



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
LING LING CHANG

MEMBERS
AUTUMN R. BURKE
NORA CAMPOS
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JIM WOOD

PATTY LOPEZ (D-ALT.)
JAY OBERNOLTE (R-ALT.)

Thursday, June 04, 2015
9:50 AM
State Capitol, Room 3162

CONSENT AGENDA

Bill Referrals

1. Consent Bill Referrals

[Page 2](#)

Resolutions

2. ACR 71 (Dodd) Relative to Elder and Vulnerable Adult Abuse Awareness Month.
3. ACR 76 (Jones) Relative to Magna Carta: 800th anniversary.
4. SCR 53 (Galgiani) Relative to Disability awareness.

[Page 5](#)

[Page 12](#)

[Page 17](#)

REFERRAL OF BILLS TO COMMITTEE

06/04/2015

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

Assembly Bill No.	Committee:
<u>ACR 78</u>	TRANS.
<u>ACR 80</u>	RLS.
<u>ACR 81</u>	RLS.
<u>ACR 82</u>	RLS.
<u>AJR 16</u>	JUD.
<u>AJR 17</u>	HUM. S.
<u>AJR 18</u>	NAT. RES.
<u>AJR 19</u>	JUD.
<u>SB 18</u>	U. & C.
<u>SB 64</u>	TRANS.
<u>SB 145</u>	HEALTH
<u>SB 145</u>	JUD.
<u>SB 159</u>	J., E.D. & E.
<u>SB 159</u>	V.A.
<u>SB 177</u>	B. & P.
<u>SB 196</u>	JUD.
<u>SB 196</u>	AGING & L.T.C.
<u>SB 225</u>	NAT. RES.
<u>SB 230</u>	PUB. S.
<u>SB 235</u>	B. & F.
<u>SB 235</u>	JUD.
<u>SB 285</u>	B. & F.
<u>SB 287</u>	B. & P.
<u>SB 287</u>	JUD.
<u>SB 300</u>	B. & F.
<u>SB 300</u>	P. & C.P.
<u>SB 351</u>	B. & F.
<u>SB 351</u>	B. & P.
<u>SB 363</u>	JUD.
<u>SB 382</u>	PUB. S.
<u>SB 383</u>	JUD.
<u>SB 385</u>	E.S. & T.M.
<u>SB 385</u>	JUD.
<u>SB 386</u>	P. & C.P.
<u>SB 387</u>	JUD.
<u>SB 413</u>	TRANS.
<u>SB 413</u>	PUB. S.
<u>SB 433</u>	REV. & TAX.

[SB 474](#)
[SB 533](#)
[SB 533](#)
[SB 730](#)
[SB 730](#)
[SB 762](#)
[SB 777](#)
[SB 785](#)
[SB 786](#)
[SB 789](#)
[SB 793](#)
[SB 799](#)
[SB 800](#)
[SJR 5](#)

JUD.
L. GOV.
REV. & TAX.
TRANS.
U. & C.
L. GOV.
G.O.
JUD.
A. & A.R.
TRANS.
U. & C.
B. & P.
B. & P.
JUD.



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Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 6/3/2015
Re: Consent Bill Referrals

Since you received the preliminary list of bill referrals, the referral for AJR 17 has changed and SJR 5 has been added.

Assembly Concurrent Resolution

No. 71

**Introduced by Assembly Member Dodd
(Coauthor: Assembly Member Bloom)**

May 14, 2015

Assembly Concurrent Resolution No. 71—Relative to Elder and Vulnerable Adult Abuse Awareness Month.

LEGISLATIVE COUNSEL'S DIGEST

ACR 71, as introduced, Dodd. Elder and Vulnerable Adult Abuse Awareness Month.

This measure would proclaim and acknowledge the month of June 2015 and every year thereafter as Elder and Vulnerable Adult Abuse Awareness Month.

Fiscal committee: no.

- 1 WHEREAS, Elder and vulnerable adult abuse is a serious and
2 growing crisis in California; and
3 WHEREAS, Not a day goes by without reports of horrific cases
4 of abuse or exploitation of elder or vulnerable adults; and
5 WHEREAS, Throughout the United States, 10,000 people a day
6 are turning 65 years of age; and
7 WHEREAS, One in ten Americans 60 years of age and older
8 experience abuse each year; and
9 WHEREAS, One in every eight individuals over 65 years of
10 age is living with Alzheimer's disease and nearly one in two people
11 with dementia experiences some form of abuse by others; and
12 WHEREAS, Elder and vulnerable adults may be impacted by
13 any of a constellation of physical, mental, pharmaceutical, or

1 medical influences, any one of which could render them unable
2 to protect themselves or self-advocate, to report to authorities when
3 abuse occurs, or to testify against perpetrators; and

4 WHEREAS, A 2009 National Institute of Justice study found
5 that 11 percent of elders reported experiencing at least one form
6 of mistreatment, including emotional, physical, sexual, or neglect,
7 in the past year; and

8 WHEREAS, Elder and vulnerable adult abuse may be physical,
9 emotional, sexual, or fiduciary and consists of crimes that recognize
10 no boundaries of economic, educational, or social status, gender,
11 race, culture, religion, or geographic location; and

12 WHEREAS, Subtle indicators that abuse may be occurring
13 include bruises or pressure marks, unexplained withdrawal from
14 normal activities, a change in alertness, unusual depression, sudden
15 changes in financial situations, strained or tense relationships, or
16 frequent arguments; and

17 WHEREAS, Recognizing these signs is the first step toward the
18 prevention of elder and vulnerable adult abuse; and

19 WHEREAS, Elders who experience abuse or mistreatment face
20 a greater risk of impacting the health system or impacting the social
21 service system; and

22 WHEREAS, The growing rate of elder abuse and vulnerable
23 adult abuse exacts a heavy toll on public resources as elder financial
24 abuse victims often become nursing home residents that are
25 dependent upon Medi-Cal; and

26 WHEREAS, Elder and dependent adult victims have a mortality
27 rate three times that of the general public and are 300 percent more
28 likely to die a premature death; and

29 WHEREAS, The incidence of abuse and exploitation of the
30 developmentally disabled population is shocking. Over 80 percent
31 of women with developmental disabilities and over 30 percent of
32 men with developmental disabilities are sexually abused at least
33 once during their lifetime; and

34 WHEREAS, Given that one in every 110 babies born today has
35 a disorder on the autism spectrum, the rapid growth of special
36 populations in need of enhanced protection will further challenge
37 an overwhelmed patchwork of programs and services intended to
38 protect vulnerable adult populations; and

39 WHEREAS, Current estimates suggest that as few as one in 14
40 cases of elder and vulnerable adult abuse is reported, including

1 fewer than one in 25 incidents of financial abuse, because the
2 victims are ashamed, hopeless, intimidated, or afraid of the
3 perpetrator; and

4 WHEREAS, A comprehensive central data repository of all
5 child abuse investigations has been in existence since 1965, but
6 no similar repository exists for investigations of crimes against
7 vulnerable, elderly, and other dependent adults; and

8 WHEREAS, Even in 2015, with a rapidly expanding population
9 of elderly adults and other adults with disabilities that render them
10 vulnerable to predators, the State of California does not collect or
11 maintain comprehensive data on abuse cases, reports, or
12 investigations, thus inhibiting the government’s capacity to be
13 informed about existing trends, and to make informed decisions
14 about the strategic use of existing resources, let alone improve the
15 existing reporting system, enhancing protections, or lending law
16 enforcement partners the tools necessary to secure justice; and

17 WHEREAS, The lack of statewide elder and vulnerable adult
18 abuse data prevents policymakers from measuring the extent of
19 these crimes and tragedies; and

20 WHEREAS, The lack of a statewide strategy that includes a
21 single point of contact to report an incident of abuse contributes
22 to the current state of underreporting, incomplete investigations,
23 lack of resources, ambiguous jurisdiction, and incomplete data;
24 and

25 WHEREAS, The California Commission on Aging and the
26 California Elder Justice Coalition convened an elder justice summit
27 in 2013 during which 140 experts and advocates identified
28 shortcomings in California’s response to elder abuse and proposed
29 promising solutions, including an Elder Justice Blue Ribbon Panel
30 to focus on the problem; and

31 WHEREAS, Elders and vulnerable adults have the right to live
32 safely in the least restrictive environment, whether in their homes
33 or health care facilities, and to enjoy an optimum quality of life
34 while being protected from all forms of injustice; and

35 WHEREAS, Private citizens and public agencies must work to
36 combat crime and violence against elders and vulnerable adults,
37 particularly in the face of continued funding reductions in vital
38 services; and

39 WHEREAS, Due to the ubiquitous nature of elder abuse, June
40 15 is recognized internationally as World Elder Abuse Awareness

1 Day, first established in 2006, to raise awareness of elder and
2 vulnerable adult abuse and to promote better understanding of the
3 cultural, social, economic and demographic issues behind the
4 growing incidence of elder and vulnerable adult abuse around the
5 globe; and

6 WHEREAS, All Californians are strongly encouraged to report
7 suspected abuse of an elder or vulnerable adult by calling their
8 local adult protective services agency, Long-Term Care
9 Ombudsman, law enforcement, or emergency services agencies;
10 now, therefore, be it

11 *Resolved by the Assembly of the State of California, the Senate*
12 *thereof concurring,* That the Legislature proclaims and
13 acknowledges the month of June 2015 and every year thereafter
14 as Elder and Vulnerable Adult Abuse Awareness Month; and be
15 it further

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

O

Date of Hearing: June 4, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
ACR 71 (Dodd) – As Introduced May 14, 2015

SUBJECT: Elder and Vulnerable Adult Abuse Awareness Month.

SUMMARY: Proclaims the month of June 2015 and every year thereafter as Elder and Vulnerable Adult Abuse Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Elder and vulnerable adult abuse is a serious and growing crisis in California and not a day goes by without reports of horrific cases of abuse or exploitation of elder or vulnerable adults.
- 2) Elder and vulnerable adult abuse may be physical, emotional, sexual, or fiduciary and consists of crimes that recognize no boundaries of economic, educational, or social status, gender, race, culture, religion, or geographic location.
- 3) The lack of statewide elder and vulnerable adult abuse data prevents policymakers from measuring the extent of these crimes and tragedies.
- 4) The California Commission on Aging and the California Elder Justice Coalition convened an elder justice summit in 2013 during which 140 experts and advocates identified shortcomings in California's response to elder abuse and proposed promising solutions, including an Elder Justice Blue Ribbon Panel to focus on the problem.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California Commission on Aging
California Elder Justice Coalition

Opposition

None on file

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

CALIFORNIA COMMISSION ON AGING

Edmund G. Brown, Jr., Governor

1300 National Drive, Suite 173
Sacramento, CA 95834

Telephone: 916-419-7591
Fax: 916-419-7596
E-Mail: CCoA@ccoa.ca.gov
Web Site: www.CCoA.ca.gov



Executive Director
Sandra Fitzpatrick

May 27, 2015

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

RE: ACR 71 – Elder Abuse Awareness Month

Dear Chairman Gordon:

The California Commission on Aging is pleased to join with the California Elder Justice Coalition as co-sponsors of ACR 71 (Dodd), naming the month of June as Elder Abuse Awareness Month in California.

The CCoA is designated by law to act as the principal advocate in the state on behalf of California's older adults. Our members are gubernatorial and legislative appointees from throughout the state. They represent a wealth of experience both in and out of the aging services arena.

Elder abuse is a pervasive and growing crime that can destroy the lives of its victims. Part of the solution to effectively address elder abuse is to increase the public's awareness of what elder abuse is and how commonly it occurs. By declaring the month of June as Elder Abuse Awareness Month in California, ACR 71 creates statewide recognition of the problem and provides opportunities for legislators, first responders, advocates and other stakeholders to learn, to educate, and join forces against abuse.

We respectfully request your support for this important measure.

Sincerely,

A handwritten signature in cursive script that reads "Virgie P. Walker".

Virgie P. Walker
Chair

cc: Assembly Member Bill Dodd



PROTECT • DEFEND • EMPOWER

May 27, 2015

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

RE: ACR 71 – Elder Abuse Awareness Month

Dear Assembly Member Gordon:

The California Elder Justice Coalition is delighted to co-sponsor ACR 71, declaring the month of June as Elder Abuse Awareness Month in California.

CEJC is a multidisciplinary membership organization that was formed to provide a voice from the field in promoting elder justice in California. Our 40 individual and organizational members include experts, service providers, advocates and practitioners from the fields of adult protective services, mental health, the courts, disability rights, aging and long term services and supports, patients rights and many others.

Heightened public awareness about abuse and neglect is critical to its prevention, and designating June as Elder Abuse Awareness month will provide a focal point for local and statewide efforts to get the word out to victims, witnesses, and policy makers.

Thank you for your leadership in raising awareness about this very important issue.
Sincerely,

Lisa Nerenberg

Lisa Nerenberg, Executive Director
California Elder Justice Coalition

cc: California Commission on Aging
Assembly Aging & Long-Term Care Committee

Assembly Concurrent Resolution

No. 76

Introduced by Assembly Member Jones
(Coauthors: Assembly Members Chávez and Lackey)
(Coauthors: Senators Bates, Hall, Leno, Moorlach, and Pan)

May 19, 2015

Assembly Concurrent Resolution No. 76—Relative to the 800th anniversary of Magna Carta.

LEGISLATIVE COUNSEL'S DIGEST

ACR 76, as introduced, Jones. Magna Carta: 800th anniversary.

This measure would commemorate the 800th anniversary of Magna Carta.

Fiscal committee: no.

1 WHEREAS, In response to the accumulation of grievances,
2 heavy taxation, and unsuccessful wars, a group of rebellious barons
3 forced King John of England to agree to limitations on royal power
4 and submit to the rule of law by affixing his seal to a charter of
5 liberties known to posterity as Magna Carta, Latin for the Great
6 Charter, on June 15, 1215, at a meadow beside the river Thames
7 called Runnymede, near Windsor; and

8 WHEREAS, While many of Magna Carta's 63 clauses relate to
9 specific grievances and long-defunct feudal practices of little
10 contemporary relevance, several of its provisions have had a lasting
11 significance as precedents guaranteeing fundamental rights and
12 liberties; and

13 WHEREAS, Clause 39 of Magna Carta provides, "No freeman
14 shall be taken, or imprisoned, or disseised, or outlawed, or exiled,

1 or in any way harmed - nor will we go upon or send upon him -
2 save by the lawful judgment of his peers or by the law of land”;
3 and

4 WHEREAS, Clause 40 of the Magna Carta provides, “To none
5 will we sell, to none deny or delay, right or justice”; and

6 WHEREAS, Magna Carta embodies the principle that no person,
7 and no government, is above the law; and

8 WHEREAS, The phrase “due process of law” first appeared as
9 a substitute for Magna Carta’s phrase “law of the land” in a 1354
10 statute of King Edward III that restated Magna Carta’s guarantee
11 of liberty of the subject and, therefore, Magna Carta created a
12 precedent in guaranteeing “due process of law” that was later
13 embodied in the Fifth and Fourteenth Amendments to the United
14 States Constitution, the sources of key constitutional liberties for
15 Americans; and

16 WHEREAS, Other clauses of Magna Carta state important
17 principles, such as the right to impartial and competent judges,
18 reasonable taxes, courts held in fixed places, fixed weights and
19 measures, criminal penalties that are proportionate to the
20 seriousness of the crime, and limitations on taking private property
21 for public use; and

22 WHEREAS, King John later repudiated Magna Carta, and a
23 civil war followed, but it was reissued, with revisions, numerous
24 times by subsequent monarchs, and though many provisions fell
25 into disuse or were superseded by subsequent legislation, Magna
26 Carta remains as an inspirational precedent for the proposition that
27 government power is not absolute and that the people possess
28 fundamental rights which government cannot violate; and

29 WHEREAS, Magna Carta is an early milestone along the path
30 toward freedom and constitutional government, followed by the
31 development of Parliament in the 1260s, the 1606 First Charter of
32 Virginia, the 1620 Mayflower Compact and other colonial charters,
33 the 1628 Petition of Right, the 1679 Habeas Corpus Act, and 1689
34 English Bill of Rights, the 1776 American Declaration of
35 Independence, the 1787 United States Constitution, the 1789 United
36 States Bill of Rights, and the 1948 United Nations’ Universal
37 Declaration of Human Rights; and

38 WHEREAS, In a “History of the English-Speaking Peoples”,
39 Winston Churchill summarized Magna Carta’s achievement,
40 stating, “In place of the King’s arbitrary despotism, they proposed,

1 not the withering anarchy of feudal separatism, but a system of
2 checks and balances which would accord the monarchy its
3 necessary strength, but would prevent its perversion by a tyrant or
4 a fool. The leaders of the barons in 1215 groped in the dim light
5 towards a fundamental principle. Government must henceforth
6 mean something more than the arbitrary rule of any man, and
7 custom and the law must stand even above the king. It was this
8 idea, perhaps only half understood, that gave unity and force to
9 the barons' opposition and made the Charter which they now
10 demanded imperishable"; and

11 WHEREAS, In his third inaugural address, delivered on January
12 20, 1941, as continental Europe groaned under the yoke of Nazi
13 tyranny, President Franklin D. Roosevelt said, "Democracy is not
14 dying. ... The democratic aspiration is no mere recent phase in
15 human history. It is human history. It permeated the ancient life
16 of early peoples. It blazed anew in the middle ages. It was written
17 in Magna [Carta]. ... Its vitality was written into our own
18 Mayflower Compact, into the Declaration of Independence, into
19 the Constitution of the United States, into the Gettysburg Address";
20 and

21 WHEREAS, In too many parts of the world, the right to jury
22 trial, habeas corpus, the rule of law, fair legal procedures,
23 reasonable taxation, and the proposition that no government is
24 above the law, principles either enshrined in or foreshadowed by
25 Magna Carta, remain goals yet to be attained, rather than a legacy
26 to be celebrated; and

27 WHEREAS, For as long as people celebrate freedom under law,
28 Magna Carta will remain an inspiring example of a people's ability
29 to resist tyranny and arbitrary government and will remain "the
30 Great Charter" of liberties; now, therefore, be it

31 *Resolved by the Assembly of the State of California, the Senate*
32 *thereof concurring,* That the 800th anniversary of Magna Carta
33 hereby be commemorated and the residents of the State of
34 California be encouraged to observe this important milestone in
35 the history of freedom and development of modern constitutional
36 government; and be it further

- 1 *Resolved by the Assembly of the State of California, the Senate*
- 2 *thereof concurring, That the Chief Clerk of the Assembly transmit*
- 3 *copies of this resolution to the author for appropriate distribution.*

O

Date of Hearing: June 4, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
ACR 76 (Jones) – As Introduced May 19, 2015

SUBJECT: Magna Carta: 800th anniversary.

SUMMARY: Commemorates the 800th anniversary of the Magna Carta. Specifically, **this bill:** makes the following legislative findings:

- 1) In response to the accumulation of grievances, heavy taxation, and unsuccessful wars, a group of rebellious barons forced King John of England to agree to limitations on royal power and submit to the rule of law by affixing his seal to a charter of liberties known to posterity as Magna Carta, Latin for the Great Charter, on June 15, 1215, at a meadow beside the river Thames called Runnymede, near Windsor.
- 2) Magna Carta is an early milestone along the path toward freedom and constitutional government, followed by the development of Parliament in the 1260s, the 1606 First Charter of Virginia, the 1620 Mayflower Compact and other colonial charters, the 1628 Petition of Rights, the 1679 Habeas Corpus Act, and 1689 English Bill of Rights, the 1776 American Declaration of Independence, the 1787 United States Constitution, the 1789 United States Bill of Rights, and the 1948 United Nations' Universal Declaration of Human Rights.
- 3) In too many parts of the world, the right to jury trial, habeas corpus, the rule of law, fair legal procedures, reasonable taxation, and the proposition that no government is above the law, principles either enshrined or foreshadowed by Magna Carta, remain goals yet to be attained.
- 4) For as long as people celebrate freedom under law, Magna Carta will remain an inspiring example of a people's ability to resist tyranny and arbitrary government and will remain "the Great Charter" of liberties.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Galgiani

(Coauthors: Senators Anderson, Hall, Hertzberg, Huff, and Leno)

(Coauthors: Assembly Members Chu, Cooper, Dodd, Gordon, Lackey, Steinorth, and Waldron)

May 4, 2015

Senate Concurrent Resolution No. 53—Relative to Disability Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 53, as introduced, Galgiani. Disability awareness.

This measure would recognize the month of June 2015 as Disability Awareness Month.

Fiscal committee: no.

1 WHEREAS, There are over 4,268,000 people with disabilities
2 living in the State of California;

3 WHEREAS, The State of California does not currently recognize
4 Disability Awareness Month, but municipalities throughout
5 Stanislaus County recognize June 2015 as Disability Awareness
6 Month; and

7 WHEREAS, Around 10 percent of the world’s population, or
8 650 million people, live with a disability. They are the world’s
9 largest minority group; and

10 WHEREAS, Persons with disabilities constitute the only
11 minority group you can join at any time; and

12 WHEREAS, Disabilities can affect all people, regardless of
13 race, age, gender, or social status. The essence of life is not
14 embodied by physical or mental perfection, but it is an integral
15 part of the human spirit; and

1 WHEREAS, Increasing public awareness about diverse abilities
2 is vital to fighting the stigma and discrimination that often serve
3 as a barrier to employment, socialization, and individual well-being
4 for persons with disabilities; and

5 WHEREAS, Within the next year, at least one out of eight
6 Californians will experience a disability, personally or through a
7 family member; and

8 WHEREAS, People with different abilities are independent and
9 productive members of the community. Education, understanding,
10 access, engagement, and relationships are important components
11 of a connected, livable, and healthy community. Communities
12 thrive when residents appreciate the unique gifts inside people of
13 all abilities. By developing relationships with our neighbors, we
14 make our community a place where everyone participates and is
15 a valued member; now, therefore, be it

16 *Resolved by the Senate of the State of California, the Assembly*
17 *thereof concurring*, That the Legislature hereby recognizes the
18 month of June 2015 as Disability Awareness Month, and urges all
19 citizens of the state to become aware of the needs and capabilities
20 of persons with disabilities; and be it further

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

O

Date of Hearing: June 4, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 53 (Galgiani) – As Introduced May 4, 2015

SENATE VOTE: 38-0

SUBJECT: Disability awareness.

SUMMARY: Recognizes the month of June 2015 as Disability Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) In the State of California there are over 4,268,000 people living with disabilities; and around 10 percent of the world's population live with a disability making people with disabilities the largest minority group in the world.
- 2) Disabilities can affect all people, regardless of race, age, gender, or social status.
- 3) Increasing public awareness about diverse abilities is vital to fighting the stigma and discrimination that often serve as a barrier to employment, socialization, and individual well-being for persons with disabilities.
- 4) People with different abilities are independent and productive members of the community; and education, understanding, access, engagement, and relationships are important components of a connected, livable, and healthy community.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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