



STATE CAPITOL  
P.O. BOX 942849  
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(916) 319-2800  
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Assembly  
California Legislature  
Committee on Rules  
RICHARD S. GORDON  
CHAIR

Thursday, April 24, 2014  
8:50 AM  
State Capitol, Room 3162

VICE CHAIR  
SCOTT WILK  
MEMBERS  
CHERYL R. BROWN  
ROCKY J. CHÁVEZ  
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BILL QUIRK  
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MARIE WALDRON

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

## CONSENT AGENDA

### Bill Referrals

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### Resolutions

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5. SCR 94 (Evans) Relative to "California Wines: Down to Earth" month. [Page 16](#)

### Requests to Add Urgency Clause

6. AB 2488 (Levine) Relative to Alcoholic beverages: certified farmers' market sales permit. [Page 20](#)
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## REFERRAL OF BILLS TO COMMITTEE

04/24/2014

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

Assembly Bill No.	Committee:
<a href="#"><u>AB 2766</u></a>	E. & R.
<a href="#"><u>ACR 136</u></a>	RLS.
<a href="#"><u>ACR 137</u></a>	RLS.
<a href="#"><u>ACR 138</u></a>	RLS.
<a href="#"><u>ACR 139</u></a>	RLS.
<a href="#"><u>AJR 44</u></a>	V.A.
<a href="#"><u>AJR 45</u></a>	PUB. S.
<a href="#"><u>HR 37</u></a>	E. & R.
<a href="#"><u>HR 38</u></a>	RLS.
<a href="#"><u>HR 39</u></a>	RLS.
<a href="#"><u>SB 35</u></a>	PUB. S.
<a href="#"><u>SB 113</u></a>	E. & R.
<a href="#"><u>SB 199</u></a>	PUB. S.
<a href="#"><u>SB 210</u></a>	PUB. S.
<a href="#"><u>SB 245</u></a>	JUD.
<a href="#"><u>SB 266</u></a>	L. & E.
<a href="#"><u>SB 355</u></a>	REV. & TAX.
<a href="#"><u>SB 383</u></a>	B. & F.
<a href="#"><u>SB 383</u></a>	JUD.
<a href="#"><u>SB 388</u></a>	PUB. S.
<a href="#"><u>SB 406</u></a>	JUD.
<a href="#"><u>SB 415</u></a>	JUD.
<a href="#"><u>SB 434</u></a>	U. & C.
<a href="#"><u>SB 456</u></a>	U. & C.
<a href="#"><u>SB 469</u></a>	TRANS.
<a href="#"><u>SB 477</u></a>	L. & E.
<a href="#"><u>SB 477</u></a>	JUD.
<a href="#"><u>SB 498</u></a>	NAT. RES.
<a href="#"><u>SB 498</u></a>	E.S. & T.M.
<a href="#"><u>SB 500</u></a>	B.,P. & C.P.
<a href="#"><u>SB 506</u></a>	PUB. S.
<a href="#"><u>SB 508</u></a>	HEALTH
<a href="#"><u>SB 511</u></a>	J., E.D. & E.
<a href="#"><u>SB 545</u></a>	JUD.
<a href="#"><u>SB 573</u></a>	TRANS.
<a href="#"><u>SB 577</u></a>	HUM. S.
<a href="#"><u>SB 579</u></a>	HUM. S.
<a href="#"><u>SB 636</u></a>	U. & C.

[SB 650](#)  
[SB 650](#)

JUD.  
A.,E.,S.,T. & I. M.



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# Memo

**To:** Rules Committee Members  
**From:** Mukhtar Ali, Bill Referral Consultant  
**Date:** 4/24/14  
**Re:** Consent Bill Referrals

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Since you received the preliminary SB 466 and SB 544 have been removed.



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RE-REFERRAL OF BILLS

04/24/2014

RE-REFERRAL OF BILLS

Assembly Bill No.	Committee:
<a href="#"><u>SB 20</u></a>	HEALTH
<a href="#"><u>AB 2035</u></a>	HUMAN SERVICES
<a href="#"><u>AB 2086</u></a>	REVENUE AND TAXATION
<a href="#"><u>AB 2363</u></a>	UTILITIES AND COMMERCE
<a href="#"><u>AB 2435</u></a>	HUMAN SERVICES
<a href="#"><u>AB 2463</u></a>	WATER, PARKS AND WILDLIFE
<a href="#"><u>*AB 2565</u></a>	HOUSING AND COMMUNITY DEVELOPMENT
<a href="#"><u>**AB 2565</u></a>	JUDICIARY
<a href="#"><u>AB 2711</u></a>	NATURAL RESOURCES



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# Memo

**To:** Rules Committee Members  
**From:** Mukhtar Ali, Bill Referral Consultant  
**Date:** 4/24/14  
**Re:** Consent Bill Re-referrals

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Since you received the preliminary the referral for AB 2565 has changed.



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**Assembly Concurrent Resolution**

**No. 104**

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**Introduced by Assembly Members Rodriguez and Alejo**  
(Coauthors: Senators De León, Hueso, Lara, Padilla, and Torres)

February 20, 2014

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Assembly Concurrent Resolution No. 104—Relative to Cinco de Mayo Week.

LEGISLATIVE COUNSEL'S DIGEST

ACR 104, as introduced, Rodriguez. Cinco de Mayo Week.

This measure would proclaim May 1 through May 7, 2014, as Cinco de Mayo Week, and would urge all Californians to join in celebrating Cinco de Mayo.

Fiscal committee: no.

- 1 WHEREAS, Cinco de Mayo, or the fifth of May, is  
2 memorialized as a significant date in the history of California and  
3 Mexico in recognition of the Latinos of California who offered  
4 their support and risked their lives to defend freedom and  
5 democracy in both the United States and Mexico; and  
6 WHEREAS, Since the beginning of the American Civil War,  
7 Latinos in California have shown their support for the institutions  
8 of freedom and democracy by joining the forces of the United  
9 States Army, Cavalry, and Navy, risking their lives to defend free  
10 institutions; and  
11 WHEREAS, Those who were unable to join the Armed Forces  
12 of the Union freely offered their support for President Abraham  
13 Lincoln; and

1 WHEREAS, The American Civil War, making it impossible  
2 for the United States to enforce the Monroe Doctrine, provided an  
3 opportunity for the Emperor of France, Napoléon III, to establish  
4 a monarchy in Mexico, thereby attempting to destroy democratic  
5 institutions that derive their power from the consent of the  
6 governed; and

7 WHEREAS, Latinos, including Californias, also offered their  
8 support and risked their lives in Mexico to defend freedom and  
9 democracy in that country by joining the armed forces of that sister  
10 republic; and

11 WHEREAS, Those who were unable to travel to Mexico to  
12 physically defend free institutions freely offered their support to  
13 President Benito Juárez by organizing over 122 Juntas Patrióticas  
14 Mexicanas within California to raise funds that were sent every  
15 month from California to Mexico to defray the costs of war in that  
16 country; and

17 WHEREAS, Cinco de Mayo serves to remind us that the  
18 foundation of any nation and our state is its people, in their spirit  
19 and courage in the face of adversity, in the strength of their drive  
20 to achieve self-determination, and in their willingness to sacrifice  
21 even life itself in the pursuit of freedom and liberty; and

22 WHEREAS, Cinco de Mayo offers an opportunity to reflect on  
23 the courage and achievements not only of the Mexican forces at  
24 Puebla, but also on the courage and achievements of Latinos here  
25 in California; and

26 WHEREAS, Achievements by Latinos in America and  
27 California include contributions to all facets of our community;  
28 and

29 WHEREAS, Latino voters continue to go to the polls in record  
30 numbers and influence the entrance of newly elected Latino public  
31 officials in both the Democratic and Republican parties and issues  
32 that encompass providing affordable housing, investing in our  
33 children, ensuring that higher education is affordable and  
34 accessible, creating good paying jobs for working families, and  
35 improving the overall quality of life for all Californians; and

36 WHEREAS, California's Latinos have contributed to the state's  
37 culture and society through their many achievements in music,  
38 food, dance, poetry, literature, architecture, entertainment, sports,  
39 and a broad spectrum of artistic expression; and



1 WHEREAS, Latinos in California have challenged the frontiers  
2 of social and economic justice, thereby improving the working  
3 conditions and lives of countless Californians; and

4 WHEREAS, Latino entrepreneurs in the United States are the  
5 fastest growing group of business owners in our economy; and

6 WHEREAS, In 2001, the Latino Caucus saw a need to recognize  
7 and honor distinguished Latinos for their contributions and  
8 dedication to California and the United States' economy and  
9 cultural life with the annual Latino Spirit Awards. These recipients  
10 are outstanding individuals who have greatly contributed to the  
11 wonderful music, poetry, literature, journalism, and entertainment  
12 of California, the United States, and the world; now, therefore, be  
13 it

14 *Resolved by the Assembly of the State of California, the Senate*  
15 *thereof concurring*, That the Legislature urges all Californians to  
16 join in celebrating Cinco de Mayo, the historic day to honor the  
17 brave spirit of Latinos from California who defended freedom and  
18 democracy in the United States during the Civil War and in Mexico  
19 during the French Intervention, and the Latino noncombatants who  
20 freely gave their votes and resources to defend free institutions,  
21 and the Latinos of California who fought to defend the freedom  
22 of the United States in every armed conflict from the Spanish  
23 American War to the current conflicts in Iraq and Afghanistan;  
24 and be it further

25 *Resolved*, That the Legislature declares May 1 through May 7,  
26 2014, as Cinco de Mayo Week; 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: April 24, 2014

ASSEMBLY COMMITTEE ON RULES

Richard S. Gordon, Chair

ACR 104 (Rodriguez and Alejo) – As Introduced: February 20, 2014

SUBJECT: Cinco de Mayo Week.

SUMMARY: Proclaims May 1 through May 7, 2014, as Cinco de Mayo Week to honor the Latinos of California who have fought, died, and lived to protect the freedom of the United States; and urges all Californians to join in celebrating Cinco de Mayo. Specifically, this resolution makes the following legislative findings:

- 1) Cinco de Mayo, or the fifth of May, is memorialized as a significant date in the history of California and Mexico in recognition of the Latinos of California who offered their support and risked their lives to defend freedom and democracy in both the United States and Mexico.
- 2) Achievements by Latinos in America and California include contributions to the states culture and society through their many achievements in music, food, dance, poetry, literature, architecture, entertainment, sports and a broad spectrum of artistic expression.
- 3) Cinco de Mayo offers an opportunity to reflect on the courage and achievements not only of the Mexican forces at Puebla, but also serves to remind us that the foundation of any nation is its people, in their spirit and courage in the face of diversity, in the strength of their drive to achieve self-determination, and in their willingness to sacrifice even life itself in the pursuit of freedom and liberty.

FISCAL EFFECT: None.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## Assembly Concurrent Resolution

No. 122

Introduced by Assembly Member Beth Gaines

March 17, 2014

Assembly Concurrent Resolution No. 122—Relative to Bone Marrow Donation Awareness Month.

### LEGISLATIVE COUNSEL’S DIGEST

ACR 122, as amended, Beth Gaines. Bone Marrow Donation Awareness Month.

This measure would designate the month of May 2014 as Bone Marrow Donation Awareness Month.

Fiscal committee: no.

1 WHEREAS, Since 1987, when Congress authorized the  
2 establishment of a national registry of volunteer bone marrow  
3 donors, the National Marrow Donor Program (NMDP), *now*  
4 *publicly known as Be The Match*, has facilitated more than ~~40,000~~  
5 *61,000* marrow and *umbilical* cord blood transplants; and

6 WHEREAS, ~~The NMDP~~ *Be The Match* states that the number  
7 of transplants facilitated through the national registry *Be The Match*  
8 *Registry* is “only a fraction of the people who can benefit”; and

9 WHEREAS, One of the leading hurdles cited in a report by the  
10 Government Accountability Office is locating a suitably matched,  
11 unrelated ~~donor~~; *donor*, a process that is often difficult,  
12 time-consuming, and costly; and

13 WHEREAS, ~~Patients will deteriorate, develop major~~  
14 ~~complications, or die while awaiting potential donors; and~~

98

1 WHEREAS, The most prevalent problem with respect to bone  
2 marrow donation is the ~~continued disparity in the number of need~~  
3 ~~for~~ racially and ethnically diverse donors *because of complex tissue*  
4 *types*. Of the more than ~~eight~~ 11 million potential donors on the  
5 registry, ~~only 26~~ *United States' Be The Match Registry*, 41 percent  
6 are donors from racially and ethnically diverse backgrounds; and

7 WHEREAS, There is a need to enhance the understanding of  
8 the importance of bone marrow donation, and to encourage  
9 Californians to participate in bone marrow donation drives; and

10 ~~WHEREAS, The NMDP operates the Be The Match Registry,~~  
11 *Be The Match* operates the world's largest and most diverse  
12 registry of potential bone marrow donors; and

13 WHEREAS, There is a need to support programs that reduce  
14 search time for patients and fully type donors whose tissue  
15 compatibility types are less common; and

16 WHEREAS, The bone marrow registration process is simple.  
17 It only takes a few minutes and requires a cheek swab; now,  
18 therefore, be it

19 *Resolved by the Assembly of the State of California, the Senate*  
20 *thereof concurring*, That the Legislature designates May 2014 as  
21 Bone Marrow Donation Awareness Month; and be it further

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

O

Date of Hearing: April 24, 2014

ASSEMBLY COMMITTEE ON RULES

Richard S. Gordon, Chair

ACR 122 (Gaines) – As Introduced: March 17, 2014

SUBJECT: Bone Marrow Donation Awareness Month.

SUMMARY: Designates the month of May 2014 as Bone Marrow Donation Awareness Month. Specifically, this resolution makes the following legislative findings:

- 1) There is a need to enhance the understanding of the importance of bone marrow donation and to encourage Californians to participate in bone marrow donation drives; and, the bone marrow registration process is simple, only taking a few minutes and requiring a cheek swab.
- 2) The most prevalent problem with respect to bone marrow donation is the need for racially and ethnically diverse donors because of complex tissue types; and, 41 percent of the potential donors on the registry are from racially and ethnically diverse backgrounds.
- 3) The National Marrow Donor Program (NMDP) operates the Be The Match Registry, the world's largest and most diverse registry of potential bone marrow donors; and, since its inception in 1987, the NMDP has facilitated more than 61,000 marrow and cord blood transplants.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN SENATE APRIL 7, 2014

AMENDED IN SENATE MARCH 24, 2014

## Senate Concurrent Resolution

**No. 94**

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### Introduced by Senator Evans

(Principal coauthor: Assembly Member Chesbro)

**(Coauthors: Senators *Berryhill*, *Cannella*, *Corbett*, *Padilla*, and *Wolk*)**

(Coauthors: Assembly Members *Achadjian*, *Eggman*, *Williams*, and *Yamada*)

March 6, 2014

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Senate Concurrent Resolution No. 94—Relative to wineries.

#### LEGISLATIVE COUNSEL'S DIGEST

SCR 94, as amended, Evans. “California Wines: Down to Earth” month.

This measure would proclaim April 2014 as the “California Wines: Down to Earth” month, to celebrate the sustainable leadership of California wineries and winegrape growers.

Fiscal committee: no.

1 WHEREAS, Sustainability is a vital part of the long-term future  
2 of California wine, which contributes an estimated \$61.5 billion  
3 in annual economic impact to California’s economy; and  
4 WHEREAS, The Wine Institute and the California Association  
5 of Winegrape Growers created the California Code of Sustainable  
6 Winegrowing ~~workbook~~ *Workbook* more than a decade ago, with  
7 the third edition released in January 2013, and it has since been  
8 used by vineyards and wineries representing three quarters of



1 California's winegrape acreage and production to self-assess  
2 operations; and

3 WHEREAS, The ~~California Code of Sustainable Winegrowing~~  
4 Program, now managed by the California Sustainable Winegrowing  
5 Alliance, is comprised of more than 200 best practices for  
6 vineyards and wineries that benefit the environment, employees,  
7 neighbors, and high-quality wine; and

8 WHEREAS, Other state and regional sustainability programs,  
9 such as Lodi Rules, Sustainability in Practice (SIP), Napa Green,  
10 Fish Friendly Farming, the *California* Green Business Program,  
11 and others, all play an important role in the California wine  
12 communities' efforts to grow grapes and produce wine in a manner  
13 that is environmentally sound, economically feasible, and socially  
14 equitable; and

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

19 WHEREAS, California's wine community conserves water,  
20 energy, and other natural resources, protects habitat, employee  
21 welfare, and air, water, and soil quality, and promotes the use of  
22 natural pest management and alternative energy and fuels; and

23 WHEREAS, California's 3,800 wineries and 4,600 winegrape  
24 growers are primarily family businesses, with a long-term  
25 commitment to the health and vitality of their communities, and  
26 to preserving the land for future generations; and

27 WHEREAS, California's winegrape growers and vintners  
28 commitment to sustainability has been documented in a newly  
29 published book, *Down to Earth, A Seasonable Tour of Sustainable*  
30 *Winegrowing in California*; now, therefore, be it

31 *Resolved by the Senate of the State of California, the Assembly*  
32 *thereof concurring*, That the Legislature proclaims April 2014 as  
33 the time to celebrate the sustainable leadership of California  
34 wineries and winegrape growers with the theme, "California Wines:  
35 Down to Earth" month, timed to Earth Day on April 22~~nd~~; 22; and  
36 be it further

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

O

Date of Hearing: April 24, 2014

ASSEMBLY COMMITTEE ON RULES

Richard S. Gordon, Chair

SCR 94 (Evans) – As Amended: April 7, 2014

SENATE VOTE: 34-0

SUBJECT: Wineries.

SUMMARY: Proclaims April 2014 as the month to celebrate the sustainable leadership of California wineries and winegrape growers with the theme, "California Wines: Down to Earth." Specifically, this resolution makes the following legislative findings:

- 1) Growing participation in organic, biodynamic, and sustainable certification programs further conveys California vintners' and growers' adherent high standards and dedication to continuous improvement.
- 2) California's wine community conserves water, energy, and other natural resources; protects habitat, employee welfare, and air, water, and soil quality; and promotes the use of natural pest management and alternative energy and fuels.
- 3) California's wineries and winegrape growers are primarily family businesses, with a long-term commitment to the health and vitality of their communities; and, to preserve the land for future generations.

FISCAL EFFECT: None.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file.

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

AMENDED IN ASSEMBLY APRIL 2, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2488**

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**Introduced by Assembly Member Levine**

February 21, 2014

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An act to amend Section ~~24204~~ 23399.4 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2488, as amended, Levine. Alcoholic beverages: ~~licenses: suspension and revocation.~~ *certified farmers' market sales permit.*

*The Alcoholic Beverage Control Act permits the Department of Alcoholic Beverage Control to issue special temporary licenses and permits to various entities for limited purposes. The act permits the department to issue a certified farmers' market sales permit that authorizes a licensee under a winegrower's license, a member of the licensee's family, or an employee of the licensee to sell wine produced and bottled by the winegrower at certified farmers' market locations, under specified conditions. The act provides that a violation of its provisions is a misdemeanor, unless otherwise specified.*

*This bill would specify that, pursuant to the certified farmers' market sales permit, the licensee may only sell wine that is produced entirely from grapes or other agricultural products grown by the winegrower and that is bottled by the winegrower. This bill would require the certified farmers' market sales permit to authorize the licensee also to conduct an instructional tasting event on the subject of wine at a certified farmers' market, subject to certain conditions.*

*By expanding the definition of an existing crime, this bill would impose a state-mandated local program.*

*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.*

~~Existing law, the Alcoholic Beverage Control Act, regulates the application, issuance, and suspension of alcoholic beverage licenses by the Department of Alcoholic Beverage Control. Existing law requires the Chief of the Bureau of Food and Drug Inspection to notify the Department of Alcoholic Beverage Control of the conviction of any licensee of any violation of the California Pure Foods Act in connection with alcoholic beverages. Existing law requires the department to promptly investigate whether grounds exist for suspension or revocation of the license.~~

~~This bill would instead require the Director of the State Department of Public Health to notify the department of the conviction of any licensee of any violation of the Sherman Food, Drug, and Cosmetic Law in connection with alcoholic beverages.~~

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

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

1     SECTION 1. Section 23399.4 of the Business and Professions  
2     Code is amended to read:  
3     23399.4. (a) ~~A licensee under a winegrower's license licensed~~  
4     ~~winegrower~~ may apply to the department for a certified farmers'  
5     market sales permit. A certified farmers' market sales permit shall  
6     authorize the licensee, a member of the licensee's family, or an  
7     employee of the licensee to sell wine ~~produced and bottled by the~~  
8     ~~winegrower entirely from grapes grown by the winegrower~~ at a  
9     certified farmers' market at any place in the state approved by the  
10    department. *The licensee may only sell wine that is produced*  
11    ~~entirely from grapes or other agricultural products grown by the~~  
12    ~~winegrower and that is bottled by the winegrower. In addition,~~  
13    ~~the permit will allow an instructional tasting event by the licensee~~  
14    ~~on the subject of wine at a certified farmers' market.~~ The permit  
15    may be issued for up to 12 months but shall not be valid for more  
16    than one day a week at any single specified certified farmers'

1 market location. A winegrower may hold more than one certified  
2 farmers' market sales permit. The department shall notify the city,  
3 county, or city and county and applicable law enforcement agency  
4 where the certified farmers' market is to be held of the issuance  
5 of the permit. A "certified farmers' market" means a location  
6 operated in accordance with Chapter 10.5 (commencing with  
7 Section 47000) of Division 17 of the Food and Agricultural Code,  
8 and the regulations adopted pursuant thereto.

9 *(b) (1) An instructional tasting event is subject to the*  
10 *authorization and managerial control of the operator of the*  
11 *certified farmers' market. The licensee, a member of the licensee's*  
12 *family, or an employee of the licensee may conduct an instructional*  
13 *tasting event for consumers on the subject of wine at a certified*  
14 *farmers' market.*

15 *(2) (A) At all times during an instructional tasting event, the*  
16 *instructional tasting event area shall be separated from the*  
17 *remainder of the market by a wall, rope, cable, cord, chain, fence,*  
18 *or other permanent or temporary barrier. Only one licensee may*  
19 *conduct an instructional tasting event during the operational hours*  
20 *of any one certified farmers' market.*

21 *(B) The licensee shall not permit any consumer to leave the*  
22 *instructional tasting area with an open container of wine.*

23 *(c) The licensee shall not pour more than three ounces of wine*  
24 *per person per day.*

25 ~~(b)~~

26 *(d) The licensed winegrower eligible for the certified farmers'*  
27 *market sales permit shall not sell more than 5,000 gallons of wine*  
28 *annually pursuant to all certified farmers' market sales permits*  
29 *held by any single winegrower. The licensed winegrower shall*  
30 *report total certified farmers' market wine sales to the department*  
31 *on an annual basis. The report may be included within the annual*  
32 *report of production submitted to the department, or pursuant to*  
33 *any regulation as may be prescribed by the department.*

34 *(e) Except as otherwise provided in this division or by the rules*  
35 *of the department, no premium, gift, free goods, or other thing of*  
36 *value shall be given away by an authorized licensee or its*  
37 *designated representative in connection with an instructional*  
38 *tasting event conducted pursuant to this section that includes*  
39 *tastings of wine.*

40 ~~(e)~~

(f) The fee for any permit issued pursuant to this section shall be ~~forty-four dollars (\$44) for permits issued during the 2002 calendar year, forty-seven dollars (\$47) for permits issued during the 2003 calendar year, fifty dollars (\$50) for permits issued during the 2004 calendar year, and for permits issued during the years thereafter, the annual fee shall be calculated pursuant to subdivisions (c) and (d) of Section 23320~~ *fifty dollars (\$50), subject to adjustment pursuant to subdivisions (b) and (c) of Section 23320.*

~~(d)~~

(g) All money collected as fees pursuant to this section shall be deposited in the Alcohol Beverage Control Fund as provided in Section 25761.

*SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

~~SECTION 1. Section 24204 of the Business and Professions Code is amended to read:~~

~~24204. The Director of the State Department of Public Health shall immediately notify the department of the conviction of any licensee of any violation of the Sherman Food, Drug, and Cosmetic Law in connection with alcoholic beverages. The department shall promptly cause an investigation to be made as to whether grounds exist for suspension or revocation of the license of such licensee.~~

O

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## Assembly California Legislature



**MARC LEVINE**  
ASSEMBLYMEMBER, TENTH DISTRICT

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**WEBSITE** [www.assembly.ca.gov/Levine](http://www.assembly.ca.gov/Levine)

April 22, 2014

The Honorable Richard Gordon  
Chair of the Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, California 95814

Dear Richard Gordon:

I respectfully request permission to add an urgency clause to Assembly Bill 2488. AB 2488 is currently located in the Assembly Appropriations Committee.

The bill would allow limited wine and cider tastings at certified farmers' markets (CFMs). The urgency is needed to help certified farmers' markets and small wineries sales during the current season.

If you have any questions, please feel free to contact Naomi Padron in my office at (916) 319-2010.

Sincerely,

**MARC LEVINE**  
Assemblymember, 10<sup>th</sup> Assembly District



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AMENDED IN ASSEMBLY APRIL 7, 2014  
AMENDED IN ASSEMBLY MARCH 28, 2014  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2577**

---

**Introduced by Assembly Members Cooley and Pan**

February 21, 2014

---

An act to amend Section 14105.94 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 2577, as amended, Cooley. Medi-Cal: ground emergency *medical* transportation services: supplemental reimbursement.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law authorizes certain ground emergency medical transportation providers to receive supplemental Medi-Cal reimbursement in addition to the rate of payment the provider would otherwise receive for those services. Existing law provides that participation in the supplemental reimbursement program by an eligible provider is voluntary, and requires the nonfederal share of the supplemental reimbursement to be paid only with funds from specified governmental entities.

This bill would include, as eligible providers, those that provide ground emergency medical transportation to Medi-Cal fee-for-service or managed care beneficiaries. The bill would also authorize the governmental entities to include, as the nonfederal share of expenditures

for ground emergency medical transportation services, and in collaboration with the department, voluntary intergovernmental transfers (IGTs) that conform with federal law. *The bill would provide specific timeframes for the implementation of these provisions.*

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 14105.94 of the Welfare and Institutions  
2 Code is amended to read:  
3 14105.94. (a) An eligible provider, as described in subdivision  
4 (b), may, in addition to the rate of payment that the provider would  
5 otherwise receive for Medi-Cal ground emergency medical  
6 transportation services, receive supplemental Medi-Cal  
7 reimbursement to the extent provided in this section.  
8 (b) A provider shall be eligible for supplemental reimbursement  
9 only if the provider has all of the following characteristics  
10 continuously during a state fiscal year:  
11 (1) Provides ground emergency medical transportation services  
12 to Medi-Cal fee-for-service or managed care beneficiaries.  
13 (2) Is a provider that is enrolled as a Medi-Cal provider for the  
14 period being claimed.  
15 (3) Is owned or operated by the state, a city, county, city and  
16 county, fire protection district organized pursuant to Part 2.7  
17 (commencing with Section 13800) of Division 12 of the Health  
18 and Safety Code, special district organized pursuant to Chapter 1  
19 (commencing with Section 58000) of Division 1 of Title 6 of the  
20 Government Code, community services district organized pursuant  
21 to Part 1 (commencing with Section 61000) of Division 3 of Title  
22 6 of the Government Code, health care district organized pursuant  
23 to Chapter 1 (commencing with Section 32000) of Division 23 of  
24 the Health and Safety Code, or a federally recognized Indian tribe.  
25 (c) An eligible provider's supplemental reimbursement pursuant  
26 to this section shall be calculated and paid as follows:  
27 (1) The supplemental reimbursement to an eligible provider, as  
28 described in subdivision (b), shall be equal to the amount of federal  
29 financial participation received as a result of the claims submitted  
30 pursuant to paragraph (2) of subdivision (f).

1 (2) In no instance shall the amount certified pursuant to  
2 paragraph (1) of subdivision (e), when combined with the amount  
3 received from all other sources of reimbursement from the  
4 Medi-Cal program, exceed 100 percent of actual costs, as  
5 determined pursuant to the Medi-Cal State Plan, for ground  
6 emergency medical transportation services.

7 (3) The supplemental Medi-Cal reimbursement provided by this  
8 section shall be distributed exclusively to eligible providers under  
9 a payment methodology based on ground emergency medical  
10 transportation services provided to Medi-Cal beneficiaries by  
11 eligible providers on a per-transport basis or other federally  
12 permissible basis. The department shall obtain approval from the  
13 federal Centers for Medicare and Medicaid Services for the  
14 payment methodology to be utilized, and may not make any  
15 payment pursuant to this section prior to obtaining that approval.

16 (d) (1) It is the Legislature's intent in enacting this section to  
17 provide the supplemental reimbursement described in this section  
18 without any expenditure from the General Fund. An eligible  
19 provider, as a condition of receiving supplemental reimbursement  
20 pursuant to this section, shall enter into, and maintain, an agreement  
21 with the department for the purposes of implementing this section  
22 and reimbursing the department for the costs of administering this  
23 section.

24 (2) The nonfederal share of the supplemental reimbursement  
25 submitted to the federal Centers for Medicare and Medicaid  
26 Services for purposes of claiming federal financial participation  
27 shall be paid only with funds from the governmental entities  
28 described in paragraph (3) of subdivision (b) and certified to the  
29 state as provided in subdivision (e).

30 (e) Participation in the program by an eligible provider described  
31 in this section is voluntary. If an applicable governmental entity  
32 elects to seek supplemental reimbursement pursuant to this section  
33 on behalf of an eligible provider owned or operated by the entity,  
34 as described in paragraph (3) of subdivision (b), the governmental  
35 entity shall do all of the following:

36 (1) Certify, in conformity with the requirements of Section  
37 433.51 of Title 42 of the Code of Federal Regulations, that the  
38 claimed expenditures for the ground emergency medical  
39 transportation services are eligible for federal financial  
40 participation. The governmental entity may elect to include, in

1 collaboration with the department, and as the nonfederal share of  
2 expenditures for ground emergency medical transportation services,  
3 voluntary intergovernmental ~~transfers~~; *transfers (IGTs)*, as long  
4 as the ~~intergovernmental transfers~~ *IGTs* are in conformity with  
5 federal law. *If a governmental entity elects to include IGTs as the*  
6 *nonfederal share of expenditures, the IGT funds shall be submitted*  
7 *no later than November 1 of each year.*

8 (2) Provide evidence supporting the certification as specified  
9 by the department.

10 (3) Submit data as specified by the department to determine the  
11 appropriate amounts to claim as expenditures qualifying for federal  
12 financial participation.

13 (4) Keep, maintain, and have readily retrievable, any records  
14 specified by the department to fully disclose reimbursement  
15 amounts to which the eligible provider is entitled, and any other  
16 records required by the federal Centers for Medicare and Medicaid  
17 Services.

18 (f) (1) The department shall promptly seek any necessary federal  
19 approvals for the implementation of this section. The department  
20 may limit the program to those costs that are allowable  
21 expenditures under Title XIX of the federal Social Security Act  
22 (42 U.S.C. 1396 et seq.). If federal approval is not obtained for  
23 implementation of this section, this section shall not be  
24 implemented.

25 (2) The department shall submit claims for federal financial  
26 participation for the expenditures for the services described in  
27 subdivision (e) that are allowable expenditures under federal law.  
28 *If the state receives IGT funds as described in subdivision (e), the*  
29 *department shall certify the IGT funds as the nonfederal share of*  
30 *expenditures within 60 days of receiving the IGT funds. The*  
31 *Controller shall transfer the federal financial participation*  
32 *received as a result of claims for expenditures using IGT funds to*  
33 *the department within 10 days of receiving the federal financial*  
34 *participation.*

35 (3) The department shall, on an annual basis, submit any  
36 necessary materials to the federal government to provide assurances  
37 that claims for federal financial participation will include only  
38 those expenditures that are allowable under federal law.

39 (g) (1) *The department shall distribute supplemental*  
40 *reimbursement for eligible ground emergency medical*

1 *transportation providers for services provided to Medi-Cal*  
2 *managed care beneficiaries to managed care plans within 15 days*  
3 *of receiving the federal financial participation.*

4 (2) *Each managed care plan shall, within 30 days of receiving*  
5 *funds under paragraph (1), distribute 100 percent of the funds*  
6 *received to the eligible ground emergency medical transportation*  
7 *providers in accordance with subdivision (c).*

8 ~~(g)~~

9 (h) (1) If either a final judicial determination is made by any  
10 court of appellate jurisdiction or a final determination is made by  
11 the administrator of the federal Centers for Medicare and Medicaid  
12 Services that the supplemental reimbursement provided for in this  
13 section must be made to any provider not described in this section,  
14 the director shall execute a declaration stating that the  
15 determination has been made and on that date this section shall  
16 become inoperative.

17 (2) The declaration executed pursuant to this subdivision shall  
18 be retained by the director, provided to the fiscal and appropriate  
19 policy committees of the Legislature, the Secretary of State, the  
20 Secretary of the Senate, the Chief Clerk of the Assembly, and the  
21 Legislative Counsel, and posted on the department's Internet Web  
22 site.

23 ~~(h)~~

24 (i) Notwithstanding Chapter 3.5 (commencing with Section  
25 11340) of Part 1 of Division 3 of Title 2 of the Government Code,  
26 the department may implement and administer this section by  
27 means of provider bulletins, or similar instructions, without taking  
28 regulatory action.

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Assembly  
California Legislature



DR. RICHARD PAN  
ASSEMBLYMEMBER, NINTH DISTRICT

COMMITTEES  
CHAIR: HEALTH  
AGRICULTURE  
APPROPRIATIONS  
REVENUE AND TAXATION

April 21, 2014

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

Dear Assemblymember Gordon:

I am writing to request permission to add an urgency clause to AB2577. A bill that will allow qualified GEMT providers to draw down Federal matching funds to help offset the gap between the amounts paid through Medi-Cal and the true cost of providing services. This amount, estimated at nearly \$350 million dollars annually will flow back into local government public safety and allow the continued provision of those services the public enjoys.

In order to capture Federal financial participation at the earliest possible time and ensure access to ground emergency medical transportation for Medi-Cal beneficiaries, it is necessary that this act take effect immediately.

I respectfully urge approval of this request.

Sincerely,

A handwritten signature in blue ink, appearing to be "Richard Pan".

Dr. Richard Pan  
Chair, Assembly Health Committee  
9<sup>th</sup> Assembly District



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**ASSEMBLY BILL**

**No. 2703**

---

**Introduced by Assembly Member Quirk-Silva  
(Principal coauthor: Assembly Member Salas)**

(Principal coauthor: Senator Correa)

**(Coauthors: Assembly Members Achadjian, Brown, Chávez,  
Chesbro, Donnelly, Fox, Frazier, Grove, Hagman, Logue,  
Muratsuchi, Nestande, Pan, and Wagner)**

(Coauthors: Senators Anderson, Berryhill, Block, Corbett, Hueso, Huff,  
Knight, Nielsen, and Vidak)

February 21, 2014

---

An act to add Section 972.3 to the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2703, as introduced, Quirk-Silva. County veterans service officers.

Existing law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that comply with certain conditions. Existing law requires the Department of Veterans Affairs to annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans service officers, and requires the department to prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature on or before October 1 of each year.

This bill would require the department, no later than July 1, 2015, to develop an allocation formula based upon performance to encourage innovation and reward outstanding service by county veterans service officers. The bill would also appropriate \$6,000,000 from the General Fund to the Department of Veterans Affairs for disbursement to the counties to fund the activities of county veterans service officers, as specified, and to encourage innovation and reward outstanding service by these officers.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. The Legislature finds and declares all of the  
2 following:
- 3 (a) The recent conflicts in Iraq and Afghanistan are creating an  
4 entirely new generation of veterans who may be eligible for federal  
5 veterans benefits because of their war service and their physical  
6 and mental condition.
- 7 (b) Californians make up to 10 percent of the federal military  
8 forces used in these conflicts. Furthermore, the California National  
9 Guard and California-based reserve units have contributed  
10 significantly to these current conflicts.
- 11 (c) Many of these returning California veterans are not aware  
12 of the federal and state benefits that are available to them.
- 13 (d) Additionally, it is estimated that in California there may be  
14 over two million veterans, and their widows or widowers, who are  
15 unaware that they may be eligible for pensions from the federal  
16 government based upon their past military service in World War  
17 II, Korea, Vietnam, or the Gulf War.
- 18 (e) California's county veterans service officers (CVSOs) are  
19 the initial local point of contact for claimants accessing the United  
20 States Department of Veterans Affairs.
- 21 (f) The costs of maintaining CVSOs are shared from county  
22 general funds and state reimbursement to the counties. In 1997, in  
23 order to track performance, the Governor signed into law Senate  
24 Bill 608, which required the California Department of Veterans  
25 Affairs to annually report the amount of monetary benefits paid  
26 to veterans by the federal government that were attributable to the  
27 assistance of CVSOs. Senate Bill 608 of the 1997–98 Regular



1 Session also required the Department of Finance to consider an  
2 increase in the annual budget for CVSOs of up to \$5,000,000, if  
3 approved in the yearly budget process. In 2009, the Governor  
4 signed Senate Bill 419 into law, which raised this amount to  
5 \$11,000,000, if approved in the yearly budget process.

6 (g) As a result of this annual reporting, by the end of 2011 it  
7 had been determined that from 1995 to 2011, inclusive, the state  
8 had cumulatively budgeted \$36.2 million for its share of the cost  
9 of the CVSOs. As a result of this investment, CVSOs were able  
10 to assist local veterans in obtaining \$3.3 billion in new federal  
11 moneys. This is a return of about \$91 for every dollar the state  
12 allocates to CVSOs. Furthermore, \$3.6 billion only reflects the  
13 actual monetary benefits qualified for in a given year. The monetary  
14 benefits qualified for in prior years are not tracked, yet the veterans  
15 and their dependents may continue to receive those benefits for  
16 the rest of their lives. Added to this stellar return on the state's  
17 investment, but not counted in the annual reporting, are the  
18 Medi-Cal cost avoidance savings incurred as a result of CVSOs  
19 qualifying and shifting veterans away from Medi-Cal and onto the  
20 appropriate federal veterans program.

21 (h) The CVSOs had accomplished all of this without ever  
22 reaching the allowable state budget allocation of \$5 million, set  
23 in 1997, or the updated allowable allocation set in 2009. To date,  
24 the CVSOs have not received more than \$2.6 million per year from  
25 the state.

26 (i) It is critical that the CVSOs receive an increase in this  
27 allocation because there continues to be a large number of  
28 underserved veterans and their dependents who are not aware of  
29 the federal benefits available to them as a result of their military  
30 service. Studies from other states have shown that increases in  
31 CVSOs have resulted in larger amounts of federal moneys to the  
32 veterans. These new federal moneys and benefits are paid directly  
33 from the United States Department of Veterans Affairs to the  
34 qualifying veteran or their dependent and are used in the local  
35 economy.

36 SEC. 2. Section 972.3 is added to the Military and Veterans  
37 Code, to read:

38 972.3. The Department of Veterans Affairs shall, no later than  
39 July 1, 2015, develop an allocation formula based upon  
40 performance to encourage innovation and reward outstanding

1 service by county veterans service officers. Moneys appropriated  
2 for this purpose shall be allocated each fiscal year in accordance  
3 with that formula among those counties that have established and  
4 maintain a county veterans service officer.

5 SEC. 3. The sum of six million dollars (\$6,000,000) is hereby  
6 appropriated from the General Fund to the Department of Veterans  
7 Affairs to be allocated as follows:

8 (a) Five million six hundred thousand dollars (\$5,600,000) shall  
9 be available for disbursement to the counties to fund the activities  
10 of county veterans service officers pursuant to subdivision (b) of  
11 Section 972.1 of the Military and Veterans Code.

12 (b) Four hundred thousand dollars (\$400,000) shall be available  
13 for disbursement to the counties to encourage innovation and  
14 reward outstanding service by county veterans service officers  
15 pursuant to the allocation formula developed pursuant to Section  
16 972.3 of the Military and Veterans Code.

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Assembly  
California Legislature



SHARON QUIRK-SILVA  
ASSEMBLYMEMBER, SIXTY-FIFTH DISTRICT

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TRANSPORTATION

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CHAIR, REGIONAL TRANSPORTATION  
SOLUTIONS  
CHAIR, JOB CREATION FOR THE NEW  
ECONOMY

April 23, 2014

Honorable Richard Gordon  
California State Assembly, Rules Committee  
State Capitol, Room 3016  
Sacramento, California 95814

Dear Chairman Gordon:

I respectfully request an urgency clause be amended into AB 2703 (Quirk-Silva), as introduced on February 21, 2014. This bill would make permanent the \$3 million increase in funding in the current year budget for California Veterans Services Offices. The urgency clause is critical for ensuring that this important funding to CVSOs is not interrupted, new veterans service representatives (VSRs) are retained, and the increased outreach efforts to veterans is supported. Additionally, this funding will sustain current efforts while securing additional federal benefits for California's 1.8 million veterans, the highest number of any state.

Thank you for your consideration of this request.

Please contact Annabel Snider of my Capitol office at (916) 319-2065 with any questions.

Sincerely,

*Sharon Quirk-Silva*

SHARON QUIRK-SILVA  
Assemblywoman, 65<sup>th</sup> District



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AMENDED IN ASSEMBLY APRIL 9, 2014  
AMENDED IN ASSEMBLY MARCH 28, 2014  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2717**

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**Introduced by Assembly Members Bonta and Skinner**  
**(Principal coauthor: Assembly Member Medina)**

February 21, 2014

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An act relating to economic development, and making an appropriation ~~thereof~~; *therefor*.

LEGISLATIVE COUNSEL'S DIGEST

AB 2717, as amended, Bonta. Small Business Development Center Program: appropriation.

Existing law establishes the California Economic Development Fund and authorizes the Governor's Office of Business and Economic Development, upon appropriation by the Legislature, to provide matching funds for economic development purposes from that fund.

This bill would appropriate \$6 million from the General Fund to the California Economic Development Fund to provide a cash match for federal funds to administrative lead centers that have contracts with the United States Small Business Administration to administer the federal Small Business Development Center Program in California, subject to a specified condition. This bill would ~~only~~ become operative *only* if AB 2670 of the 2013–14 Regular Session is enacted and becomes operative.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

1     SECTION 1. (a) Six million dollars (\$6,000,000) is hereby  
2     appropriated from the General Fund to the California Economic  
3     Development Fund, established pursuant to subdivision (a) of  
4     Section 13997.6 of the Government Code, to provide a cash match  
5     for administrative lead centers that have contracts with the United  
6     States Small Business Administration to administer the federal  
7     Small Business Development Center Program in California. Funds  
8     shall ~~only~~ be awarded *only* to an administrative lead center that  
9     submits written confirmation from the regional administrator of  
10    the United States Small Business Administration documenting  
11    that the state funds will be matched by federal funds on a  
12    one-for-one basis.  
13    (b) This act shall ~~only~~ become operative *only* if Assembly Bill  
14    2670 of the 2013–14 Regular Session is enacted and becomes  
15    operative.

O

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Assembly  
California Legislature



ROB BONTA

ASSEMBLYMEMBER, EIGHTEENTH DISTRICT

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SELECT COMMITTEE

CHAIR, GUN VIOLENCE IN THE  
EAST BAY

April 17, 2014

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

RE: Urgency Clause for AB 2717, pertaining to Small Business Development  
Centers

Dear Assemblymember Gordon:

I request permission to add an urgency clause to AB 2717, pertaining to Small  
Business Development Centers, pursuant to Joint Rule 58. In order to effectuate  
the state match in the upcoming federal fiscal year we need the bill to take effect  
immediately.

If you have any questions on this matter, please do not hesitate to contact me or  
have your designated staff person contact Max Mikalonis at 916.319.2566.

Sincerely,

A handwritten signature in black ink that reads "Rob Bonta".

Rob Bonta  
Assemblymember, 18<sup>th</sup> District



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