recent*
32 *assessment of funding need.*

33 (f) In administering the fund, the board shall ensure that all
34 moneys deposited into the fund from the safe drinking water fee
35 for nondairy confined animal facilities pursuant to Article 10.5
36 (commencing with Section 595) of Chapter 3 of Part 1 of Division
37 1 of the Food and Agricultural Code, the fertilizer safe drinking
38 water fee pursuant to Article 6.5 (commencing with Section 14615)
39 of Chapter 5 of Division 7 of the Food and Agricultural Code, and
40 the dairy safe drinking water fee pursuant to Article 14.5

1 (commencing with Section 62215) of Chapter 2 of Part 3 of
2 Division 21 of the Food and Agricultural Code shall be used to
3 address nitrate-related contamination issues.

4 (g) At least once every 10 years, the board shall conduct a public
5 review and assessment of the fund to determine all of the following:

6 (1) The effectiveness of the fund in securing access to safe
7 drinking water for all Californians, while also ensuring the
8 long-term sustainability of drinking water service and
9 infrastructure.

10 (2) If the fees deposited into the fund have been appropriately
11 expended.

12 (3) For community water systems that have received funding
13 for 10 years or more and for which self-sufficiency has not been
14 achieved, the actions that have been taken, the reasons why
15 self-sufficiency has not been achieved, and, if available, ways in
16 which the community water system may become self-sufficient.

17 (4) What other actions are necessary to carry out the purposes
18 of this chapter.

19 (h) Neither the board nor any employee of the board may be
20 held liable for any act that is necessary to carry out the purposes
21 of this chapter. The board or any authorized person shall not be
22 deemed to have incurred or to be required to incur any obligation
23 to provide additional funding or undertake additional action solely
24 as a result of having undertaken an action pursuant to this chapter.

25 (i) (1) The board shall convene an environmental justice
26 advisory committee, for the purposes of this section, consisting of
27 at least three members, to advise it in conducting the public review
28 and assessment pursuant to subdivision (g) and any other pertinent
29 matter in implementing this chapter. The advisory committee shall
30 be comprised of representatives from communities in the state
31 with the most significant exposure to water pollution, including,
32 but not limited to, communities with minority populations or
33 low-income populations, or both.

34 (2) The board shall appoint committee members to the
35 environmental justice advisory committee from nominations
36 received from environmental justice organizations and community
37 groups.

38 (3) The board shall provide reasonable per diem for attendance
39 at environmental justice advisory committee meetings by
40 committee members from nonprofit organizations.

1 116769. By July 1 of each year, the board shall do all of the
2 following:

3 (a) Prepare and make available a report of expenditures from
4 the fund.

5 (b) Adopt, after a public hearing, an assessment of funding need,
6 based on available data, that includes all of the following:

7 (1) Identification of systems and populations potentially in need
8 of assistance, including, but not limited to, all of the following:

9 (A) A list of systems that consistently fail to provide an adequate
10 supply of safe drinking water. The list shall include all of the
11 following:

12 (i) Any public water system that consistently fails to provide
13 an adequate supply of safe drinking water.

14 (ii) Any community water system that serves a disadvantaged
15 community that must charge fees that exceed the affordability
16 threshold established in the board's Safe Drinking Water State
17 Revolving Fund Intended Use Plan in order to supply, treat, and
18 distribute potable water that complies with federal and state
19 drinking water standards.

20 (iii) Any state small water system that consistently fails to
21 provide an adequate supply of safe drinking water.

22 (B) A list of programs that assist, or that will assist, households
23 supplied by a domestic well that consistently fails to provide an
24 adequate supply of safe drinking water. This list shall include the
25 number and approximate location of households served by each
26 program without identifying exact addresses or other personal
27 information.

28 (C) A list of public water systems and state small water systems
29 that may be at risk of failing to provide an adequate supply of safe
30 drinking water.

31 (D) An estimate of the number of households that are served
32 by domestic wells or state small water systems in high-risk areas
33 identified pursuant to ~~Article 4 (commencing with Section 116770).~~
34 *Section 117211*. The estimate shall identify approximate locations
35 of households, without identifying exact addresses or other personal
36 information, in order to identify potential target areas for outreach
37 and assistance programs.

38 (2) An analysis of anticipated funding, per contaminant, needed
39 for known projects, services, or programs by eligible applicants,
40 consistent with the fund implementation plan, including any

1 funding needed for existing long-term funding commitments from
2 the fund. The board shall identify and consider other existing
3 funding sources able to support any projects, services, or programs
4 identified, including, but not limited to, local funding capacity,
5 state or federal funding sources for capital projects, funding from
6 responsible parties, and specialized funding sources contributing
7 to the fund.

8 (3) An estimate of the funding needed for the next fiscal year
9 based on the amount available in the fund, anticipated funding
10 needs, other existing funding sources, and other relevant data and
11 information.

12 (c) (1) Adopt, after a public hearing, a fund implementation
13 plan and policy handbook with priorities and guidelines for
14 expenditures of the fund.

15 (2) The board shall work with a multistakeholder advisory group
16 to establish priorities and guidelines for the fund implementation
17 plan and policy handbook. The multistakeholder advisory group
18 shall be open to participation by all of the following:

19 (A) Representatives of entities paying into the fund.

20 (B) Public water systems.

21 (C) Technical assistance providers.

22 (D) Local agencies.

23 (E) Nongovernmental organizations.

24 (F) Residents served by community water systems in
25 disadvantaged communities, state small water systems, and
26 domestic wells.

27 (G) The public.

28 (3) The adoption of a fund implementation plan and policy
29 handbook and the implementation of the fund pursuant to the policy
30 handbook are not subject to the Administrative Procedure Act
31 (Chapter 3.5 (commencing with Section 11340) of Part 1 of
32 Division 3 of Title 2 of the Government Code).

33
34 ~~Article 4. Information on High-risk Areas~~

35
36 ~~116770. (a) (1) By January 1, 2021, the board, in consultation~~
37 ~~with local health officers and other relevant stakeholders, shall use~~
38 ~~available data to make available a map of aquifers that are at high~~
39 ~~risk of containing contaminants and that exceed primary federal~~
40 ~~and state drinking water standards that are used or likely to be used~~

1 as a source of drinking water for a state small water system or a
2 domestic well. The board shall update the map at least annually
3 based on any newly available data.

4 (2) The board shall make the map of high-risk areas, as well as
5 the data used to make the map, publicly accessible on its internet
6 website in a manner that does not identify exact addresses or other
7 personal information and that complies with the Information
8 Practices Act of 1977 (Chapter 1 (commencing with Section 1798)
9 of Title 1.8 of Part 4 of Division 3 of the Civil Code). The board
10 shall notify local health officers and county planning agencies of
11 high-risk areas within their jurisdictions.

12 (b) (1) By January 1, 2021, a local health officer or other
13 relevant local agency shall provide to the board all results of, and
14 data associated with, water quality testing performed by certified
15 laboratories for a state small water system or domestic well that
16 was collected after January 1, 2015, and that is in the possession
17 of the local health officer or other relevant local agency.

18 (2) By January 1, 2022, and by January 1 of each year thereafter,
19 all results of, and data associated with, water quality testing
20 performed by a certified laboratory for a state small water system
21 or domestic well that is submitted to a local health officer or other
22 relevant local agency shall also be submitted directly to the board
23 in electronic format.

24 (c) A map of high-risk areas developed pursuant to this article
25 is not subject to the Administrative Procedure Act (Chapter 3.5
26 (commencing with Section 11340) of Part 1 of Division 3 of Title
27 2 of the Government Code).

28
29 Article 5. *Statewide Safe and Affordable Drinking Water-Fee*
30 *System Charge*

31
32 116771. (a) There is hereby imposed a *statewide* safe and
33 affordable drinking water-fee *system charge* of fifty cents (\$0.50)
34 per service connection *per month* on all public water systems.

35 (b) (1) By July 1, 2020, and annually by each July 1 thereafter,
36 each public water system shall remit to the board the amount of
37 the fee *system charge* imposed pursuant to subdivision (a) for their
38 public water system.

39 (2) *To the extent that a public water system seeks to recover the*
40 *costs of the system charge from its ratepayers, it shall incorporate*

1 *the costs into its water rates and shall not impose a per-connection*
2 *fee. A public water system may draw on other available financial*
3 *resources to pay the system charge.*

4 (c) (1) The board may adopt regulations to implement and
5 enforce this article.

6 (2) The regulations adopted pursuant to this section, or any
7 amendment to these regulations, the board shall adopt as emergency
8 regulations in accordance with Chapter 3.5 (commencing with
9 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
10 Code. The adoption of these regulations is an emergency and the
11 Office of Administrative Law shall consider the adoption of the
12 regulations as necessary for the immediate preservation of the
13 public peace, health, safety, and general welfare.

14 (3) The board shall adopt the initial regulations to implement
15 this section in accordance with Chapter 3.5 (commencing with
16 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
17 Code and may not rely on the statutory declaration of emergency
18 in paragraph (2).

19 (4) Any emergency regulations adopted by the board pursuant
20 to this section shall not be subject to review by the Office of
21 Administrative Law and shall remain in effect until revised by the
22 board.

23 (d) The executive director of the board shall deposit all moneys
24 received pursuant to this section in the fund. The board may expend
25 moneys from the fund for reasonable costs associated with the
26 implementation and enforcement of this section.

27 116772. (a) The Legislative Analyst shall report to the
28 Legislature and the board if the Legislative Analyst determines,
29 on or before January 1, 2023, that at least three billion dollars
30 (\$3,000,000,000) has been made available in an ~~interest-bearing~~
31 *interest-bearing* account in the State Treasury with a goal of at
32 least one hundred million dollars (\$100,000,000) in interest
33 revenues per year available for the purposes of the fund.

34 (b) (1) A report to be submitted pursuant to subdivision (a)
35 shall be submitted in compliance with Section 9795 of the
36 Government Code.

37 (2) Pursuant to Section 10231.5 of the Government Code, this
38 section is repealed on January 1, 2027.

(c) This article shall become inoperative upon the Legislative Analyst submitting a report pursuant to subdivision (a), and, as of January 1, of the year following that determination, is repealed.

Article 6. Regional Distribution

116773. (a) The Legislature finds and declares as follows:

(1) Water quality problems occur in all areas of the state, including rural and urban areas.

(2) In particular, aging school infrastructure, including lead pipes, puts at risk thousands of children per year.

(b) It is the intent of the Legislature to establish a ~~region-specific~~ *region-specific* program to address the purposes of this chapter.

~~(c) The board may distribute funds for any purpose of this chapter through its drinking water regional offices, as follows:~~

~~(1) _____.~~

(c) (1) The board may allocate to each regional office sufficient funds to pay for the development of sustainable plans for restoring safe drinking water to the communities identified by the board as provided in Article 3 (commencing with Section 117220) of Chapter 8.

(2) The board may allocate funding to a regional office for implementation of an approved sustainable plan for restoring safe drinking water to an identified community.

~~(d) The board shall not distribute more than annually allocate 20 percent of the annual expenditures from the fund revenues originating in each of the Division of Drinking Water regions from the statewide safe and affordable drinking water system charge imposed pursuant to Article 5 (commencing with Section 116771) to the region from which the revenues originate pursuant to subdivision (c).~~

SEC. 6. Chapter 4.7 (commencing with Section 116774) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 4.7. SAFE AND AFFORDABLE DRINKING WATER TRUST FUND

116774. (a) The Safe and Affordable Drinking Water Trust Fund is hereby established within the State Treasury. It is the intent

1 of the Legislature that moneys in the trust fund remain for the
2 purposes of the trust in perpetuity.

3 (b) Moneys held in the trust fund shall be invested by the
4 Treasurer, in consultation with the Director of Finance and the
5 Controller, in investments authorized by Section 16430 of the
6 Government Code.

7 (c) Investment income derived from the trust fund is hereby
8 transferred on January 1 of each year to the Safe and Affordable
9 Drinking Water Fund, established by Section 116767 for the
10 purposes of Chapter 4.6 (commencing with Section 116765).

11 116774.1. The sum of two hundred million dollars
12 (\$200,000,000) shall be transferred to the trust fund by the
13 Legislature each year for five years for the purpose of establishing
14 a one-billion-dollar (\$1,000,000,000) trust fund to derive interest
15 revenues to fund Chapter 4.6 (commencing with Section 116765).

16 ~~SEC. 7. No reimbursement is required by this act pursuant to~~
17 ~~Section 6 of Article XIII B of the California Constitution for certain~~
18 ~~costs that may be incurred by a local agency or school district~~
19 ~~because, in that regard, this act creates a new crime or infraction,~~
20 ~~eliminates a crime or infraction, or changes the penalty for a crime~~
21 ~~or infraction, within the meaning of Section 17556 of the~~
22 ~~Government Code, or changes the definition of a crime within the~~
23 ~~meaning of Section 6 of Article XIII B of the California~~
24 ~~Constitution.~~

25 ~~However, if the Commission on State Mandates determines that~~
26 ~~this act contains other costs mandated by the state, reimbursement~~
27 ~~to local agencies and school districts for those costs shall be made~~
28 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
29 ~~4 of Title 2 of the Government Code.~~

30 *SEC. 7. Section 79724.5 is added to the Water Code, to read:*
31 *79724.5. Priority is a preference and not a necessary element*
32 *for an award of funding available pursuant to Section 79724.*

33 *SEC. 8. No reimbursement is required by this act pursuant to*
34 *Section 6 of Article XIII B of the California Constitution because*
35 *the only costs that may be incurred by a local agency or school*
36 *district will be incurred because this act creates a new crime or*
37 *infraction, eliminates a crime or infraction, or changes the penalty*
38 *for a crime or infraction, within the meaning of Section 17556 of*
39 *the Government Code, or changes the definition of a crime within*

- 1 *the meaning of Section 6 of Article XIII B of the California*
- 2 *Constitution.*

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Assembly California Legislature



EDUARDO GARCIA
CHAIR: ASSEMBLY COMMITTEE ON
WATER, PARKS AND WILDLIFE
ASSEMBLYMEMBER, FIFTY-SIXTH DISTRICT

COMMITTEES
APPROPRIATIONS
COMMUNICATIONS AND CONVEYANCE
GOVERNMENTAL ORGANIZATION
UTILITIES AND ENERGY

JOINT COMMITTEE ON CLIMATE
CHANGE POLICIES

Honorable Ken Cooley, Chair
Assembly Committee on Rules
State Capitol
Sacramento, California 95814

Subject: Urgency Clause for AB 217 (E. Garcia)

Dear Assemblymember Cooley:

I respectfully request Rules Committee approval of an urgency clause for Assembly Bill 217, the Safe Drinking Water for All Act. AB 217 would create a sustainable stream of funding to ensure all Californians have access to safe drinking water.

More than a million Californians suffer from unsafe drinking water coming out of their taps, in rural and urban communities across California. Passing AB 217 into state law demands urgent action, to protect public health and safety, ensuring all Californians have safe drinking water at the earliest possible time.

If you have any questions, please contact my Chief of Staff, Carlos Gonzalez, at (916) 319-2056.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eduardo Garcia".

Eduardo Garcia
Assemblymember, 56 AD



AMENDED IN ASSEMBLY APRIL 2, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 807

**Introduced by Assembly Member Bauer-Kahan
(Coauthor: Assembly Member Wicks)
(Coauthor: Senator Wiener)**

February 20, 2019

An act to amend Section 11157 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL’S DIGEST

AB 807, as amended, Bauer-Kahan. CalWORKs eligibility: income exemptions.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which, through a combination of state and county funds and federal funds received through the TANF program, each county provides cash assistance and other benefits to qualified low-income families.

Under existing law, certain types of payments received by recipients of aid under the CalWORKs program, including, among others, an award or scholarship provided by a public or private entity to, or on behalf of, a dependent child based on the child’s academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition, are exempt from consideration as income for purposes of determining eligibility and aid amount.

This bill would delete the condition that an award or scholarship be based on a child’s academic or extracurricular achievement or

participation in a scholastic, educational, or extracurricular competition, in order to be exempt as income. ~~The bill would add to those exempt categories funds received by a governmental agency specifically to pay for rent or shelter expenses.~~ *income for purposes of the CalWORKs program.* The bill would also prohibit funds withdrawn for personal use from a bank account or a retirement savings account, as specified, ~~and funds transferred from one bank account or retirement savings account to another of those accounts, and funds received from a governmental agency specifically to pay for rent or shelter expenses~~ from being considered income for these purposes. By expanding the scope of eligibility for CalWORKs, the bill would impose a state-mandated local program.

This bill would require the State Department of Social Services to adopt regulations on or before October 1, 2022, and would authorize the department to implement the bill through an all-county letter or similar instruction until the regulations are adopted.

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.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would provide that the continuous appropriation would not be made for purposes of implementing the bill.

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. Section 11157 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 11157. (a) Notwithstanding Section 11008, all lump-sum
- 4 income received by an applicant or recipient shall be regarded as
- 5 income in the month received, except nonrecurring lump-sum
- 6 social insurance payments, which shall include social security
- 7 income, railroad retirement benefits, veteran's benefits, ~~worker's~~
- 8 *workers'* compensation, and disability insurance.

(b) Except as otherwise provided in this part, for purposes of this chapter and Chapter 2 (commencing with Section 11200), “income” shall be deemed to be the same as applied under the Aid to Families with Dependent Children program on August 21, 1996, except that the following shall be exempt from consideration as income:

(1) Income that is received too infrequently to be reasonably anticipated, as exempted in federal Supplemental Nutrition Assistance Program (SNAP) regulations.

(2) Income from college work-study programs under Title IV of the federal Higher Education Act or Article 18 (commencing with Section 69950) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code or college work-study program, as established in the annual Budget Act, for individuals receiving aid under Chapter 2 (commencing with Section 11200).

~~(3) An~~ (A) *Except as provided for in subparagraph (B), an award or scholarship provided by a public or private entity to, or on behalf of, a dependent child: child based on the child’s academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition.*

~~(4) Funds received by a governmental agency specifically to pay for rent or shelter expenses.~~

(B) *For purposes of Chapter 2 (commencing with Section 11200), an award or scholarship provided by a public or private entity to, or on behalf of, a dependent child.*

(c) (1) For purposes of this chapter and Chapter 2 (commencing with Section 11200), the following shall not be considered as income:

(A) Funds withdrawn for personal use from a bank account or a retirement savings account, regardless of the number of withdrawals or frequency of withdrawals.

(B) Funds transferred from one bank account or retirement savings account to another bank account or retirement savings account.

(C) *Funds received from a governmental agency specifically to pay for rent or shelter expenses.*

(2) ~~This subdivision is~~ *Subparagraphs (A) and (B) of paragraph (1) are declarative of existing law.*

SEC. 2. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with

1 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
2 Code), the State Department of Social Services may implement
3 this act through an all-county letter or similar instruction from the
4 Director of Social Services, until regulations are adopted. The
5 department shall adopt regulations implementing this act on or
6 before October 1, 2022.

7 SEC. 3. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.

12 SEC. 4. No appropriation pursuant to Section 15200 of the
13 Welfare and Institutions Code shall be made for purposes of
14 implementing this act.

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Assembly California Legislature



REBECCA BAUER-KAHAN
ASSEMBLYMEMBER, SIXTEENTH DISTRICT

COMMITTEES
BANKING AND FINANCE
ENVIRONMENTAL SAFETY AND TOXIC
MATERIALS
PRIVACY AND CONSUMER PROTECTION
PUBLIC SAFETY

May 15, 2019

Chairman Ken Cooley
Assembly Rules Committee
State Capitol, Room 3016
Sacramento, California 95814

Chairman Ken Cooley,

I respectfully request an urgency clause to be added to AB 807. We are adding amendments to our bill that would exempt income or stipend paid by the United States census Bureau, a governmental entity, or a non-profit organization for work related to improving participation in the decennial census, as income calculated in a families CalWORKs aid.

In order to ensure that these exemptions are in effect for qualified workers employed during 2019 for the 2020 Census, it is necessary that this act take effect immediately.

We appreciate your expeditious entertainment of our request and please do not hesitate to contact my office for any outstanding details.

Thank you,

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

Assemblymember Rebecca Bauer-Kahan (AD-16)
Capitol Office, Room 2130
Sacramento, CA 94249

**ADMINISTRATIVE ITEM:
ASSISTIVE ANIMAL POLICY FOR EMPLOYEES WITH A DISABILITY**

Issue:

Should the Assembly adopt an Assistive Animal Policy for Employees with a Disability?

Background:

Under federal and State law, an employer has a duty to provide reasonable accommodations for its employees with known physical or mental disabilities, unless the employer can demonstrate that granting the accommodation creates an undue hardship to the employer. When needed to identify or implement an effective, reasonable accommodation for an employee with a disability, the Fair Employment and Housing Act (FEHA) requires a timely, good faith, interactive process between an employer and an employee with a known physical or mental disability or medical condition. The interactive process requires an individualized assessment of both the job at issue and the specific physical or mental limitations of the individual that are directly related to the need for reasonable accommodation. The employer must consider the preference of the employee to be accommodated but has the right to select and implement an accommodation that is effective for both the employee and the employer. Both the employer and the employee, or the employee's representative, are required to exchange essential information without delay or obstruction of the process. An employee is not required to disclose the nature of the disability.

Under FEHA, an employee may request to bring an assistive animal into the workplace as a reasonable accommodation. Specific examples of an "assistive animal" include, but are not limited to, a "guide dog" trained to guide a blind or visually impaired person, a "service dog" or other animal individually trained to the requirements of a person with a disability, a "signal dog" or other animal trained to alert a deaf or hearing impaired person to sounds, and a "support dog" or other animal that provides emotional, cognitive, or other similar support to a person with a disability, including traumatic brain injuries or mental disabilities.

After engaging in the interactive process, an employer can grant a request to bring an assistive animal or deny it and suggest an alternative accommodation. If an employer grants the accommodation, California law authorizes the employer to impose certain requirements on employees bringing assistive animals into the workplace.

The proposed Assistive Animal Policy for Employees with a Disability would establish guidelines and requirements relative to the presence of assistive animals as a reasonable accommodation for employees with a disability.

Recommendation:

Approve an Assistive Animal Policy for Employees with a Disability effective June 14, 2019.

Assistive Animal Policy for Employees with a Disability

1. General Statement

In order to comply with federal and California law, it is the intention of the California State Assembly to provide reasonable accommodations to employees with a disability by permitting the presence of assistive animals in the workplace in specified circumstances. It is further the intention of the California State Assembly to require during the interactive process that the employee provide both of the following: 1) medical documentation regarding the necessity of the accommodation; and 2) confirmation, which may be from the employee, that the assistive animal meets minimum hygiene and behavioral standards.

2. Implementation Plan

Upon the request of an Assembly employee to bring an assistive animal into the workplace, the Assembly Committee on Rules, or its designee, shall engage in an interactive process with the employee to determine if it will grant or deny the requested accommodation.

During the interactive process, the employee must provide a letter from the employee's health care provider documenting that the employee has a disability and explaining why the employee requires the presence of the assistive animal in the workplace. The employee must also demonstrate that the assistive animal meets the following hygiene and behavioral standards:

- 1) The animal is free from offensive odors.
- 2) The animal displays habits appropriate for the work environment.
- 3) The animal is trained, if required by law, to provide assistance for the disability.
- 4) The animal does not engage in behaviors that endanger the health and safety of those in the workplace.

The employee will not be allowed to bring the animal to the workplace unless and until the accommodation request has been granted by the Assembly Committee on Rules.

If the accommodation request has been granted, the Assembly Committee on Rules, or its designee, may at any time challenge that the assistive animal meets the requirements of this policy.

An employee with an assistive animal is solely responsible for caring for and supervising the animal, which includes toileting, feeding, and grooming, veterinary care and licensing, if required by the local jurisdiction. The employee may not ask others to supervise or otherwise care for an assistive animal. The assistive animal must be with the employee at all times. Under no circumstances will the Assembly be responsible for costs associated with the care of the animal.

The assistive animal must be harnessed or leashed unless these devices interfere with the assistive animal's work or the person's disability prevents use of these devices. In the event of

such interference, the person must use voice, signal, or other effective means to maintain control of the animal at all times.

The employee must coordinate with the office supervisor and/or Member if a special break schedule is necessary to accommodate their needs for caring for the animal (and to the extent possible, should include that schedule in the initial request for accommodation). If additional time for breaks outside of the employee's regular lunch break is necessary, employees are permitted to use vacation time or may take an unpaid break. Employees may also be permitted to lengthen their work day to make up for unpaid time used to care for the animal.

Additionally, if the employee continues to need the assistive animal in the workplace, the Assembly Committee on Rules, or its designee, may require further medical documentation substantiating the need for continued reasonable accommodation. Furthermore, the Assembly Committee on Rules, or its designee, and the employee may engage in an annual recertification process to ensure that the animal continues to meet the specified hygiene and behavioral standards.