



STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0124  
(916) 319-2800  
FAX (916) 319-2810

Assembly  
California Legislature  
Committee on Rules  
RICHARD S. GORDON  
CHAIR

VICE CHAIR  
SCOTT WILK  
MEMBERS  
CHERYL R. BROWN  
MATTHEW M. DABABNEH  
TIM DONNELLY  
LORENA GONZALEZ  
CURT HAGMAN  
ADRIN NAZARIAN  
BILL QUIRK  
SEBASTIAN RIDLEY-THOMAS  
MARIE WALDRON  
FRANK BIGELOW (R-ALT.)  
KEN COOLEY (D-ALT.)

Thursday, February 27, 2014  
9:50 AM  
State Capitol, Room 3162

## CONSENT AGENDA

### Bill Referrals

1. Consent Bill Referrals

[Page 2](#)

### Resolutions

2. HR 30 (Yamada) Relative to Social Work Month.
3. HR 31 (Hall) Relative to Problem Gambling Awareness Week.

[Page 7](#)

[Page 13](#)

### Requests to Add Urgency Clause

4. SB 124 (Corbett) Relative to Human remains: Abbot Archimandrite Theodor Micka.
5. SB 761 (DeSaulnier) Relative to Personal income taxes: voluntary contributions: School Supplies for .....

[Page 18](#)

[Page 28](#)

## REFERRAL OF BILLS TO COMMITTEE

02/27/2014

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

Assembly Bill No.	Committee:
<a href="#"><u>AB 1658</u></a>	HUM. S.
<a href="#"><u>AB 1658</u></a>	B. & F.
<a href="#"><u>AB 1677</u></a>	HIGHER ED.
<a href="#"><u>AB 1698</u></a>	PUB. S.
<a href="#"><u>AB 1717</u></a>	U. & C.
<a href="#"><u>AB 1717</u></a>	REV. & TAX.
<a href="#"><u>AB 1718</u></a>	PUB. S.
<a href="#"><u>AB 1720</u></a>	TRANS.
<a href="#"><u>AB 1721</u></a>	TRANS.
<a href="#"><u>AB 1722</u></a>	AGRI.
<a href="#"><u>AB 1723</u></a>	L. & E.
<a href="#"><u>AB 1723</u></a>	JUD.
<a href="#"><u>AB 1725</u></a>	HEALTH
<a href="#"><u>AB 1725</u></a>	JUD.
<a href="#"><u>AB 1726</u></a>	ED.
<a href="#"><u>AB 1727</u></a>	HEALTH
<a href="#"><u>AB 1728</u></a>	E. & R.
<a href="#"><u>AB 1730</u></a>	JUD.
<a href="#"><u>AB 1730</u></a>	B. & F.
<a href="#"><u>AB 1732</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1733</u></a>	HEALTH
<a href="#"><u>AB 1733</u></a>	TRANS.
<a href="#"><u>AB 1734</u></a>	J., E.D. & E.
<a href="#"><u>AB 1734</u></a>	A. & A.R.
<a href="#"><u>AB 1735</u></a>	PUB. S.
<a href="#"><u>AB 1735</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1737</u></a>	V.A.
<a href="#"><u>AB 1739</u></a>	W.,P. & W.
<a href="#"><u>AB 1741</u></a>	L. & E.
<a href="#"><u>AB 1743</u></a>	HEALTH
<a href="#"><u>AB 1744</u></a>	AGING & L.T.C.
<a href="#"><u>AB 1745</u></a>	REV. & TAX.
<a href="#"><u>AB 1750</u></a>	ED.
<a href="#"><u>AB 1751</u></a>	AGING & L.T.C.
<a href="#"><u>AB 1752</u></a>	E. & R.
<a href="#"><u>AB 1753</u></a>	HUM. S.
<a href="#"><u>AB 1754</u></a>	ED.
<a href="#"><u>AB 1758</u></a>	B.,P. & C.P.

<a href="#"><u>AB 1759</u></a>	HEALTH
<a href="#"><u>AB 1764</u></a>	ED.
<a href="#"><u>AB 1765</u></a>	REV. & TAX.
<a href="#"><u>AB 1766</u></a>	HUM. S.
<a href="#"><u>AB 1767</u></a>	NAT. RES.
<a href="#"><u>AB 1768</u></a>	E. & R.
<a href="#"><u>AB 1769</u></a>	REV. & TAX.
<a href="#"><u>AB 1771</u></a>	HEALTH
<a href="#"><u>AB 1772</u></a>	PUB. S.
<a href="#"><u>AB 1773</u></a>	A. & A.R.
<a href="#"><u>AB 1775</u></a>	PUB. S.
<a href="#"><u>AB 1777</u></a>	REV. & TAX.
<a href="#"><u>AB 1781</u></a>	HIGHER ED.
<a href="#"><u>AB 1782</u></a>	PUB. S.
<a href="#"><u>AB 1783</u></a>	P.E.,R. & S.S.
<a href="#"><u>AB 1784</u></a>	NAT. RES.
<a href="#"><u>AB 1785</u></a>	REV. & TAX.
<a href="#"><u>AB 1785</u></a>	G.O.
<a href="#"><u>AB 1787</u></a>	TRANS.
<a href="#"><u>AB 1789</u></a>	E.S. & T.M.
<a href="#"><u>AB 1790</u></a>	HEALTH
<a href="#"><u>AB 1791</u></a>	PUB. S.
<a href="#"><u>AB 1792</u></a>	INS.
<a href="#"><u>AB 1793</u></a>	H. & C.D.
<a href="#"><u>AB 1793</u></a>	L. GOV.
<a href="#"><u>AB 1795</u></a>	L. GOV.
<a href="#"><u>AB 1796</u></a>	REV. & TAX.
<a href="#"><u>AB 1797</u></a>	L. & E.
<a href="#"><u>AB 1799</u></a>	L. GOV.
<a href="#"><u>AB 1801</u></a>	TRANS.
<a href="#"><u>AB 1804</u></a>	INS.
<a href="#"><u>AB 1805</u></a>	HEALTH
<a href="#"><u>AB 1806</u></a>	ED.
<a href="#"><u>AB 1810</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1811</u></a>	TRANS.
<a href="#"><u>AB 1812</u></a>	HEALTH
<a href="#"><u>AB 1813</u></a>	NAT. RES.
<a href="#"><u>AB 1816</u></a>	HEALTH
<a href="#"><u>AB 1817</u></a>	E. & R.
<a href="#"><u>AB 1819</u></a>	HUM. S.
<a href="#"><u>AB 1819</u></a>	G.O.
<a href="#"><u>AB 1820</u></a>	P.E.,R. & S.S.

<a href="#"><u>AB 1821</u></a>	V.A.
<a href="#"><u>AB 1822</u></a>	HEALTH
<a href="#"><u>AB 1823</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1823</u></a>	JUD.
<a href="#"><u>AB 1824</u></a>	P.E.,R. & S.S.
<a href="#"><u>AB 1825</u></a>	ED.
<a href="#"><u>AB 1829</u></a>	HEALTH
<a href="#"><u>AB 1830</u></a>	HEALTH
<a href="#"><u>AB 1830</u></a>	JUD.
<a href="#"><u>AB 1831</u></a>	REV. & TAX.
<a href="#"><u>AB 1832</u></a>	A.,E.,S.,T. & I. M.
<a href="#"><u>AB 1832</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1835</u></a>	TRANS.
<a href="#"><u>AB 1836</u></a>	E. & R.
<a href="#"><u>AB 1837</u></a>	J., E.D. & E.
<a href="#"><u>AB 1838</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1839</u></a>	A.,E.,S.,T. & I. M.
<a href="#"><u>AB 1839</u></a>	REV. & TAX.
<a href="#"><u>AB 1841</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1846</u></a>	NAT. RES.
<a href="#"><u>AB 1847</u></a>	JUD.
<a href="#"><u>AB 1849</u></a>	NAT. RES.
<a href="#"><u>AB 1850</u></a>	PUB. S.
<a href="#"><u>AB 1851</u></a>	ED.
<a href="#"><u>AB 1852</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1853</u></a>	JUD.
<a href="#"><u>AB 1854</u></a>	ED.
<a href="#"><u>AB 1855</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1857</u></a>	TRANS.
<a href="#"><u>AB 1858</u></a>	JUD.
<a href="#"><u>AB 1861</u></a>	BUDGET
<a href="#"><u>AB 1862</u></a>	HIGHER ED.
<a href="#"><u>AB 1863</u></a>	HUM. S.
<a href="#"><u>AB 1864</u></a>	TRANS.
<a href="#"><u>AB 1866</u></a>	ED.
<a href="#"><u>AB 1867</u></a>	NAT. RES.
<a href="#"><u>AB 1868</u></a>	HEALTH
<a href="#"><u>AB 1870</u></a>	L. & E.
<a href="#"><u>AB 1871</u></a>	AGRI.
<a href="#"><u>AB 1873</u></a>	E. & R.
<a href="#"><u>AB 1874</u></a>	W.,P. & W.
<a href="#"><u>AB 1877</u></a>	HEALTH

<a href="#"><u>AB 1879</u></a>	ED.
<a href="#"><u>AB 1882</u></a>	HUM. S.
<a href="#"><u>AB 1883</u></a>	L. GOV.
<a href="#"><u>AB 1884</u></a>	TRANS.
<a href="#"><u>AB 1884</u></a>	JUD.
<a href="#"><u>AB 1886</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1887</u></a>	PUB. S.
<a href="#"><u>AB 1889</u></a>	REV. & TAX.
<a href="#"><u>AB 1890</u></a>	B.,P. & C.P.
<a href="#"><u>AB 1892</u></a>	ED.
<a href="#"><u>AB 1894</u></a>	PUB. S.
<a href="#"><u>AB 1895</u></a>	G.O.
<a href="#"><u>AB 1896</u></a>	E.S. & T.M.
<a href="#"><u>AB 1898</u></a>	HEALTH
<a href="#"><u>AB 1898</u></a>	JUD.
<a href="#"><u>AB 1899</u></a>	HUM. S.
<a href="#"><u>AB 1900</u></a>	PUB. S.
<a href="#"><u>ACR 98</u></a>	TRANS.
<a href="#"><u>ACR 99</u></a>	TRANS.
<a href="#"><u>ACR 101</u></a>	B.,P. & C.P.
<a href="#"><u>AJR 35</u></a>	RLS.
<a href="#"><u>AJR 36</u></a>	L. & E.
<a href="#"><u>AJR 37</u></a>	J., E.D. & E.
<a href="#"><u>AJR 38</u></a>	L. & E.
<a href="#"><u>AJR 39</u></a>	U. & C.
<a href="#"><u>HR 33</u></a>	RLS.



STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0124  
(916) 319-2800  
FAX (916) 319-2810

Assembly  
California Legislature  
Committee on Rules  
RICHARD S. GORDON  
CHAIR

VICE CHAIR  
SCOTT WILK

MEMBERS  
CHERYL R. BROWN  
MATTHEW M. DABABNEH  
TIM DONNELLY  
LORENA GONZALEZ  
CURT HAGMAN  
ADRIN NAZARIAN  
BILL QUIRK  
SEBASTIAN RIDLEY-THOMAS  
MARIE WALDRON

FRANK BIGELOW (R-ALT.)  
KEN COOLEY (D-ALT.)

# Memo

**To:** Rules Committee Members  
**From:** Mukhtar Ali, Bill Referral Consultant  
**Date:** 2/26/14  
**Re:** Consent Bill Referrals

---

Since you received the preliminary the referral for AB 1735 has changed.



Printed on Recycled Paper

**House Resolution**

**No. 30**

---

**Introduced by Assembly Members Yamada and Eggman**

February 11, 2014

---

House Resolution No. 30—Relative to Social Work Month.

- 1 WHEREAS, March 2014 is recognized nationally as “Social  
2 Work Month” and this year’s theme is, “All People Matter”; and  
3 WHEREAS, The social work profession has its roots in the 1889  
4 Chicago settlement house movement led by the “Mother of Social  
5 Work,” Jane Addams; and  
6 WHEREAS, The primary mission of the social work profession  
7 is to enhance and meet the basic needs of all people, with particular  
8 attention to the needs and empowerment through social action and  
9 social justice for those who are poor, oppressed, and living in  
10 poverty; and  
11 WHEREAS, Today, there are over 640,000 professional social  
12 workers in the United States, over 50,000 of whom are in  
13 California; and  
14 WHEREAS, There are over 4,000 graduate students in the social  
15 work pipeline in 21 accredited California State University,  
16 University of California, and private programs throughout the  
17 state; and  
18 WHEREAS, Professional social workers train in an intensive  
19 combination of classroom and community experiences focused on  
20 individuals, families, and communities in crisis and in need of  
21 help; and  
22 WHEREAS, Professional social workers provide services across  
23 the age spectrum, from prenatal to end of life services; and

1 WHEREAS, Professional social workers serve in diverse  
2 settings, including schools, courtrooms, health clinics, hospitals,  
3 senior centers, homeless shelters, nursing homes, the military,  
4 disaster relief, prisons, corporations, and in political office; and

5 WHEREAS, Professional social workers who have served in  
6 Congress include the Honorable Ron Dellums, MSW, the  
7 Honorable Barbara Lee, MSW, and the Honorable Susan Davis,  
8 MSW, and who have served in the California State Legislature  
9 include the Honorable Mary Salas, BSW, and the Honorable Patty  
10 Berg, B.A. in social work; and

11 WHEREAS, Professional social workers who have combined  
12 their leadership skills and knowledge of community development  
13 into distinguished positions include Arturo Rodriguez, MSW,  
14 President of the United Farmworkers Organization, and James  
15 Mize, MSW, Sacramento Superior Court Judge; now, therefore,  
16 be it

17 *Resolved by the Assembly of the State of California*, That the  
18 Assembly proclaims March 2014 “Social Work Month” in the  
19 State of California, commends the California Chapter of the  
20 National Association of Social Workers, which celebrates its 40th  
21 anniversary, for its role in advancing professional social work and  
22 promoting the well-being of the people of California, and urges  
23 all Californians to take part in March “All People Matter” events  
24 throughout California; and be it further

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

O



Date of Hearing: February 27, 2014

ASSEMBLY COMMITTEE ON RULES

Richard S. Gordon, Chair

HR 30 (Yamada/Eggman) – As Introduced: February 11, 2014

SUBJECT: Social Work Month.

SUMMARY: Proclaims March 2014 to be "Social Work Month" in California, commends the California Chapter of the National Association of Social Workers for its role in advancing professional social work and promoting the well-being of the people of California, and urges all Californians to take part in March "All People Matter" events throughout California. Specifically, this resolution makes the following legislative findings:

- 1) The primary mission of the social work profession is to enhance and meet the basic needs of all people, with particular attention to the needs and empowerment through social action and social justice for those who are poor, oppressed, and living in poverty.
- 2) Professional social workers provide services across the age spectrum, from prenatal to end of life services; and, they serve in diverse settings, including schools, courtrooms, health clinics, hospitals, senior centers, homeless shelters, nursing homes, the military, disaster relief, prisons, corporations, and in political office.
- 3) Many professional social workers have combined their leadership skills and knowledge of community development to serve in elected office at the national, state and local level, as well as in other distinguished leadership positions.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

## Support

National Association of Social Workers – California Chapter (NASW-CA)

## Opposition

None on file

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

February 20, 2014

The Assembly Rules Committee

State Capitol, Room 3016

Sacramento, CA 95814

**RE: HR 30 (Yamada) Relative to Social Work Month - SUPPORT**

Dear Assemblymember Yamada,

The National Association of Social Workers, California Chapter (NASW-CA) strongly supports HR 30, which recognizes March 2014 as "Social Work Month." Your resolution commends social workers for the work they do in communities improving the lives of many families and individuals and it also commends our organization (NASW-CA) for our "role in advancing professional social work and promoting the well-being of the people of California."

Social workers help so many people from vastly different backgrounds and yet, their work often is misunderstood and underappreciated. HR 30 will help educate the Legislature and the public about the history of social work and the mission of the profession. It also outlines the diverse settings and the diverse communities that the profession serves.

We are so pleased that the work of professional Social Workers is being recognized and we believe that HR 30 outlines the meaning of this year's Social Work Month theme -- "All People Matter."

The National Association of Social Workers, California Chapter represents over 10,000 professional social workers in California who have degrees from accredited social work programs across the country. NASW-CA advocates, on behalf of our members and their clients, for the implementation and improvement of programs and policies designed to enhance human well-being and help meet the basic needs of all people.

Sincerely,



Rebecca Gonzales

Director of Government Relations and Political Affairs

**House Resolution**

**No. 31**

---

**Introduced by Assembly Member Hall**

February 12, 2014

---

House Resolution No. 31—Relative to Problem Gambling Awareness Week.

1 WHEREAS, The first week of March 2014 is recognized  
2 nationally as National Problem Gambling Awareness Week; and  
3 WHEREAS, The most recently released DSM-V Manual  
4 (Diagnostic Statistical Manual Version Five) classifies Problem  
5 Gambling as an addiction and is in the same category (chapter) as  
6 alcohol and substance abuse disorders. Previously, it had been  
7 classified as an impulse control disorder along with kleptomania  
8 and pyromania. Problem Gambling compromises, disrupts, and  
9 ultimately destroys the gambler's personal life, family  
10 relationships, and vocational pursuits; and

11 WHEREAS, The Office of Problem Gambling has moved under  
12 the State Department of Public Health, thus expanding resources  
13 to increase awareness and create a sense that Problem Gambling  
14 is not only an addiction, but also a public health issue in which  
15 some problem gamblers and others are affected by problem  
16 gambling behavior; and

17 WHEREAS, Since 2010, the Office of Problem Gambling has  
18 provided treatment services to over 5,300 problem gamblers and  
19 others affected by problem gambling behavior; and

20 WHEREAS, Health care providers, governmental agencies,  
21 nonprofit organizations, community leaders and organizations,  
22 mental health agencies, the recovery community, gambling industry  
23 personnel, government leaders, law enforcement personnel, and

1 the general public are working together to change the outcome for  
2 those affected by problem gambling; and  
3 WHEREAS, The Bureau of Gambling Control within the  
4 Department of Justice, the California Gambling Control  
5 Commission, the California State Lottery, California Friday Night  
6 Live Partnership, California Gaming Association, Media Solutions,  
7 NICOS Chinese Health Coalition, and National Pacific American  
8 Families Against Substance Abuse, have joined the Office of  
9 Problem Gambling and the California Council on Problem  
10 Gambling to endorse a problem gambling awareness campaign;  
11 now, therefore, be it  
12 *Resolved by the Assembly of the State of California*, That the  
13 Assembly recognizes the week of March 2, 2014, to March 8,  
14 2014, inclusive, as Problem Gambling Awareness Week, and the  
15 agencies and organizations described above be commended for  
16 their concerted effort to raise public awareness of problem  
17 gambling; and be it further  
18 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
19 of this resolution to the author for distribution.

O

Date of Hearing: February 27, 2014

ASSEMBLY COMMITTEE ON RULES

Richard S. Gordon, Chair

HR 31 (Hall) – As Introduced: February 12, 2014

SUBJECT: Problem Gambling Awareness Week.

SUMMARY: Recognizes the week of March 2, 2014, to March 8, 2014, inclusive, as Problem Gambling Awareness Week, and commends the agencies and organizations mentioned in the resolution below for their concerted effort to raise public awareness of problem gambling. Specifically, this resolution makes the following legislative findings:

- 1) The first week of March 2014 is recognized nationally as National Problem Gambling Awareness Week; and, the most recently released Diagnostic Statistical Manual Version Five (DSM-V) classifies Problem Gambling as an addiction and is in the same category as alcohol and substance abuse disorders.
- 2) The Office of Problem Gambling has moved under the State Department of Public Health, thus expanding resources to increase awareness and create a sense that Problem Gambling is not only an addiction, but also a public health issue.
- 3) Since 2010, the Office of Problem Gambling has provided treatment services to over 5, 300 problem gamblers and others affected by problem gambling behavior.
- 4) Health care providers, governmental agencies, nonprofit organizations, community leaders and organizations, mental health agencies, the recovery community, gambling industry personnel, government leaders, law enforcement personnel, and the general public are working together to change the outcome for those affected by problem gambling.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California Council on Problem Gambling

Opposition

None on file

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





CALIFORNIA  
COUNCIL ON PROBLEM GAMBLING

California Council on Problem Gambling  
41743 Enterprise Circle N, STE 202  
Temecula CA 92590

February 24<sup>th</sup>, 2014

Assembly Rules Committee  
State Capitol  
Sacramento, CA 94249

Members of the Assembly Rules Committee:

The California Council on Problem Gambling is proud to sponsor HR31, a bill designed to recognize the week of March 2, 2014 through March 8, 2014 as Problem Gambling Awareness Week.

Questions or comments may be directed to Robert Jacobson, Executive Director of the California Council on Problem Gambling, via email ([Robert@calpg.org](mailto:Robert@calpg.org)) or phone (714-765-5804).

Thank you,

A handwritten signature in dark ink, appearing to be "Robert Jacobson", written in a cursive style.

Robert Jacobson  
Executive Director  
California Council on Problem Gambling

41743 Enterprise Court N, STE 202  
Temecula, CA, 92590  
Office: (714) 765-5804  
Fax: (951) 296-0456  
Helpline: 1-800-GAMBLER (426-2537)  
Website: [www.calproblemgambling.org](http://www.calproblemgambling.org)

AMENDED IN ASSEMBLY FEBRUARY 25, 2014

AMENDED IN ASSEMBLY AUGUST 5, 2013

AMENDED IN SENATE APRIL 29, 2013

AMENDED IN SENATE APRIL 10, 2013

**SENATE BILL**

**No. 124**

**Introduced by Senator Corbett**

**(Coauthor: Senator Correa)**

(Coauthor: Assembly Member Roger Hernández)

January 18, 2013

---

An act to amend Sections 4217.11 and 4217.16 of the Government Code, and to add and repeal Section 10780.6 of, and to add and repeal Article 7 (commencing with Section 10390) of Chapter 2 of Part 2 of Division 2 of, the Public Contract Code, relating to public contracts relating to human remains.

LEGISLATIVE COUNSEL'S DIGEST

SB 124, as amended, Corbett. ~~Public contracts: bid preferences: clean energy.~~ Human remains: Abbot Archimandrite Theodor Micka.

*Existing law requires the local registrar of births and deaths, if the certificate of death is properly executed and completed, to issue a permit for disposition that specifies where the burial or interment will take place.*

*This bill, notwithstanding the above requirement or any other law, would authorize the local registrar of births and deaths in the County of Alameda to issue a disposition permit for the burial of the Abbot, Archimandrite Theodor Micka on the grounds of the Holy Cross Monastery in the County of Alameda and would allow those remains to be so interred.*

*The bill would make legislative findings and declarations as to the necessity of a special statute for the County of Alameda.*

~~Existing law imposes various requirements with respect to contracting by state agencies and the Trustees of the California State University. Existing law requires state agencies and the Trustees of the California State University to use a competitive bidding process when contracting for goods and services. However, existing law allows a public, as defined, agency to award an energy service contract if the governing body determines it is in the best interest of the agency and costs will be reduced, as specified.~~

~~This bill would authorize a public agency, including, but not limited to, the Trustees of the California State University, to award a contract based on the fact that a clean energy device, technology, or system was manufactured in the state if the contract is an energy service contract determined to be in the best interest of the public agency. The bill would, until January 1, 2020, require state agencies and the Trustees of the California State University that accept bids or proposals for a contract for the purchase or installation of a clean energy device, technology, or system, as defined, to provide a 5% preference to a bidder that certifies that all of the parts of the clean energy device, technology, or system to be installed have been manufactured in the state, in accordance with specified criteria. This bill would also, until January 1, 2020, require the Department of General Services to establish a clarification process to ensure that bidders meet the preference criteria and, with respect to the California State University, to publish related information on the departments' Internet Web site.~~

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

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

- 1     *SECTION 1. Notwithstanding Sections 7054 and 103055 of*
- 2     *the Health and Safety Code, or any other law, the local registrar*
- 3     *of births and deaths in the County of Alameda may issue a*
- 4     *disposition permit for the burial of the Abbot, Archimandrite*
- 5     *Theodor Micka on the grounds of the Holy Cross Monastery in*
- 6     *the County of Alameda and those remains may be so interred.*
- 7     *SEC. 2. The Legislature finds and declares that, because of*
- 8     *the unique circumstances applicable only to the County of*
- 9     *Alameda, a special law is necessary and that a general law cannot*

1 *be made applicable within the meaning of Section 16 of Article IV*  
2 *of the California Constitution.*

3 ~~SECTION 1. The Legislature finds and declares all of the~~  
4 ~~following:~~

5 ~~(a) At a time of scarce state resources, state purchases can be~~  
6 ~~used to stimulate our state economy and put people back to work.~~

7 ~~(b) The Green Building Executive Order (B-18-12) mandated~~  
8 ~~that state agencies evaluate the merits of using clean and renewable~~  
9 ~~onsite energy generation technologies in all new building or large~~  
10 ~~renovation projects.~~

11 ~~(c) California has several companies that manufacture clean~~  
12 ~~energy devices, technology, and systems in the state, employing~~  
13 ~~Californians and helping our economy.~~

14 ~~(d) California is a national leader in creating a clean economy.~~  
15 ~~Many clean technology companies call California home. A number~~  
16 ~~of these companies have developed novel technologies, and it is~~  
17 ~~in the interest of the state to establish and grow manufacturing~~  
18 ~~operations within the state, in order to create both construction~~  
19 ~~and permanent manufacturing jobs in California.~~

20 ~~(e) It is the intent of the Legislature that a preference should be~~  
21 ~~allowed for clean energy devices, technology, and systems~~  
22 ~~manufactured in California.~~

23 ~~SEC. 2. Section 4217.11 of the Government Code is amended~~  
24 ~~to read:~~

25 ~~4217.11. The following terms, whenever used in this chapter,~~  
26 ~~have the meanings given in this section, except where the context~~  
27 ~~clearly indicates otherwise:~~

28 ~~(a) “Clean energy device, technology, or system” means devices~~  
29 ~~or technologies used for a renewable electrical generation facility,~~  
30 ~~as defined in paragraph (1) of subdivision (a) of Section 25741 of~~  
31 ~~the Public Resources Code; a combined heat and power system,~~  
32 ~~as defined in Section 2840.2 of the Public Utilities Code;~~  
33 ~~distributed generation and energy storage technologies eligible~~  
34 ~~under the self-generation incentive program pursuant to Section~~  
35 ~~379.6 of the Public Utilities Code, as determined by the Public~~  
36 ~~Utilities Commission; or a facility designed for the production of~~  
37 ~~renewable fuels the efficient use of which reduces the use of fossil~~  
38 ~~or nuclear fuels; and energy efficiency devices or technologies~~  
39 ~~that reduce the need for new electric generation and reduce~~  
40 ~~emissions of toxic and criteria pollutants and greenhouse gases.~~

1     (b) ~~“Conservation services” means the electrical, thermal, or~~  
2     ~~other energy savings resulting from conservation measures, which~~  
3     ~~shall be treated as a supply of that energy.~~

4     (c) ~~“Energy conservation facility” means clean energy devices,~~  
5     ~~technologies, or systems, or conservation measures located in~~  
6     ~~public buildings or on land owned by public agencies.~~

7     (d) ~~“Energy service contract” means a contract entered into by~~  
8     ~~a public agency with any person, pursuant to which the person will~~  
9     ~~provide electrical or thermal energy or conservation services to a~~  
10    ~~public agency from an energy conservation facility.~~

11    (e) ~~“Facility financing contract” means a contract entered into~~  
12    ~~by a public agency with any person whereby the person provides~~  
13    ~~financing for an energy conservation facility in exchange for~~  
14    ~~repayment of the financing and all costs and expenses related~~  
15    ~~thereto by the public agency. A facility financing contract may~~  
16    ~~provide for the person with whom the public agency contracts to~~  
17    ~~provide any combination of feasibility studies for, and design and~~  
18    ~~construction of, all or part of the energy conservation facility in~~  
19    ~~addition to the financing and other related services, and may~~  
20    ~~provide for an installment sale purchase, another form of purchase,~~  
21    ~~or amortized lease of the energy conservation facility by the public~~  
22    ~~agency.~~

23    (f) ~~“Facility ground lease” means a lease of all, or any portion~~  
24    ~~of, land or a public building owned by, or under lease to, a public~~  
25    ~~agency to a person in conjunction with an energy service contract~~  
26    ~~or a facility financing contract. A facility ground lease may include,~~  
27    ~~in addition to the land on which energy conservation facilities will~~  
28    ~~be located, easements, rights-of-way, licenses, and rights of access,~~  
29    ~~for the construction, use, or ownership by the person of the facility~~  
30    ~~and all related utility lines not owned or controlled by the~~  
31    ~~interconnecting utility, and offsite improvements related thereto.~~  
32    ~~A facility ground lease may also include the addition or~~  
33    ~~improvement of utility lines and equipment owned by the~~  
34    ~~interconnecting utility that are necessary to permit interconnection~~  
35    ~~between that utility and an energy conservation facility.~~

36    (g) ~~“Person” means, but is not limited to, any individual,~~  
37    ~~company, corporation, partnership, limited liability company,~~  
38    ~~public agency, association, proprietorship, trust, joint venture, or~~  
39    ~~other entity or group of entities.~~

(h) “Public agency” means the state, a county, city and county, city, district, community college district, school district, California State University, joint powers authority or other entity designated or created by a political subdivision relating to energy development projects, and any other political subdivision or public corporation in the state.

(i) “Public building” includes any structure, building, facility, or work which a public agency is authorized to construct or use, and automobile parking lots, landscaping, and other facilities, including furnishings and equipment, incidental to the use of any structure, building, facility, or work, and also includes the site thereof, and any easements, rights-of-way appurtenant thereto, or necessary for its full use.

SEC. 3. Section 4217.16 of the Government Code is amended to read:

4217.16. Prior to awarding or entering into an agreement or lease, the public agency may request proposals from qualified persons. After evaluating the proposals, the public agency may award the contract on the basis of the experience of the contractor, the type of technology employed by the contractor, the cost to the local agency, whether the clean energy device or technology is manufactured in California, and any other relevant considerations. The public agency may utilize the pool of qualified energy service companies established pursuant to Section 388 of the Public Utilities Code and the procedures contained in that section in awarding the contract.

SEC. 4. Article 7 (commencing with Section 10390) is added to Chapter 2 of Part 2 of Division 2 of the Public Contract Code, to read:

Article 7. Preference for California-Manufactured Clean Energy Devices, Technology, and Systems

10390. For the purposes of this article:

(a) “Clean energy device, technology, or system” means devices or technologies used for a renewable electrical generation facility, as defined in paragraph (1) of subdivision (a) of Section 25741 of the Public Resources Code; a combined heat and power system, as defined in Section 2840.2 of the Public Utilities Code; distributed generation and energy storage technologies eligible

1 under the self-generation incentive program pursuant to Section  
2 379.6 of the Public Utilities Code, as determined by the Public  
3 Utilities Commission; a solar water heating system, as defined in  
4 subdivision (g) of Section 2861 of the Public Utilities Code; or a  
5 facility designed for the production of renewable fuels, the efficient  
6 use of which reduces the use of fossil or nuclear fuels; and energy  
7 efficiency devices or technologies that reduce the need for new  
8 electric generation and reduce emissions of toxic and criteria  
9 pollutants and greenhouse gases.

10 (b) “Power purchase agreement” means a financial arrangement  
11 in which a third-party developer owns, operates, and maintains a  
12 clean energy device, technology, or system, and a state agency  
13 agrees to site the device, technology, or system on its roof or  
14 elsewhere on its property and purchases the device, technology,  
15 or system’s electric output, not the device, technology, or system  
16 itself, from the third-party developer for a predetermined period  
17 of time.

18 10391. (a) A state agency that accepts bids or proposals for a  
19 contract for the purchase or installation of a clean energy device,  
20 technology, or system through a power purchase agreement or a  
21 direct purchase shall provide a preference of 5 percent to a bidder  
22 that certifies that all of the parts of the clean energy device,  
23 technology, or system to be installed have been manufactured in  
24 this state. The maximum preference a bidder may be awarded  
25 pursuant to this article is 5 percent, for that portion of a project  
26 that is for the purchase and installation of a clean energy device,  
27 technology, or system. The total bid preference resulting from this  
28 article and any other provision of law shall not exceed 15 percent.  
29 The preference shall be provided as follows:

30 (1) For solicitations to be awarded to the lowest responsible  
31 bidder meeting specifications, the preference to a bidder that  
32 certifies that all of the parts of the clean energy device, technology,  
33 or system to be installed have been manufactured in this state shall  
34 be 5 percent of the bid price of the lowest responsible bidder  
35 meeting specifications.

36 (2) For solicitations to be awarded to the highest scored bidder  
37 based on evaluation factors in addition to price, the preference to  
38 a bidder that certifies that all of the parts of the clean energy device,  
39 technology, or system to be installed have been manufactured in

1 this state shall be 5 percent of the total score of the highest scored  
2 bidder.

3 (3) A preference awarded pursuant to paragraph (1) or (2) shall  
4 not be awarded to a noncompliant bidder and shall not be used to  
5 satisfy any applicable minimum requirements.

6 (4) In order to be eligible for the 5-percent preference authorized  
7 pursuant to this section, a bidder shall submit all required  
8 substantiating documentation and information needed by the state  
9 agency to determine if the bidder is eligible for the preference,  
10 including, but not limited to, documentation regarding the identity  
11 of the manufacturer of the clean energy device, technology, or  
12 system and the location or locations where the parts of the clean  
13 energy device, technology, or system will be manufactured.

14 (5) If, after application of the preferences set forth in this section,  
15 more than one bid qualified as the lowest responsible bid or the  
16 highest scored bid, the state agency shall award the contract to the  
17 bidder that has the highest number of full-time employees who  
18 manufacture the parts of the clean energy device, technology, or  
19 system in the state when the contract is let.

20 (b) The Department of General Services shall establish a process  
21 to verify that a bidder meets the criteria for the 5-percent  
22 preference.

23 10392. This article shall remain in effect only until January 1,  
24 2020, and as of that date is repealed, unless a later enacted statute,  
25 that is enacted before January 1, 2020, deletes or extends that date.

26 SEC. 5. Section 10780.6 is added to the Public Contract Code,  
27 to read:

28 10780.6. (a) For purposes of this section, “clean energy device,  
29 technology, or system” means devices or technologies used for a  
30 renewable electrical generation facility, as defined in paragraph  
31 (1) of subdivision (a) of Section 25741 of the Public Resources  
32 Code; a combined heat and power system, as defined in Section  
33 2840.2 of the Public Utilities Code; distributed generation and  
34 energy storage technologies eligible under the self-generation  
35 incentive program pursuant to Section 379.6 of the Public Utilities  
36 Code, as determined by the Public Utilities Commission; a solar  
37 water heating system, as defined in subdivision (g) of Section 2861  
38 of the Public Utilities Code; or a facility designed for the  
39 production of renewable fuels, the efficient use of which reduces  
40 the use of fossil or nuclear fuels; and energy efficiency devices or



1 technologies that reduce the need for new electric generation and  
2 reduce emissions of toxic and criteria pollutants and greenhouse  
3 gases.

4 (b) The trustees that accept bids or proposals for a contract for  
5 the purchase or installation of a clean energy device, technology,  
6 or system through a power purchase agreement or a direct purchase  
7 shall provide a preference of 5 percent to a bidder that certifies  
8 that all of the parts of the clean energy device, technology, or  
9 system to be installed have been manufactured in this state. The  
10 maximum preference a bidder may be awarded pursuant to this  
11 section is 5 percent, for that portion of a project that is for the  
12 purchase and installation of a clean energy device, technology, or  
13 system. The total bid preference resulting from this section and  
14 any other provision of law shall not exceed 15 percent. The  
15 preference shall be provided as follows:

16 (1) For solicitations to be awarded to the lowest responsible  
17 bidder meeting specifications, the preference to a bidder that  
18 certifies that all of the parts of the clean energy device, technology,  
19 or system to be installed have been manufactured in this state shall  
20 be 5 percent of the bid price of the lowest responsible bidder  
21 meeting specifications.

22 (2) For solicitations to be awarded to the highest scored bidder  
23 based on evaluation factors in addition to price, the preference to  
24 a bidder that certifies that all of the parts of the clean energy device,  
25 technology, or system to be installed have been manufactured in  
26 this state shall be 5 percent of the total score of the highest scored  
27 bidder.

28 (3) A preference awarded pursuant to paragraph (1) or (2) shall  
29 not be awarded to a noncompliant bidder and shall not be used to  
30 satisfy any applicable minimum requirements.

31 (4) In order to be eligible for the 5-percent preference authorized  
32 pursuant to this section, a bidder shall submit all required  
33 substantiating documentation and information needed by the  
34 trustees to determine if the bidder is eligible for the preference,  
35 including, but not limited to, documentation regarding the identity  
36 of the manufacturer of the clean energy device, technology, or  
37 system and the location or locations where the parts of the clean  
38 energy device, technology, or system will be manufactured.

39 (5) If, after application of the preferences set forth in this section,  
40 more than one bid qualifies as the lowest responsible bid or the

1 highest scored bid, the trustees shall award the contract to the  
2 bidder that has the highest number of full-time employees who  
3 manufacture the parts of the clean energy device, technology, or  
4 system in the state when the contract is let.

5 (e) (1) The Department of General Services shall establish a  
6 process to verify that a bidder meets the criteria for the 5-percent  
7 preference and publish on its Internet Web site a regularly updated  
8 list of all sites that received bid preferences, including the name  
9 of the manufacturer and the type of clean energy device,  
10 technology, or system utilized.

11 (2) The Department of General Services shall annually publish  
12 data on its Internet Web site, on the employment growth associated  
13 with the clean energy bid preference for women, minority, and  
14 disabled veterans.

15 (d) This section shall remain in effect only until January 1, 2020,  
16 and as of that date is repealed, unless a later enacted statute, that  
17 is enacted before January 1, 2020, deletes or extends that date.

O

CAPITOL OFFICE  
State Capitol, Room 313  
Sacramento, CA 95814-4900  
TEL (916) 651-4010  
FAX (916) 327-2433

DISTRICT OFFICES  
1057 MacArthur Blvd., Suite 206  
San Leandro, CA 94577  
TEL (510) 577-2310  
FAX (510) 577-2308

39155 Liberty St., Suite F-610  
Fremont, CA 94538  
TEL (510) 794-3900  
FAX (510) 794-3940

## California State Senate

SENATOR ELLEN M. CORBETT  
MAJORITY LEADER

REPRESENTING ALAMEDA AND SANTA CLARA COUNTIES



STANDING COMMITTEES  
Business, Professions &  
Economic Development  
Energy, Utilities &  
Communications  
Environmental Quality  
Insurance  
Judiciary  
SELECT COMMITTEES  
Emerging Technology:  
Biotechnology and  
Green Energy Jobs, Chair  
California's Wine Industry  
Mental Health  
JOINT COMMITTEE  
Rules

February 21, 2014

Assembly Member Gordon, Chair  
Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, CA 95814

Dear Assembly Member Gordon:

I would like to request permission to add an urgency clause to SB 124 (Corbett). SB 124 is being amended to allow Alameda County to issue a disposition permit for the burial of Abbot, Archimandrite Theodor Micka on the grounds of the Holy Cross Monastery in Alameda County.

The purpose of the urgency clause is to provide for the internment of the Abbot, Archimandrite Theodor Micka immediately upon his passing.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Ellen M. Corbett".

Ellen M. Corbett  
Senate Majority Leader

EMC/js

AMENDED IN SENATE JANUARY 17, 2014

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE MAY 24, 2013

**SENATE BILL**

**No. 761**

---

**Introduced by Senator DeSaulnier**

February 22, 2013

---

An act to amend Section 18897 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

SB 761, as amended, DeSaulnier. Personal income taxes: voluntary contributions: School Supplies for Homeless Children Fund.

The Personal Income Tax Law authorizes an individual to contribute amounts in excess of his or her tax liability for the support of specified funds, including the School Supplies for Homeless Children Fund. Existing law requires the moneys deposited in the School Supplies for Homeless Children Fund to be allocated, upon appropriation by the Legislature, to the State Department of Education for the sole purpose of assisting pupils in California pursuant to the federal McKinney-Vento Homeless Assistance Act by providing school supplies and health-related products to homeless children through competitive grant programs, as provided.

This bill would instead require the same moneys, upon appropriation by the Legislature, to be allocated to the State Department of Education for distribution to a single nonprofit organization, exempt from taxation, for the sole purpose of assisting pupils in California pursuant to the federal McKinney-Vento Homeless Assistance Act by providing grants

of school supplies and health-related products to partnering learning education agencies, as provided.

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

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

1 SECTION 1. Section 18897 of the Revenue and Taxation Code  
2 is amended to read:

3 18897. All moneys transferred to the School Supplies for  
4 Homeless Children Fund, upon appropriation by the Legislature,  
5 shall be allocated as follows:

6 (a) To the Franchise Tax Board and the Controller for  
7 reimbursement of all costs incurred by the Franchise Tax Board  
8 and the Controller in connection with their duties under this article.

9 (b) To the State Department of Education as follows:

10 (1) (A) For distribution to a ~~single~~ nonprofit organization  
11 exempt from federal income tax as an organization described in  
12 Section 501(c)(3) of the Internal Revenue Code for the sole purpose  
13 of assisting pupils in California pursuant to the federal  
14 McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301  
15 et seq.) by providing school supplies and health-related products  
16 to partnering learning education agencies for distribution to  
17 homeless children, as defined by the federal McKinney-Vento  
18 Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The  
19 nonprofit organization shall provide a minimum 100 percent match  
20 for all funds received from the School Supplies for Homeless  
21 Children Fund. *The State Department of Education shall enter*  
22 *into a memorandum of understanding with the nonprofit*  
23 *organization.*

24 (B) The State Department of Education's first designation of a  
25 nonprofit organization shall be valid until January 1, 2017. On that  
26 date, and every three calendar years thereafter, while this section  
27 is operative and in effect, the State Department of Education shall  
28 designate the same or a different nonprofit organization pursuant  
29 to this section. The State Department of Education may revoke  
30 the designation should the nonprofit organization fail to comply  
31 with the provisions of this article. If a designation is revoked, the  
32 State Department of Education shall designate a new nonprofit  
33 organization within three calendar months.

1 (C) Funds shall be distributed by the State Department of  
2 Education only after evidence is presented to the State Department  
3 of Education that demonstrates that the learning education agencies  
4 or domestic violence shelters have received the materials.

5 (2) For reimbursement of all costs incurred by the State  
6 Department of Education in connection with verifying that the  
7 designated nonprofit organization procured school supplies and  
8 health-related products and provided matching funds.

9 (c) (1) Funds distributed to the nonprofit organization pursuant  
10 to this section shall be used only for costs incurred to procure,  
11 assemble, and ship school supplies and health-related products.  
12 Funds made available pursuant to this section shall not be used for  
13 administrative purposes, to reimburse costs associated with  
14 administering grants of school supplies and health-related products  
15 to learning education agencies or domestic violence shelters, or  
16 for any purpose relating to the operation of the nonprofit  
17 organization.

18 (2) The nonprofit organization may provide school supplies and  
19 health-related products to children living in domestic violence  
20 shelters.

O

CAPITOL OFFICE  
STATE CAPITOL, ROOM 5035  
SACRAMENTO, CA 95814  
TEL (916) 651-4007  
FAX (916) 445-2527

DISTRICT OFFICE  
1350 TREAT BLVD., SUITE 240  
WALNUT CREEK, CA 94597  
TEL (925) 942-6082  
FAX (925) 942-6087

SENATOR.DESAULNIER@SEN.CA.GOV  
WWW.SEN.CA.GOV/DESAULNIER

## California State Senate

SENATOR  
**MARK DESAULNIER**  
SEVENTH SENATE DISTRICT



CHAIR  
TRANSPORTATION & HOUSING  
COMMITTEES  
BUDGET & FISCAL REVIEW  
ENERGY, UTILITIES & COMMUNICATIONS  
BUDGET SUBCOMMITTEE NO. 3  
ON HEALTH & HUMAN SERVICES  
GOVERNANCE & FINANCE  
HEALTH

February 19, 2014

The Honorable Richard Gordon  
Chair, Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, CA 95814

Dear Chairman Gordon:

I respectfully request that an urgency clause be added to SB 761. The bill is currently being held at the Assembly desk.

SB 761 will simplify the School Supplies for Homeless Children Fund allocation process to avoid the California Department of Education's (CDE) budget process and allow a timely and efficient distribution process, while ensuring awarded funds go directly to the benefit of homeless children.

In 2012, I authored SB 1571, which was signed into law to establish the School Supplies for Homeless Children Fund (Fund). The Fund has currently generated over \$360,000. However, under the current structure provided by SB 1571, CDE must follow a two-year budget process and the Fund will not deliver any material assistance to homeless children for an extended period of time. An urgency clause is needed in SB 761 to ensure that proceeds from the Fund start being administered this year, in order to get school supplies to homeless children as soon as possible.

Thank you for your consideration. If you have any questions, please feel free to contact Kyle Long in my office at (916) 651-4007.

Sincerely,

A handwritten signature in black ink, reading "Mark DeSaulnier", with a long horizontal line extending to the right.

**Mark DeSaulnier**