



STATE CAPITOL
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(916) 319-2800
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Assembly
California Legislature
Committee on Rules

RICHARD S. GORDON
CHAIR

VICE CHAIR
LING LING CHANG

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NORA CAMPOS
KEN COOLEY
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MARIE WALDRON
JIM WOOD

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

Monday, August 17, 2015
11:50 AM
State Capitol, Room 3162

CONSENT AGENDA

Bill Referrals

1. Consent Bill Referrals

[Page 2](#)

Resolutions

2. SCR 5 (Gaines) Relative to Mentoring Month.
3. SCR 8 (Fuller) Relative to Adrenoleukodystrophy Awareness Month.
4. SCR 64 (Pan) Relative to Americans with Disabilities Act.
5. SCR 65 (Cannella) Relative to June Dairy Month.
6. SCR 76 (Gaines) Relative to Prostate Cancer Awareness Month.
7. SCR 77 (Liu) Relative to Pain Awareness Month and Women in Pain Awareness Day.

[Page 4](#)

[Page 8](#)

[Page 13](#)

[Page 16](#)

[Page 20](#)

[Page 23](#)

Request to Add Urgency Clause

8. SB 405 (Hertzberg) Relative to Failure to appear in court: fines.

[Page 28](#)

REFERRAL OF BILLS TO COMMITTEE

08/17/2015

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

Assembly Bill No.

[AB 1544](#)

[ACR 97](#)

[ACR 98](#)

[ACR 99](#)

[HR 28](#)

[SB 304](#)

[SCR 78](#)

[SJR 9](#)

[SJR 11](#)

[SJR 16](#)

Committee:

E. & R.

B. & P.

P.E.,R. & S.S.

RLS.

ED.

APPR.

RLS.

HEALTH

JUD.

HUM. S.



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Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 8/14/2015
Re: Consent Bill Referrals

Since you received the preliminary list of bill referrals, there have been no changes.



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Introduced by Senator Gaines

January 6, 2015

Senate Concurrent Resolution No. 5—Relative to Mentoring Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 5, as introduced, Gaines. Mentoring Month.

This measure would designate the month of January 2015 as Mentoring Month, and would call on public officials, business and community leaders, and educators to observe the month with appropriate ceremonies, activities, and programs in order to accomplish specified objectives recognizing the importance of mentoring and promoting the creation and expansion of mentorship programs.

Fiscal committee: no.

- 1 WHEREAS, In 2002, the Harvard School of Public Health and
2 MENTOR: The National Mentoring Partnership created the
3 National Mentoring Month campaign, held annually each January,
4 to raise awareness of mentoring, to recruit individuals to mentor,
5 and to promote the growth of mentoring by encouraging
6 organizations to facilitate employee involvement in quality
7 mentoring; and
8 WHEREAS, A mentor provides a caring and consistent presence
9 and devotes time to help a mentee discover personal strength and
10 achieve full potential through a structured and trusting relationship;
11 and
12 WHEREAS, Quality mentoring encourages positive choices,
13 promotes self-esteem, supports academic achievement, and
14 introduces young people to new ideas; and

1 WHEREAS, Mentoring programs are effective in combating
2 school violence, discipline problems, substance abuse,
3 incarceration, and truancy; and

4 WHEREAS, Research shows that a young person who is at risk
5 for not completing high school but who has a mentor is 55 percent
6 more likely to enroll in college, 81 percent more likely to report
7 participating regularly in sports or extracurricular activities, more
8 than twice as likely to report holding a leadership position in a
9 club or sports team, and 78 percent more likely to volunteer
10 regularly in the community; and

11 WHEREAS, Youth development experts agree that mentoring
12 is critical to the social, emotional, and cognitive development of
13 a young person and to, helping that person successfully navigate
14 the path to adulthood; and

15 WHEREAS, A mentor helps a young person set career goals
16 and uses personal contacts to help that young person develop
17 professional relationships and find a job; and

18 WHEREAS, Mentoring is a proven cost-effective investment—
19 for every \$1 invested in mentoring, there is a \$3 return to society;
20 and

21 WHEREAS, The benefits of mentoring serve to link youth to
22 economic opportunity and strengthen the fiber of communities;
23 and

24 WHEREAS, Despite these benefits, one in three young people
25 will reach 19 years of age without a mentor, creating a “mentor
26 gap” that demonstrates a need for collaboration and resources;
27 now, therefore, be it

28 *Resolved by the Senate of the State of California, the Assembly*
29 *thereof concurring*, That the Legislature hereby declares the month
30 of January 2015 as Mentoring Month; and be it further

31 *Resolved*, That the Legislature calls on public officials, business
32 and community leaders, and educators to observe this month with
33 appropriate ceremonies, activities, and programs in order to
34 accomplish the following:

35 (a) Recognize the people who serve as staff and volunteers at
36 quality mentoring programs and who help young people find inner
37 strength and reach their full potential.

38 (b) Acknowledge that mentoring is beneficial because it
39 encourages educational achievement, reduces juvenile delinquency,
40 improves life outcomes, and strengthens communities.

1 (c) Promote the creation and expansion of quality mentoring
2 programs across the country to equip young people with the tools
3 needed to lead healthy and productive lives.

4 (d) Support initiatives to close the mentoring gap; and be it
5 further.

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

O

Date of Hearing: August 17, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 5 (Gaines) – As Introduced January 6, 2015

SENATE VOTE: 34-0

SUBJECT: Mentoring Month.

SUMMARY: Designates the month of January 2015 as Mentoring Month and calls on public officials, business and community leaders, and educators to observe the month with appropriate ceremonies, activities, and programs in order to accomplish specified objectives recognizing the importance of mentoring and promoting the creation and expansion of mentorship programs. Specifically, **this resolution** makes the following legislative findings:

- 1) A mentor provides a caring and consistent presence and devotes time to help a mentee discover personal strength and achieve full potential through a structured and trusting relationship; and a mentor helps a young person set career goals and uses personal contacts to help that young person develop professional relationships and find a job.
- 2) Quality mentoring encourages positive choices, promotes self-esteem, supports academic achievement, and introduces young people to new ideas.
- 3) In 2002, the Harvard School of Public Health and MENTOR: The National Mentoring Partnership created the National Mentoring Month campaign, held annually each January, to raise awareness of mentoring, to recruit individuals to mentor, and to promote the growth of mentoring by encouraging organizations to facilitate employee involvement in quality mentoring.
- 4) Mentoring programs are effective in combating school violence, discipline problems, substance abuse, incarceration, and truancy and mentors help young people set career goals and uses personal contacts to help that young person develop professional relationships and find a job.

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 Fuller

January 13, 2015

Senate Concurrent Resolution No. 8—Relative to X-linked adrenoleukodystrophy.

LEGISLATIVE COUNSEL'S DIGEST

SCR 8, as introduced, Fuller. Adrenoleukodystrophy Awareness Month.

This measure would memorialize the month of November 2015 as Adrenoleukodystrophy Awareness Month.

Fiscal committee: no.

1 WHEREAS, X-linked adrenoleukodystrophy (X-ALD) is one
2 of a group of genetic disorders called the leukodystrophies that
3 cause damage to the myelin sheath, an insulating membrane that
4 surrounds nerve cells in the brain; and

5 WHEREAS, Women have two X chromosomes and are the
6 carriers of the disease, but men are most severely affected because
7 men only have one X chromosome and lack the protection provided
8 by an extra X chromosome; and

9 WHEREAS, The loss of myelin and the progressive dysfunction
10 of the adrenal gland are the primary characteristics of X-ALD; and

11 WHEREAS, X-ALD affects an estimated one in every 20,000
12 boys, which is roughly 13,600 people in the United States,
13 including boys like Jeremy Hill, Jr. of Bakersfield; and

14 WHEREAS, While nearly all patients with X-ALD suffer from
15 adrenal insufficiency, also known as Addison's disease, the
16 neurological symptoms can begin either in childhood or adulthood;
17 and

1 WHEREAS, The childhood cerebral form is the most severe,
2 with onset between ages four and 10; and

3 WHEREAS, The most common symptoms are behavioral
4 changes, including abnormal withdrawal or aggression, poor
5 memory, and poor school performance; and

6 WHEREAS, Other symptoms include visual loss, learning
7 disabilities, seizures, poorly articulated speech, difficulty
8 swallowing, deafness, disturbances of gait and coordination,
9 fatigue, intermittent vomiting, increased skin pigmentation, and
10 progressive dementia; and

11 WHEREAS, The milder adult-onset form is known as
12 adrenomyeloneuropathy (AMN), which typically begins between
13 21 and 35 years of age, and has symptoms that include progressive
14 stiffness, weakness or paralysis of the lower limbs, and ataxia; and

15 WHEREAS, Almost one-half the women who are carriers of
16 X-ALD will develop a milder form of AMN, but almost never will
17 develop symptoms seen in boys with X-ALD; and

18 WHEREAS, Treatment with adrenal hormones can be lifesaving,
19 and symptomatic and supportive treatments for X-ALD include
20 physical therapy, psychological support, and special education;
21 and

22 WHEREAS, Newborn screening is effective in catching and
23 preventing the negative effects of X-ALD and is relatively
24 inexpensive; and

25 WHEREAS, The prognosis for patients with childhood cerebral
26 X-ALD is generally poor due to progressive neurological
27 deterioration, unless bone marrow transplantation is performed
28 early; and

29 WHEREAS, Recent evidence suggests that a mixture of oleic
30 acid and erucic acid, known as “Lorenzo’s Oil,” administered to
31 boys with X-ALD prior to the onset of symptoms can prevent or
32 delay, but not stop, the appearance of the childhood cerebral form
33 of X-ALD; and

34 WHEREAS, Death usually occurs between one and 10 years
35 after the onset of symptoms of childhood cerebral X-ALD, and in
36 adult-onset AMN deterioration will progress over decades; and

37 WHEREAS, November, the month of Jeremy Hill, Jr.’s birthday,
38 was chosen to acknowledge the struggles of Jeremy Hill, Jr., his
39 parents, Jeremy and Debra Hill, and his sister, Meagan Hill, in
40 fighting X-ALD; now, therefore, be it

1 *Resolved by the Senate of the State of California, the Assembly*
2 *thereof concurring,* That the Legislature does hereby proclaim the
3 month of November 2015 as Adrenoleukodystrophy Awareness
4 Month; and be it further
5 *Resolved,* That the Secretary of the Senate transmit copies of
6 this resolution to the author for appropriate distribution.

O

Date of Hearing: August 17, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 8 (Fuller) – As Introduced January 13, 2015

SENATE VOTE: 38-0

SUBJECT: Adrenoleukodystrophy Awareness Month.

SUMMARY: Memorialize the month of November 2015 as Adrenoleukodystrophy Awareness Month. Specifically, **this resolution** makes the following legislative findings:

1. X-linked adrenoleukodystrophy (X-ALD) is one of a group of genetic disorders called the leukodystrophies that cause damage to the myelin sheath, an insulating membrane that surrounds nerve cells in the brain.
2. Women have two X chromosomes and are the carriers of the disease, but men are most severely affected because men only have one X chromosome and lack the protection provided by an extra X chromosome.
3. X-ALD affects an estimated one in every 20,000 boys, which is roughly 13,600 people in the United States, including boys like Jeremy Hill Jr. of Bakersfield.
4. The most common symptoms are behavioral changes, including abnormal withdrawal or aggression, poor memory, and poor school performance. Other symptoms include visual loss, learning disabilities, seizures, poorly articulated speech, difficulty swallowing, deafness, disturbances of gait and coordination, fatigue, intermittent vomiting, increased skin pigmentation, and progressive dementia.
5. Newborn screening is effective in catching and preventing the negative effects of X-ALD and is relatively inexpensive.
6. The prognosis for patients with childhood cerebral X-ALD is generally poor due to progressive neurological deterioration, unless bone marrow transplantation is performed early. Death usually occurs between one and 10 years after the onset of symptoms of childhood cerebral X-ALD.
7. Recent evidence suggests that a mixture of oleic acid and erucic acid, known as “Lorenzo’s Oil,” administered to boys with X-ALD prior to the onset of symptoms can prevent or delay, but not stop, the appearance of the childhood cerebral form of X-ALD.

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 Pan

**(Coauthors: Senators Block, Hall, Hertzberg, Huff, Leno, Leyva,
Monning, Wieckowski, and Wolk)**

(Coauthors: Assembly Members Chávez, Chu, Dodd, Gray, and Kim)

May 19, 2015

Senate Concurrent Resolution No. 64—Relative to the Americans with Disabilities Act.

LEGISLATIVE COUNSEL'S DIGEST

SCR 64, as introduced, Pan. Americans with Disabilities Act.

This measure would recognize the 25th anniversary of the Americans with Disabilities Act.

Fiscal committee: no.

1 WHEREAS, The year 2015 is the 25th anniversary of the
2 Americans with Disabilities Act; and

3 WHEREAS, The Americans with Disabilities Act was signed
4 into law on July 26, 1990; and

5 WHEREAS, The Americans with Disabilities Act is the most
6 comprehensive civil rights bill in history for people with
7 disabilities; and

8 WHEREAS, The Americans with Disabilities Act guarantees
9 equal opportunity and access for Americans with disabilities in
10 employment, state and local government activities, public
11 transportation, public accommodations, and telecommunications;
12 and

13 WHEREAS, The Americans with Disabilities Act supports
14 independence for persons with disabilities and promotes access
15 throughout the entire country; and

1 WHEREAS, The State of California is enriched by the diversity
2 and accomplishments of its citizens with disabilities; and

3 WHEREAS, The 25th anniversary of the Americans with
4 Disabilities Act is a milestone worthy of acknowledgment and
5 celebration; now, therefore, be it

6 *Resolved by the Senate of the State of California, the Assembly*
7 *thereof concurring*, That the Legislature recognizes the 25th
8 anniversary of the landmark Americans with Disabilities Act and
9 those who have made contributions to ensure equal access and
10 opportunity to all citizens of this state; and be it further

11 *Resolved*, That the Secretary of the Senate transmit copies of
12 this resolution to the author for distribution.

O

Date of Hearing: August 17, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 64 (Pan) – As Amended August 17, 2015

SENATE VOTE: 39-0

SUBJECT: Americans with Disabilities Act.

SUMMARY: Recognizes the 25th anniversary of the Americans with Disabilities Act. Specifically, **this resolution** makes the following legislative findings:

- 1) The year 2015 is the 25th anniversary of the Americans with Disabilities Act which was signed into law on July 26, 1990.
- 2) The Americans with Disabilities Act is the most comprehensive civil rights bill in history for people with disabilities.
- 3) The Americans with Disabilities Act guarantees equal opportunity and access for Americans with disabilities in employment, state and local government activities, public transportation, public accommodations, and telecommunications.
- 4) The Americans with Disabilities Act supports independence for persons with disabilities and promotes access throughout the entire country.
- 5) The State of California is enriched by the diversity and accomplishments of its citizens with disabilities.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Senate Concurrent Resolution

No. 65

Introduced by Senator Cannella

May 22, 2015

Senate Concurrent Resolution No. 65—Relative to June Dairy Month.

LEGISLATIVE COUNSEL'S DIGEST

SCR 65, as amended, Cannella. June Dairy Month.

This measure would proclaim the month of June to be Dairy Month in California, in honor of the work of dairy producers in California, and would encourage all Californians to continue to support the American dairy industry by including dairy products as part of a healthy diet.

Fiscal committee: no.

- 1 WHEREAS, The national “June Dairy Month,” originally known
- 2 as National Milk Month, has been an annual tradition since 1937,
- 3 and is a great opportunity for Americans to honor dairy farmers
- 4 and to recognize the importance of dairy products to a healthy diet
- 5 for many Americans; and
- 6 WHEREAS, California is the nation’s number one
- 7 milk-producing state, the number two cheese-producing state, and
- 8 dairy is the state’s number one agricultural commodity; and
- 9 WHEREAS, The landscape, economy, health, and nutrition of
- 10 California would not be the same without our dairy farms and the
- 11 more than 1500 families who run them; and
- 12 WHEREAS, Only 30 percent of Americans meet their
- 13 recommended intake of calcium, and the United States Surgeon
- 14 General’s office predicts that by 2020, one-half of all Americans

1 older than 50 years of age will be at risk for fractures as a result
2 of osteoporosis and low bone density; and

3 WHEREAS, Dairy foods provide essential nutrients, including
4 75 percent of the calcium naturally available in the food supply,
5 as well as potassium, magnesium, and vitamin A, and milk is the
6 number one source of calcium, potassium, phosphorus, and vitamin
7 D in the American diet; and

8 WHEREAS, Dairy foods also play a beneficial role in
9 maintaining a healthy weight; and

10 WHEREAS, Dairy foods, when consumed as part of a healthy
11 diet, may help to reduce osteoporosis, hypertension, obesity, colon
12 cancer, and metabolic syndrome, a cluster of conditions that can
13 also lead to heart disease and type II diabetes; and

14 ~~WHEREAS, It is estimated that the dairy industry accounts for~~
15 ~~less than 2 percent of the total United States greenhouse gas~~
16 ~~emissions, an amount that the industry continues working to reduce;~~
17 ~~now, therefore, be it~~

18 *WHEREAS, Dairy farming is a leading agricultural commodity*
19 *in California, producing \$7.6 billion in annual retail sales in 2013;*
20 *now, therefore, be it*

21 *Resolved by the Senate of the State of California, the Assembly*
22 *thereof concurring,* That the California Legislature hereby
23 proclaims the month of June to be Dairy Month in California, in
24 honor of the work of dairy producers in California, and encourages
25 all Californians to continue to support the American dairy industry
26 by including dairy products as part of a healthy diet; and be it
27 further

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

O

Date of Hearing: August 17, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 65 (Cannella) – As Amended June 10, 2015

SENATE VOTE: 38-0

SUBJECT: June Dairy Month.

SUMMARY: Proclaims the month of June to be Dairy Month in California, in honor of the work of dairy producers in California and encourages all Californians to continue to support the American dairy industry by including dairy products as part of a healthy diet. Specifically, **this resolution** makes the following legislative findings:

- 1) The national “June Dairy Month,” originally known as National Milk Month, has been an annual tradition since 1937, and is a great opportunity for Americans to honor dairy farmers and to recognize the importance of dairy products to a healthy diet for many Americans.
- 2) California is the nation’s number one milk-producing state, the number two cheese-producing state, and dairy is the state’s number one agricultural commodity.
- 3) Dairy foods provide essential nutrients, including 75 percent of the calcium naturally available in the food supply, as well as potassium, magnesium, and vitamin A, and milk is the number one source of calcium, potassium, phosphorus, and vitamin D in the American diet.
- 4) Dairy foods, when consumed as part of a healthy diet, may help to reduce osteoporosis, hypertension, obesity, colon cancer, and metabolic syndrome, a cluster of conditions that can also lead to heart disease and type II diabetes.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

Western United Dairymen

Opposition

None on file

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



1315 K STREET
MODESTO, CALIFORNIA 95354-0917
TELEPHONE (209) 527-6453
FAX (209) 527-0630

July 22, 2015

The Honorable Richard S. Gordon
Chair, Assembly Rules Committee
California State Capitol
Sacramento, CA

RE: SCR 65 – June Dairy Month; SUPPORT

Dear Chairman Gordon,

Western United Dairymen (WUD), its Board of Directors and family dairy members greatly appreciate you authoring this year's proclamation declaring June 2015 as Dairy Month. WUD is a California non-profit milk producer trade association representing over 700 dairy families, who in turn produce over 60% of on-farm milk in California.

Milk is arguably the most regulated agricultural commodity in the United States, and rightly so. Our federal governments, as well as many state governments, have noted the complex nutritional components that comprise milk and their significant, essential elements that assist in our body and mind's growth. Consumption of dairy products helps to reduce osteoporosis, hypertension, obesity, colon cancer, as well as byproducts in a variety of other beneficial uses within our medical field.

Milk is a wholesome raw product that members of WUD produce, and who in turn deliver their milk to creameries across California for processing, manufacturing, or as an ingredient, into 250 different products for consumption.

We strongly encourage the passage of SCR 65 when it is considered for vote.

Sincerely,

Gary H. Conover
Western United Dairymen

CC: Members, Assembly Rules Committee
Office of the Governor

[Back to Agenda](#)

Introduced by Senator Gaines

June 25, 2015

Senate Concurrent Resolution No. 76—Relative to Prostate Cancer Awareness Month.

LEGISLATIVE COUNSEL'S DIGEST

SCR 76, as introduced, Gaines. Prostate Cancer Awareness Month.

This measure would designate September 2015 as Prostate Cancer Awareness Month in California.

Fiscal committee: no.

1 WHEREAS, Prostate cancer is the most frequently diagnosed
2 cancer in men aside from skin cancer, and it is estimated that one
3 in seven men will develop this disease in his lifetime; and

4 WHEREAS, The American Cancer Society estimates there will
5 be 220,800 new cases of prostate cancer in the United States in
6 2015, resulting in an estimated 27,540 deaths; and

7 WHEREAS, It is estimated that 21,060 men in California will
8 be diagnosed with prostate cancer this year, and an estimated 3,180
9 California men will die from this disease; and

10 WHEREAS, African American men have the highest prostate
11 cancer incidence rates in the world, and their prostate cancer
12 mortality rate in the United States is more than twice that of any
13 other ethnic group of men; and

14 WHEREAS, Early prostate cancer usually has no symptoms,
15 and studies suggest strong familial predisposition may be
16 responsible for 5 percent to 10 percent of the disease cases; and

1 WHEREAS, Recent studies suggest that a diet high in processed
2 meat or dairy foods may be a risk factor, and obesity appears to
3 increase risk of aggressive prostate cancer; and

4 WHEREAS, The survival rate approaches 100 percent when
5 prostate cancer is diagnosed and treated early, but drops to 28
6 percent when it spreads to other parts of the body; and

7 WHEREAS, Treatment options for prostate cancer vary
8 depending on a man's age, stage, and grade of his cancer, as well
9 as his other existing medical conditions; and

10 WHEREAS, The American Cancer Society recommends that a
11 man should have an opportunity to make an informed decision
12 about whether to be tested for prostate cancer based on his personal
13 values and preferences; now, therefore, be it

14 *Resolved by the Senate of the State of California, the Assembly*
15 *thereof concurring*, That the Legislature hereby proclaims
16 September 2015 as Prostate Cancer Awareness Month in
17 California; and be it further

18 *Resolved*, That the Legislature joins communities across our
19 nation to increase awareness about the importance for men to make
20 informed decisions with their health care providers about early
21 detection and testing for prostate cancer; and be it further

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

O

Date of Hearing: August 17, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 76 (Gaines) – As Amended August 17, 2015

SENATE VOTE: 39-0

SUBJECT: Prostate Cancer Awareness Month.

SUMMARY: Designates September 2015 as Prostate Cancer Awareness Month in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Prostate cancer is the most frequently diagnosed cancer in men aside from skin cancer, and it is estimated that one in seven men will develop this disease in his lifetime.
- 2) It is estimated that 21,060 men in California will be diagnosed with prostate cancer this year, and an estimated 3,180 California men will die from this disease.
- 3) The survival rate approaches 100 percent when prostate cancer is diagnosed and treated early, but drops to 28 percent when it spreads to other parts of the body.
- 4) Treatment options for prostate cancer vary depending on a man's age, stage, and grade of his cancer, as well as his other existing medical conditions.

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 Liu

June 29, 2015

Senate Concurrent Resolution No. 77—Relative to Pain Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 77, as introduced, Liu. Pain Awareness Month and Women in Pain Awareness Day.

This measure would recognize the month of September 2015 as Pain Awareness Month and call upon all Californians to observe this month by participating in appropriate ceremonies and activities, and by learning how to improve the quality of life for people in California suffering from pain. The measure would also recognize September 11, 2015, as Women In Pain Awareness Day, to draw public attention to the gender disparity in pain assessment and treatment in the United States.

Fiscal committee: no.

- 1 WHEREAS, More than 100 million Americans live with chronic
2 pain caused by various diseases or disorders, and nearly 25 million
3 Americans suffer from acute pain each year; and
4 WHEREAS, Though medical knowledge and technology exist
5 to relieve or greatly ease pain, most pain is untreated, undertreated,
6 or improperly treated, and many health care professionals are still
7 unaware of how to effectively treat pain; and
8 WHEREAS, People who suffer from chronic pain often are
9 stigmatized, marginalized, and often not informed about the right
10 to effective pain assessment and management. Most people with
11 pain, including those at the end of life, get little or no relief; and

1 WHEREAS, Women have a higher prevalence than men of
2 syndromes and diseases associated with chronic pain, such as
3 fibromyalgia, complex pain syndrome, and osteoarthritis, and
4 women respond differently to certain analgesics; and

5 WHEREAS, Women's pain reports are taken less seriously than
6 those of men, and women receive less aggressive treatment than
7 men for their pain; and

8 WHEREAS, Women have developed a number of coping
9 mechanisms to deal with pain, which may contribute to a general
10 perception that they can endure more pain and that their pain does
11 not need to be taken as seriously; and

12 WHEREAS, Women report pain to health care providers more
13 frequently than men, but are more likely to have their pain reports
14 discounted as emotional or psychogenic and, therefore, not real;
15 and

16 WHEREAS, The California-based Partners for Understanding
17 Pain is a coalition of pain sufferers, physicians, nurses, social
18 workers, pharmacists, therapists, civic leaders, nonprofit
19 organizations, and health care businesses whose mission is to
20 improve the quality of life for people in California experiencing
21 pain; and

22 WHEREAS, It is the collective mission of this movement to
23 provide practical information for people with pain, inform health
24 care professionals about pain management, and serve as an
25 advocate for people experiencing pain; now, therefore, be it

26 *Resolved by the Senate of the State of California, the Assembly*
27 *thereof concurring*, That the Legislature recognizes the month of
28 September 2015 as Pain Awareness Month, and calls upon all
29 Californians to observe the month by participating in appropriate
30 ceremonies and activities, and by learning how to improve the
31 quality of life for people in California suffering from pain; and be
32 it further

33 *Resolved*, That the Legislature recognizes September 11, 2015,
34 as Women In Pain Awareness Day, to draw public attention to the
35 important need to raise awareness concerning the gender disparity
36 in pain assessment and treatment in the United States; and be it
37 further

- 1 *Resolved*, That the Secretary of the Senate transmit copies of
- 2 this resolution to the author for appropriate distribution.

O

Date of Hearing: August 17, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 77 (Liu) – As Introduced June 29, 2015

SENATE VOTE: 39-0

SUBJECT: Pain Awareness Month and Women in Pain Awareness Day.

SUMMARY: Recognize September 2015 as Pain Awareness Month and call upon all Californians to observe this month by learning how to improve the quality of life of Californians suffering from pain; and this resolution also recognizes September 11, 2015, as Women In Pain Awareness Day to draw public attention to gender disparity in pain assessment and treatment in the United States. Specifically, **this resolution** makes the following legislative findings:

1. More than 100 million Americans live with chronic pain caused by various diseases or disorders, and each year, nearly 25 million Americans suffer with acute pain.
2. Though medical knowledge and technology exist to relieve or greatly ease pain, most pain is untreated, undertreated, or improperly treated, and many health care professionals are still unaware of how to effectively treat pain.
3. Women have a higher prevalence than men of chronic pain syndromes and diseases associated with chronic pain, such as fibromyalgia, complex pain syndrome, and osteoarthritis, and women respond differently to certain analgesics.
4. Women more frequently report pain to a health care provider, but are more likely to have their pain reports discounted as emotional or psychogenic and, therefore, not real.
5. The California-based Partners for Understanding Pain is a coalition of pain sufferers, physicians, nurses, social workers, pharmacists, therapists, civic leaders, nonprofit organizations, and health care businesses whose mission is to improve the quality of life for people in California experiencing pain.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

For Grace

Opposition

None on file

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

[Back to Agenda](#)



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The Honorable Richard Gordon
Chair, Assembly Committee on Rules

Re: In Support of SCR 77 – September as Pain Awareness Month and September 11th as Women In Pain Awareness Day

July 14, 2015

Dear Assemblymember Gordon,

Thank you considering For Grace's resolution that will bring much needed attention to pain as a healthcare crisis here in California along with the bias toward women in the assessment and treatment of their chronic pain. For the above reasons, we strongly support SCR 77 and urge an aye vote by your committee members.

For Grace is proud to be sponsoring this crucial resolution for our community of women in pain, their caregivers and the healthcare professionals who treat them.

The resolution will be publically introduced at For Grace's 8th Annual Women In Pain Conference hosted on September 11, 2015 at the California Endowment's Center for Healthy Communities in Los Angeles.

Thank you again, Assemblymember Gordon, for considering this all-important resolution that will bring comfort, understanding and acknowledgement to so many who struggle in the shadows with this life-altering issue.

Grace and Gratitude,

Cynthia Toussaint
Founder and Spokesperson, For Grace

[Back to Agenda](#)

AMENDED IN ASSEMBLY JULY 7, 2015

AMENDED IN ASSEMBLY JUNE 24, 2015

AMENDED IN SENATE JUNE 1, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 405

Introduced by Senator Hertzberg

(Principal coauthor: Senator Leno)

(Coauthors: Senators Beall and Wieckowski)

(Coauthors: Assembly Members Atkins, Chiu, Cooley, Dodd, Gonzalez,
and Jones-Sawyer)

February 25, 2015

An act to amend Section 1214.1 of the Penal Code, *and to add Section 42008.9 to the Vehicle Code*, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 405, as amended, Hertzberg. Failure to appear in court: fines.

Existing law authorizes the court, in addition to any other penalty in an infraction, misdemeanor, or felony case, to impose a civil assessment of up to \$300 against any defendant who fails, after notice and without good cause, to appear in court for any proceeding authorized by law, or who fails to pay all or any portion of a fine ordered by the court or to pay an installment of bail, as specified. Existing law provides that the assessment shall not become effective until at least 10 calendar days after the court mails a warning notice to the defendant, and requires the court, if the defendant appears within the time specified in the notice and shows good cause for the failure to appear or for the failure to pay a fine or installment of bail, to vacate the assessment.

~~The bill would provide that ability to post bail or to pay the fine or civil assessment is not a prerequisite to filing a request that the court vacate the assessment. The bill would also provide that the imposition or collection of bail or a civil assessment does not preclude a defendant from scheduling a court hearing on the underlying charge.~~

This bill would instead provide that the assessment would not become effective until at least 20 calendar days after the court mails a warning notice to the defendant. The bill would provide that payment of bail, fines, penalties, fees, or a civil assessment is not required in order for the court to vacate the assessment at the time the person makes an appearance, as specified. The bill would also provide that payment of a civil assessment is not required to schedule a court hearing on a pending underlying charge.

Existing law authorized the court and county to establish a one-time amnesty program for fines or bail for specified infractions and misdemeanor violations due on or before January 1, 2009, if certain conditions were met, including that payments under the program were made between January 1, 2012, and June 30, 2012, inclusive. Existing law allowed a person owing a fine or bail that was eligible for amnesty under the program to pay to the court 50% of the total fine or bail, as defined, which the court was required to accept in full satisfaction of the delinquent fine or bail.

This bill would require the court to allow a person with a driver's license that is suspended for a specified reason, including violation of a written promise to appear in court, when the suspension was issued between January 1, 2013, and December 31, 2015, inclusive, and the person has an established payment plan for the fees or penalties connected to the suspension, and the person is not in default on any payments under that plan, to appear in court and ask for the suspension to be lifted and for the person's driving privilege to be restored. The bill would require the court to direct the department to lift the suspension and restore the person's driving privilege. The bill would require, upon completion of the payment plan, that the court file a certificate with the department indicating that the person has fully paid the amount owing. The bill would provide that these requirements do not affect the total amount of delinquent fines or penalties, and authorizes collection proceedings if the person defaults on the payment plan.

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

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

SECTION 1. Section 1214.1 of the Penal Code is amended to read:

1214.1. (a) In addition to any other penalty in infraction, misdemeanor, or felony cases, the court may impose a civil assessment of up to three hundred dollars (\$300) against a defendant who fails, after notice and without good cause, to appear in court for a proceeding authorized by law or who fails to pay all or any portion of a fine ordered by the court or to pay an installment of bail as agreed to under Section 40510.5 of the Vehicle Code. This assessment shall be deposited in the Trial Court Trust Fund, as provided in Section 68085.1 of the Government Code.

(b) (1) The assessment imposed pursuant to subdivision (a) shall not become effective until at least ~~10~~ 20 calendar days after the court mails a warning notice to the defendant by first-class mail to the address shown on the notice to appear or to the defendant's last known address. If the defendant appears within the time specified in the notice and shows good cause for the failure to appear or for the failure to pay a fine or installment of bail, the court shall vacate the assessment.

(2) ~~Ability to post bail or to pay the civil assessment shall not be a prerequisite to filing a request that the court vacate the assessment. Imposition or collection of bail or Payment of bail, fines, penalties, fees, or a civil assessment shall not be required in order for the court to vacate the assessment at the time of appearance pursuant to paragraph (1). Payment of a civil assessment shall not preclude a defendant from scheduling be required to schedule a court hearing on the a pending underlying charge.~~

(c) If a civil assessment is imposed pursuant to subdivision (a), no bench warrant or warrant of arrest shall be issued with respect to the failure to appear at the proceeding for which the assessment is imposed or the failure to pay the fine or installment of bail. An outstanding, unserved bench warrant or warrant of arrest for a failure to appear or for a failure to pay a fine or installment of bail shall be recalled prior to the subsequent imposition of a civil assessment.

1 (d) The assessment imposed pursuant to subdivision (a) shall
2 be subject to the due process requirements governing defense and
3 collection of civil money judgments generally.

4 (e) Each court and county shall maintain the collection program
5 that was in effect on July 1, 2005, unless otherwise agreed to by
6 the court and county. If a court and a county do not agree on a plan
7 for the collection of civil assessments imposed pursuant to this
8 section, or any other collections under Section 1463.010, after the
9 implementation of Sections 68085.6 and 68085.7 of the
10 Government Code, the court or the county may request arbitration
11 by a third party mutually agreed upon by the Administrative
12 Director of the Courts and the California State Association of
13 Counties.

14 *SEC. 2. Section 42008.9 is added to the Vehicle Code, to read:*
15 *42008.9. (a) The court shall allow a person with a driver's*
16 *license suspension pursuant to Section 13365 that was issued from*
17 *January 1, 2013, through December 31, 2015, inclusive, and the*
18 *person has an established payment plan for the fees or penalties*
19 *connected to the suspension, and the person is not in default on*
20 *any payments under that plan, to appear in court and ask for the*
21 *suspension to be lifted and for the person's driving privilege to be*
22 *restored. The court shall direct the department to lift the suspension*
23 *and restore the person's driving privilege.*

24 *(b) Upon completion of the payment plan described in*
25 *subdivision (a), the court shall issue and file with the department*
26 *the appropriate certificate pursuant to subdivision (b) of Section*
27 *40509.*

28 *(c) This section does not affect the total amount of delinquent*
29 *finer or bail owed by the person. If a person subject to this section*
30 *defaults on the payment plan described in subdivision (a), the court*
31 *shall pursue collection of the delinquent fines or bail pursuant to*
32 *Section 1463.007 of the Penal Code. However, those collection*
33 *efforts shall not include a suspension of the person's driver's*
34 *license.*

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California State Senate

SENATOR
ROBERT M. HERTZBERG
EIGHTEENTH SENATE DISTRICT
REPRESENTING LOS ANGELES COUNTY



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NATURAL RESOURCES
AND WATER

July 23, 2015

The Honorable Richard S. Gordon
Assembly Committee on Rules
State Capitol, Room 3016
Sacramento, California 95814

RE: Request for Urgency Clause for SB 405 (Hertzberg)

This letter is to request an approval of an urgency clause to be amended into SB 405 (Hertzberg). The need for an urgency clause stems from the bill's adoption of clean-up language to SB 85 (Committee on Budget and Fiscal Review), the trailer bill that sets guidelines for the Traffic Amnesty Program to be implemented on October 1, 2015.

Thank you in advance for your consideration of this request. If you have any questions, please contact Zulma Michaca at (916) 651-4018.

Sincerely,

A handwritten signature in blue ink that reads "Rob M. Htz".

Robert M. Hertzberg
State Senate District 18