



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
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MARIE WALDRON
JIM WOOD

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

Wednesday, December 09, 2015
10:00 AM
State Capitol, Room 3162

CONSENT AGENDA

Bill Referrals

1. Consent Bill Referrals w/Amendments
2. Bill Re-referrals

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[Page 26](#)

Request to Add Urgency Clause

3. AB 1311 (Cooper) Relative to employment.

[Page 28](#)

Administrative Items

4. Assembly 2016 Holiday Schedule
5. Member Base Allowance Increase

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[Page 36](#)

REFERRAL OF BILLS TO COMMITTEE

12/09/2015

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

Assembly Bill No.	Committee:
<u>AB 168</u>	HEALTH
<u>AB 378</u>	TRANS.
<u>AB 729</u>	NAT. RES.
<u>AB 729</u>	L. GOV.
<u>AB 898</u>	PUB. S.
<u>AB 1106</u>	PUB. S.
<u>AB 1311</u>	L. & E.
<u>AB 1384</u>	TRANS.
<u>AB 1384</u>	APPR.
<u>AB 1395</u>	PUB. S.
<u>AB 1449</u>	HIGHER ED.
<u>AB 1473</u>	NAT. RES.
<u>AB 1529</u>	HIGHER ED.
<u>AB 1546</u>	HEALTH
<u>AB 1547</u>	G.O.
<u>AB 1548</u>	REV. & TAX.
<u>AB 1549</u>	B. & F.



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Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 12/08/2015
Re: Consent Bill Referrals

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



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AMENDMENTS TO ASSEMBLY BILL NO. 168

Amendment 1

In the title, in line 1, strike out "amend Section 96.15 of the Revenue and Taxation Code," strike out line 2 and insert:

add Section 14021.2 to the Welfare and Institutions Code, relating to mental health services.

Amendment 2

On page 2, before line 1, insert:

SECTION 1. The Legislature finds and declares the following:

(a) In 2014 Congress enacted the federal Protecting Access to Medicare Act of 2014.

(b) Under the Protecting Access to Medicare Act, eight states will be selected to have their federal share of costs increased to 90 percent for two years for outpatient behavioral health care for individuals with severe mental illnesses or serious emotional disturbances.

(c) If successful, this federal opportunity would enable California to serve the tens of thousands of individuals with those conditions that it now lacks the funding to serve.

(d) A major challenge in serving that population is that many are homeless and in need of housing assistance. Federal funding cannot pay for that housing assistance.

(e) This federal funding would free up nearly \$2 billion in county funds now being used to match federal funds. The money that is currently being used to match federal funds will now be available to be used to meet the housing needs of those individuals who are not currently receiving the behavioral health care that they need.

(f) In October 2015, the United States Secretary of Health and Human Services awarded California a planning grant pursuant to Section 223 of the federal Protecting Access to Medicare Act of 2014 to support California in, among other things, developing its proposal to participate in the two-year demonstration program.

SEC. 2. Section 14021.2 is added to the Welfare and Institutions Code, to read:

14021.2. (a) The department shall develop and submit a proposal to the United States Secretary of Health and Human Services for selection as a participating state in the time-limited demonstration program pursuant to Section 223 of the federal Protecting Access to Medicare Act of 2014 (Public Law 113-93) in order to improve mental health services furnished by certified community behavioral health clinics to Medi-Cal beneficiaries.

(b) In planning to develop its proposal for the demonstration program, the department shall work with counties and other stakeholders to identify the unmet need for the covered services and to estimate the number of individuals who will need housing assistance.

(c) The proposal shall require that counties shall not be selected to participate in the demonstration program unless they include plans to redirect a portion of the



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Substantive

funds that are currently used to match federal funds but will not be needed for that purpose during the demonstration period to provide increased housing opportunities for individuals with severe mental illnesses.

Amendment 3
On page 2, strike out lines 1 to 18, inclusive

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AMENDMENTS TO ASSEMBLY BILL NO. 378

Amendment 1

In the title, in line 1, after "act" insert:

to add Section 133 to the Streets and Highways Code,

Amendment 2

On page 1, in line 3, after "Highway" insert:

Route

Amendment 3

On page 1, in lines 4 and 5, strike out "and important"

Amendment 4

On page 2, in line 3, after "Highway" insert:

Route

Amendment 5

On page 2, in line 7, after "Highway" insert:

Route

Amendment 6

On page 2, in line 10, strike out "It is common for transportation improvement"
and strike out lines 11 to 14, inclusive

Amendment 7

On page 2, in line 16, after "Highway" insert:

Route

Amendment 8

On page 2, in line 21, strike out "within a five year period"



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Amendment 9

On page 2, strike out lines 23 to 31, inclusive, and insert:

SEC. 2. Section 133 is added to the Streets and Highways Code, to read:

133. (a) The department, in coordination with the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority if they choose to participate, shall create an integrated corridor management team to consider transportation projects addressing congestion relief in the State Highway Route 101 corridor.

(b) For purposes of this section, "State Highway Route 101 corridor" means the segment of State Highway Route 101 and connecting highways, including, but not limited to, State Highway Routes 82, 92, and 380, located within the County of San Mateo.

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AMENDMENTS TO ASSEMBLY BILL NO. 729

Amendment 1

In the title, in line 1, strike out "amend Section 5.5 of" and insert:
add Section 5.7 to

Amendment 2

In the title, in line 2, after the first "of" insert:
the First Extraordinary Session of

Amendment 3

In the title, in line 2, strike out "1962, First Extraordinary Session)," and insert:
1962),

Amendment 4

In the title, in line 3, strike out "District." and insert:
District, and making an appropriation therefor.

Amendment 5

On page 2, before line 1, insert:

SECTION 1. It is the intent of the Legislature that this act shall not affect any existing responsibility of the state or the San Diego Unified Port District for any pollution or contamination that may exist in the territory granted to the district pursuant to this act, at the time of the grant.

SEC. 2. Section 5.7 is added to the San Diego Unified Port District Act (Chapter 67 of the First Extraordinary Session of the Statutes of 1962), to read:

Sec. 5.7. (a) There is hereby granted in trust to the district all the right, title, and interest of the State of California, held by the state by virtue of its sovereignty, in and to all those remaining tidelands and submerged lands not previously granted, whether filled or unfilled, within the San Diego Bay.

(b) The district shall own, operate, and manage the public trust lands granted pursuant to subdivision (a) in accordance with the same terms, trusts, and conditions as the tide and submerged lands otherwise granted under this act.

(c) (1) (A) (i) By June 30, 2017, the district shall transfer to the State Lands Commission the initial sum of two hundred thirty-four thousand five hundred thirty-eight dollars (\$234,538) from the revenues generated on the lands granted pursuant to



subdivision (a). This initial amount is based on the estimated gross annual revenues generated, as of June 30, 2017, from the lands granted pursuant to subdivision (a).

(ii) By June 30, 2018, and at the end of each fiscal year thereafter, the initial sum required to be transferred pursuant to clause (i) shall be adjusted according to the change in the Consumer Price Index, and that adjusted amount shall be transferred to the State Lands Commission.

(B) If the gross annual revenues generated by the lands granted pursuant to subdivision (a) exceed the amount required to be transferred to the commission pursuant to subparagraph (A), the district shall, in addition, transfer to the State Lands Commission 20 percent of the total amount of the excess annual gross revenues.

(C) Notwithstanding subparagraph (B), the State Lands Commission may, at its discretion and at a properly noticed public meeting, enter into different revenue sharing agreements, upon proposal by the district, if it finds that the agreement will provide a significant benefit to the public trust and is in the best interests of the state.

(2) Upon receipt of the moneys pursuant to paragraph (1), the State Lands Commission shall allocate 80 percent to the Treasurer for deposit in the General Fund, and 20 percent to the Treasurer for deposit in the Land Bank Fund for expenditure, pursuant to Division 7 (commencing with Section 8600) of the Public Resources Code, for management of the commission's granted lands program.

(d) On or before July 1, 2019, the State Lands Commission shall survey, monument, plat, and record or file with the Office of the County Recorder of the County of San Diego the area of tidelands and submerged lands granted to the district pursuant to subdivision (a). The district shall reimburse the State Lands Commission for its surveying expenses and shall pay all costs of the survey and recordation.

(e) The requirements of Section 6359 of the Public Resources Code do not apply to the trust lands granted pursuant to this section.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Amendment 6

On page 2, strike out lines 1 to 38, inclusive, and strike out pages 3 and 4

AMENDMENTS TO ASSEMBLY BILL NO. 898

Amendment 1

In the title, in line 1, strike out "204 of the Labor Code" and insert:

3042 of the Penal Code

Amendment 2

In the title, strike out line 2 and insert:

parole.

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Section 3042 of the Penal Code, as amended by Section 6 of Chapter 470 of the Statutes of 2015, is amended to read:

3042. (a) At least 30 days before the Board of Parole Hearings meets to review or consider the parole suitability of any inmate sentenced to a life sentence, the board shall send written notice thereof to each of the following persons: the judge of the superior court before whom the inmate was tried and convicted, the attorney who represented the defendant at trial, the district attorney of the county in which the offense was committed, the law enforcement agency that investigated the case, and ~~where if~~ if the inmate was convicted of the murder of a ~~peace officer, officer or a firefighter~~ peace officer or firefighter, the law enforcement agency ~~which had or fire department that~~ employed that the peace officer or firefighter at the time of the murder.

(b) The Board of Parole Hearings shall record all of those hearings and transcribe recordings of those hearings within 30 days of any hearing. Those transcripts, including the transcripts of all prior hearings, shall be filed and maintained in the office of the Board of Parole Hearings and shall be made available to the public no later than 30 days from the date of the hearing. ~~No An~~ An inmate shall ~~actually not~~ not be released on parole ~~before~~ until 60 days from the date of the hearing have elapsed.

(c) At any hearing, the presiding hearing officer shall state his or her findings and supporting reasons on the record.

(d) Any statements, recommendations, or other materials considered shall be incorporated into the transcript of the hearing, unless the material is confidential in order to preserve institutional security and the security of others who might be endangered by disclosure.

(e) (1) The written notice to the judge of the superior court before whom the inmate was tried and convicted shall be sent by United States mail.

(2) The judge receiving this written notice may forward to the board any unprivileged information from the trial or sentencing proceeding regarding the inmate, witnesses, or victims, or other relevant persons, or any other information, that is pertinent to the question of whether the board should grant parole or under what



conditions parole should be granted. The judge may also, in his or her discretion, include information given to him or her by victims, witnesses, or other persons that bear on the question of the inmate's suitability for parole.

(3) The board shall review and consider all information received from the judge or any other person and shall consider adjusting the conditions of parole to reflect the comments or concerns raised by this information, as appropriate.

(f) ~~Nothing in this~~ This section shall be construed as limiting does not limit the type or content of information the judge or any other person may forward to the board for consideration under any other law.

(g) Any person who receives notice under subdivision (a) who is authorized to forward information for consideration in a parole suitability hearing for a person sentenced to a life sentence under this section, may forward that information either by facsimile or electronic mail. The Department of Corrections and Rehabilitation shall establish procedures for receiving the information by facsimile or electronic mail pursuant to this subdivision.

Amendment 4

On page 1, strike out lines 1 to 10, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 1106

Amendment 1

In the title, in line 1, strike out "amend Section 600 of the Public Resources Code, relating", strike out line 2 and insert:

add and repeal Section 991.5 of the Penal Code, relating to criminal procedure.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 991.5 is added to the Penal Code, to read:

991.5. (a) The Judicial Council shall, on or before July 1, 2017, select six counties to participate in a five-year pilot project that would require a court, upon request by the defendant in the case of a defendant charged with a misdemeanor who is not in custody, to make a finding at the arraignment as to whether probable cause exists to believe that a public offense has been committed and that the defendant is guilty thereof.

(b) The Judicial Council shall select the six counties that will participate in the pilot project, provided, however, that the County of Los Angeles shall be included in the pilot project, and that the other five counties shall represent small, medium, and large counties, by population.

(c) The following arraignment procedure shall apply in the pilot project counties:

(1) When the defendant is out of custody at the time he or she appears before the magistrate for arraignment and the public offense is a misdemeanor to which the defendant has pleaded not guilty, the magistrate, on motion of counsel for the defendant or the defendant, shall determine whether there is probable cause to believe that a public offense has been committed and that the defendant is guilty thereof.

(2) The determination of probable cause shall be made immediately, unless the court grants a continuance for good cause not to exceed three court days.

(3) In determining the existence of probable cause, the magistrate shall consider any warrant of arrest with supporting affidavits, and the sworn complaint together with any documents or reports incorporated by reference thereto, which, if based on information and belief, state the basis for that information, or any other documents of similar reliability.

(4) If, after examining these documents, the court determines that there exists probable cause to believe that the defendant has committed the offense charged in the complaint, it shall maintain the trial date already calendared for the defendant.

(5) If the court determines that no probable cause exists, it shall dismiss the complaint and discharge the defendant.

(6) The prosecution may refile the complaint within 15 days of the dismissal of a complaint pursuant to this section.

(7) A second dismissal pursuant to this section is a bar to any other prosecution for the same offense.



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Substantive

(d) This section shall become inoperative on July 1, 2022, and, as of January 1, 2023, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2023, deletes or extends the dates on which it becomes inoperative and is repealed.

Amendment 3

On page 1, strike out lines 1 to 3, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 1311

Amendment 1

In the title, in line 1, strike out "Section 49380 of the Education Code, relating to", strike out line 2 and insert:

Section 201.3 of the Labor Code, relating to employment.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 201.3 of the Labor Code is amended to read:

201.3. (a) For purposes of this section, the following definitions apply:

(1) "Temporary services employer" means an employing unit that contracts with clients or customers to supply workers to perform services for the clients or customers and that performs all of the following functions:

(A) Negotiates with clients and customers for matters such as the time and place where the services are to be provided, the type of work, the working conditions, and the quality and price of the services.

(B) Determines assignments or reassignments of workers, even if workers retain the right to refuse specific assignments.

(C) Retains the authority to assign or reassign a worker to another client or customer when the worker is determined unacceptable by a specific client or customer.

(D) Assigns or reassigns workers to perform services for clients or customers.

(E) Sets the rate of pay of workers, whether or not through negotiation.

(F) Pays workers from its own account or accounts.

(G) Retains the right to hire and terminate workers.

(2) "Temporary services employer" does not include any of the following:

(A) A bona fide nonprofit organization that provides temporary service employees to clients.

(B) A farm labor contractor, as defined in subdivision (b) of Section 1682.

(C) A garment manufacturing employer, which, for purposes of this section, has the same meaning as "contractor," as defined in subdivision (d) of Section 2671.

(3) "Employing unit" has the same meaning as defined in Section 135 of the Unemployment Insurance Code.

(4) "Client" and "customer" means the person with whom a temporary services employer has a contractual relationship to provide the services of one or more individuals employed by the temporary services employer.

(b) (1) ~~(A)~~ Except as provided in paragraphs (2) to (5), inclusive, if an employee of a temporary services employer is assigned to work for a client, that employee's wages are due and payable no less frequently than weekly, regardless of when the assignment ends, and wages for work performed during any calendar week shall be due and payable not later than the regular payday of the following calendar week. A temporary services employer shall be deemed to have timely paid wages upon completion of an assignment if wages are paid in compliance with this subdivision.



(B) Except as provided in paragraphs (2) to (5), inclusive, if an employee of a temporary services employer in the security services industry is a security guard who is registered pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code, is employed by a private patrol operator licensed pursuant to that chapter, and is assigned to work for a client, that employee's wages are due and payable no less frequently than weekly, regardless of when the assignment ends, and wages for work performed during any workweek, as defined under Section 500, shall be due and payable not later than the regular payday of the following workweek.

(2) If an employee of a temporary services employer is assigned to work for a client on a day-to-day basis, that employee's wages are due and payable at the end of each day, regardless of when the assignment ends, if each of the following occurs:

(A) The employee reports to or assembles at the office of the temporary services employer or other location.

(B) The employee is dispatched to a client's worksite each day and returns to or reports to the office of the temporary services employer or other location upon completion of the assignment.

(C) The employee's work is not executive, administrative, or professional, as defined in the wage orders of the Industrial Welfare Commission, and is not clerical.

(3) If an employee of a temporary services employer is assigned to work for a client engaged in a trade dispute, that employee's wages are due and payable at the end of each day, regardless of when the assignment ends.

(4) If an employee of a temporary services employer is assigned to work for a client and is discharged by the temporary services employer or leasing employer, wages are due and payable as provided in Section 201.

(5) If an employee of a temporary services employer is assigned to work for a client and quits his or her employment with the temporary services employer, wages are due and payable as provided in Section 202.

(6) If an employee of a temporary services employer is assigned to work for a client for over 90 consecutive calendar days, this section shall not apply unless the temporary services employer pays the employee weekly in compliance with paragraph (1) of subdivision (b).

(c) A temporary services employer who violates this section shall be subject to the civil penalties provided for in Section 203, and to any other penalties available at law.

(d) Nothing in this section shall be interpreted to limit any rights or remedies otherwise available under state or federal law.

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.

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Substantive

Amendment 3

On page 1, strike out lines 1 to 5, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 1384

Amendment 1

On page 2, in line 7, after “contributions” insert:

in any fiscal year

Amendment 2

On page 2, in lines 8 and 9, strike out “gross annual bridge revenues.” and insert:
funds available to the authority in that fiscal year.

Amendment 3

On page 2, in line 11, strike out “basis; provided that” and insert:

basis, if

Amendment 4

On page 2, in line 11, after “loans” insert:

in any fiscal year

Amendment 5

On page 2, in line 13, strike out “gross annual bridge revenues” and insert:
funds available to the authority in that fiscal year

Amendment 6

On page 2, strike out lines 16 and 17



AMENDMENTS TO ASSEMBLY BILL NO. 1395

Amendment 1

In the title, in line 1, strike out "17539.1 of the Government Code, relating",
strike out line 2 and insert:

186.9 of the Penal Code, relating to money laundering.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 186.9 of the Penal Code is amended to read:

186.9. As used in this chapter:

(a) "Conducts" includes, but is not limited to, initiating, concluding, or participating in conducting, initiating, or concluding a transaction.

(b) "Financial institution" means, when located or doing business in this state, any national bank or banking association, state bank or banking association, commercial bank or trust company organized under the laws of the United States or any state, any private bank, industrial savings bank, savings bank or thrift institution, savings and loan association, or building and loan association organized under the laws of the United States or any state, any insured institution as defined in Section 401 of the National Housing Act (~~12~~ former 12 U.S.C. Sec. 1724(a)), any credit union organized under the laws of the United States or any state, any national banking association or corporation acting under Chapter 6 (commencing with Section 601) of Title 12 of the United States Code, any agency, agent or branch of a foreign bank, any currency dealer or exchange, any person or business engaged primarily in the cashing of checks, any person or business who regularly engages in the issuing, selling, or redeeming of traveler's checks, money orders, or similar instruments, any broker or dealer in securities registered or required to be registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 or with the Commissioner of Corporations under Part 3 (commencing with Section 25200) of Division 1 of Title 4 of the Corporations Code, any licensed transmitter of funds or other person or business regularly engaged in transmitting funds to a foreign nation for others, any investment banker or investment company, any insurer, any dealer in gold, silver, or platinum bullion or coins, diamonds, emeralds, rubies, or sapphires, any pawnbroker, any telegraph company, any person or business regularly engaged in the delivery, transmittal, or holding of mail or packages, any person or business that conducts a transaction involving the transfer of title to any real property, vehicle, vessel, or aircraft, any personal property broker, any person or business acting as a real property securities dealer within the meaning of Section 10237 of the Business and Professions Code, whether licensed to do so or not, any person or business acting within the meaning and scope of subdivisions (d) and (e) of Section 10131 and Section 10131.1 of the Business and Professions Code, whether licensed to do so or not, any person or business regularly engaged in gaming within the meaning and scope of Section 330, any person or business regularly engaged in pool selling or bookmaking within the meaning and scope of



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Section 337a, any person or business regularly engaged in horse racing whether licensed to do so or not under the Business and Professions Code, any person or business engaged in the operation of a gambling ship within the meaning and scope of Section 11317, any person or business engaged in controlled gambling within the meaning and scope of subdivision (e) (f) of Section 19805 of the Business and Professions Code, whether registered to do so or not, and any person or business defined as a "bank," "financial agency," or "financial institution" by Section 5312 of Title 31 of the United States Code or Section ~~103.11~~ 1010.100 of Title 31 of the Code of Federal Regulations and any successor provisions thereto.

(c) "Transaction" includes the deposit, withdrawal, transfer, bailment, loan, pledge, payment, or exchange of currency, or a monetary instrument, as defined by subdivision (d), or the electronic, wire, magnetic, or manual transfer of funds between accounts by, through, or to, a financial institution as defined by subdivision (b).

(d) "Monetary instrument" means United States currency and coin; the currency, coin, and foreign bank drafts of any foreign country; payment warrants issued by the United States, this state, or any city, county, or city and county of this state or any other political subdivision thereof; any bank check, cashier's check, traveler's check, or money order; any personal check, stock, investment security, or negotiable instrument in bearer form or otherwise in a form in which title thereto passes upon delivery; gold, silver, or platinum bullion or coins; and diamonds, emeralds, rubies, or sapphires. Except for foreign bank drafts and federal, state, county, or city warrants, "monetary instrument" does not include personal checks made payable to the order of a named party which have not been endorsed or which bear restrictive endorsements, and also does not include personal checks which have been endorsed by the named party and deposited by the named party into the named party's account with a financial institution.

(e) "Criminal activity" means a criminal offense punishable under the laws of this state by death, imprisonment in the state prison, or imprisonment pursuant to subdivision (h) of Section 1170 or ~~from~~ a criminal offense committed in another jurisdiction punishable under the laws of that jurisdiction by death or imprisonment for a term exceeding one year. "Criminal activity" also means a criminal offense specified in Chapter 9 (commencing with Section 319) or Chapter 10 (commencing with Section 330) of Title 9.

(f) "Foreign bank draft" means a bank draft or check issued or made out by a foreign bank, savings and loan, casa de cambio, credit union, currency dealer or exchanger, check cashing business, money transmitter, insurance company, investment or private bank, or any other foreign financial institution that provides similar financial services, on an account in the name of the foreign bank or foreign financial institution held at a bank or other financial institution located in the United States or a territory of the United States.

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.

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Substantive

Amendment 3

On page 1, strike out lines 1 to 5, inclusive, and strike out pages 2 to 4, inclusive

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AMENDMENTS TO ASSEMBLY BILL NO. 1449

Amendment 1

In the title, strike out line 1 and insert:

An act to amend Section 69436 of the Education Code, relating to student financial aid.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 69436 of the Education Code is amended to read:

69436. (a) A student who was not awarded a Cal Grant A or B award pursuant to Article 2 (commencing with Section 69434) or Article 3 (commencing with Section 69435) at the time of his or her high school graduation but, at the time of transfer from a California community college to a qualifying baccalaureate program, meets all of the criteria set forth in subdivision (b), shall be entitled to a Cal Grant A or B award.

(b) Any California resident transferring from a California community college to a qualifying institution that offers a baccalaureate degree is entitled to receive, and the commission, or a qualifying institution pursuant to Article 8 (commencing with Section 69450), shall award, a Cal Grant A or B award depending on the eligibility determined pursuant to subdivision (c), if all of the following criteria are met:

(1) A complete official financial aid application has been submitted or postmarked pursuant to Section 69432.9, no later than the March 2 of the year immediately preceding the award year.

(2) The student demonstrates financial need pursuant to Section 69433.

(3) The student has earned a community college grade point average of at least 2.4 on a 4.0 scale and is eligible to transfer to a qualifying institution that offers a baccalaureate degree.

(4) The student's household has an income and asset level not exceeding the limits set forth in Section 69432.7.

(5) The student is pursuing a baccalaureate degree that is offered by a qualifying institution.

(6) He or she is enrolled at least part time.

(7) The student meets the general Cal Grant eligibility requirements set forth in Article 1 (commencing with Section 69430).

(8) The student will not be ~~28~~ 30 years of age or older by December 31 of the award year.

~~(9) The student graduated from a California high school or its equivalent during or after the 2000-01 academic year.~~

~~(10)~~

(9) (A) Except as provided for in subparagraph (B), the student attended a California community college in the academic year immediately preceding the academic year for which the award will be used.



(B) A student otherwise eligible to receive an award pursuant to this section, who attended a California community college in the 2011–12 academic year, may use the award for the 2012–13 and 2013–14 academic years.

(c) The amount and type of the award pursuant to this article shall be determined as follows:

(1) For applicants with income and assets at or under the Cal Grant A limits, the award amount shall be the amount established pursuant to Article 2 (commencing with Section 69434).

(2) For applicants with income and assets at or under the Cal Grant B limits, the award amount shall be the amount established pursuant to Article 3 (commencing with Section 69435).

~~(d) (1) A student meeting the requirements of paragraph (9) of subdivision (b) by means of high school graduation, rather than its equivalent, shall be required to have graduated from a California high school, unless that California resident graduated from a high school outside of California due solely to orders received from a branch of the United States Armed Forces by that student or by that student's parent or guardian that required that student to be outside of California at the time of high school graduation.~~

~~(2)~~
~~(d) (1) For the purposes of this article, both of the following are exempt from the requirements of subdivision (e) of Section 69433.9 and paragraph (9) of subdivision (b) of this section: 69433.9:~~

~~(A) A student for whom a claim under this article was paid prior to December 1, 2005.~~

~~(B) A student for whom a claim under this article for the 2004–05 award year or the 2005–06 award year was or is paid on or after December 1, 2005, but no later than October 15, 2006.~~

~~(3)~~
~~(2) (A) The commission, or a qualifying institution pursuant to Article 8 (commencing with Section 69450), shall make preliminary awards to all applicants currently eligible for an award under this article. At the time an applicant receives a preliminary award, the commission, or a qualifying institution pursuant to Article 8 (commencing with Section 69450), shall require that applicant to affirm, in writing, under penalty of perjury, that he or she meets the requirements set forth in subdivision (e) of Section 69433.9, paragraph (9) of subdivision (b) of this section, 69433.9 and paragraph (1) of this subdivision. The commission, or a qualifying institution pursuant to Article 8 (commencing with Section 69450), shall notify each person who receives a preliminary award under this paragraph that his or her award is subject to an audit pursuant to subparagraph (B).~~

~~(B) The commission shall select, at random, a minimum of 10 percent of the new and renewal awards made under subparagraph (A), and shall require, prior to the disbursement of Cal Grant funds to the affected postsecondary institution, that the institution verify that the recipient meets the requirements of subdivision (e) of Section 69433.9, paragraph (9) of subdivision (b) of this section, 69433.9 and paragraph (1) of this subdivision. An award that is audited under this paragraph and found to be valid shall not be subject to a subsequent audit.~~

(C) Pursuant to Section 69517.5, the commission shall seek repayment of any and all funds found to be improperly disbursed under this article.

(D) On or before November 1 of each year, the commission shall submit a report to the Legislature and the Governor including, but not necessarily limited to, both of the following:

- (i) The number of awards made under this article in the preceding 12 months.
- (ii) The number of new and renewal awards selected, in the preceding 12 months, for verification under subparagraph (B), and the results of that verification with respect to students at the University of California, at the California State University, at independent nonprofit institutions, and at independent for-profit institutions.

Amendment 3

On page 1, strike out lines 1 to 5, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 1473

Amendment 1

In the title, in line 1, strike out "Section 21060.5" and insert:

Sections 21181, 21189.1, and 21189.3

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 21181 of the Public Resources Code is amended to read:
21181. This chapter does not apply to a project if the Governor does not certify
a the project as an environmental leadership development project eligible for
streamlining provided pursuant to this chapter prior to January 1, ~~2016~~, 2019.

SEC. 2. Section 21189.1 of the Public Resources Code is amended to read:
21189.1. If, prior to January 1, ~~2017~~, 2020, a lead agency fails to approve a
project certified by the Governor pursuant to this chapter, then the certification expires
and is no longer valid.

SEC. 3. Section 21189.3 of the Public Resources Code is amended to read:
21189.3. This chapter shall remain in effect until January 1, ~~2017~~, 2021, and
as of that date is repealed unless a later enacted statute extends or repeals that date.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of
Article XIII B of the California Constitution because a local agency or school district
has the authority to levy service charges, fees, or assessments sufficient to pay for the
program or level of service mandated by this act, within the meaning of Section 17556
of the Government Code.

Amendment 3

On page 1, strike out lines 1 to 4, inclusive, and strike out page 2



AMENDMENTS TO ASSEMBLY BILL NO. 1529

Amendment 1

In the title, in line 1, strike out "relating to student financial aid." and insert:
to repeal Section 69999.30 of the Education Code, relating to postsecondary education.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 69999.30 of the Education Code is repealed.
~~69999.30. This article shall become inoperative on July 1, 2019, and, as of
January 1, 2020, is repealed, unless a later enacted statute, that becomes operative on
or before January 1, 2020, deletes or extends the dates on which it becomes inoperative
and is repealed.~~

Amendment 3

On page 1, strike out lines 1 and 2 and strike out page 2

- 0 -



RN152882

RE-REFERRAL OF BILLS

12/09/2015

RE-REFERRAL OF BILLS

Assembly Bill No.

[AB 309](#)

[AB 1238](#)

Committee:

WATER, PARKS AND WILDLIFE

HEALTH



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
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MARIE WALDRON
JIM WOOD
PATTY LOPEZ (D-ALT.)
JAY OBERNOLTE (R-ALT.)

Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 12/08/2015
Re: Consent Bill Re-referrals

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



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ASSEMBLY BILL

No. 1311

Introduced by Assembly Member Cooper

February 27, 2015

An act to amend Section 49380 of the Education Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1311, as introduced, Cooper. Pupil safety: sexual abuse and sex trafficking prevention education.

Existing law authorizes a school district to provide sexual abuse and sex trafficking prevention education, as defined, encourages school districts to collaborate with outside consultants, including law enforcement, with expertise in sexual abuse and sex trafficking prevention education in order to create school safety plans to address those threats, and authorizes in-service training to be conducted periodically, as provided.

This bill would make nonsubstantive changes to that provision.

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

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

1 SECTION 1. Section 49380 of the Education Code is amended
2 to read:
3 49380. (a) A school district is encouraged to collaborate with
4 outside consultants, including law enforcement, with expertise in
5 sexual abuse and sex trafficking prevention education in order to

1 create a school safety plan to address the ~~threat~~ *threats* of sexual
2 abuse and sex trafficking.

3 (b) A school district is encouraged to collaborate with law
4 enforcement on a referral protocol for high-risk pupils and minors.

5 (c) In-service training may be conducted periodically *in order*
6 to enable school district personnel to learn about new developments
7 in the understanding of sexual abuse and sex trafficking, and to
8 receive instruction on current prevention efforts and methods. A
9 school district is encouraged to include training on early
10 identification of sexual abuse and sex trafficking of pupils and
11 minors.

O

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0009
(916) 319-2009
FAX (916) 319-2109

DISTRICT OFFICE
9250 LAGUNA SPRINGS DRIVE, SUITE 220
ELK GROVE, CA 95758
(916) 670-7888
FAX (916) 670-7893

Assembly California Legislature



JIM COOPER
ASSISTANT MAJORITY WHIP
ASSEMBLYMEMBER, NINTH DISTRICT

COMMITTEES
CHAIR: PUBLIC EMPLOYEES, RETIREMENT,
AND SOCIAL SECURITY
BUDGET
GOVERNMENTAL ORGANIZATION
INSURANCE
PRIVACY AND CONSUMER PROTECTION

SELECT COMMITTEES
CHAIR: COMMUNITY AND LAW
ENFORCEMENT RELATIONS AND
RESPONSIBILITIES
CAREER TECHNICAL EDUCATION AND
BUILDING A 21ST CENTURY WORKFORCE
CYBERSECURITY
FOSTER CARE
LOCAL EMERGENCY PREPAREDNESS
WINE
YOUTH AND CALIFORNIA'S FUTURE

November 20, 2015

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

RE: Request to Add Urgency

Dear Chairman Gordon:

I respectfully request permission to add an urgency to Assembly Bill 1311. The urgency is necessary in order to prevent confusion over pay periods for temporary employees who provide important security services.

Thank you for your consideration of this request. Please contact me at (916) 319-2009 with any questions.

Sincerely,

A handwritten signature in black ink that reads "Jim Cooper".

JIM COOPER
Assemblymember, 9th District

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AMENDMENTS TO ASSEMBLY BILL NO. 1311

Amendment 1

In the title, in line 1, strike out "Section 49380 of the Education Code, relating to", strike out line 2 and insert:

Section 201.3 of the Labor Code, relating to employment.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 201.3 of the Labor Code is amended to read:

201.3. (a) For purposes of this section, the following definitions apply:

(1) "Temporary services employer" means an employing unit that contracts with clients or customers to supply workers to perform services for the clients or customers and that performs all of the following functions:

(A) Negotiates with clients and customers for matters such as the time and place where the services are to be provided, the type of work, the working conditions, and the quality and price of the services.

(B) Determines assignments or reassignments of workers, even if workers retain the right to refuse specific assignments.

(C) Retains the authority to assign or reassign a worker to another client or customer when the worker is determined unacceptable by a specific client or customer.

(D) Assigns or reassigns workers to perform services for clients or customers.

(E) Sets the rate of pay of workers, whether or not through negotiation.

(F) Pays workers from its own account or accounts.

(G) Retains the right to hire and terminate workers.

(2) "Temporary services employer" does not include any of the following:

(A) A bona fide nonprofit organization that provides temporary service employees to clients.

(B) A farm labor contractor, as defined in subdivision (b) of Section 1682.

(C) A garment manufacturing employer, which, for purposes of this section, has the same meaning as "contractor," as defined in subdivision (d) of Section 2671.

(3) "Employing unit" has the same meaning as defined in Section 135 of the Unemployment Insurance Code.

(4) "Client" and "customer" means the person with whom a temporary services employer has a contractual relationship to provide the services of one or more individuals employed by the temporary services employer.

(b) (1) (A) Except as provided in paragraphs (2) to (5), inclusive, if an employee of a temporary services employer is assigned to work for a client, that employee's wages are due and payable no less frequently than weekly, regardless of when the assignment ends, and wages for work performed during any calendar week shall be due and payable not later than the regular payday of the following calendar week. A temporary services employer shall be deemed to have timely paid wages upon completion of an assignment if wages are paid in compliance with this subdivision.



(B) Except as provided in paragraphs (2) to (5), inclusive, if an employee of a temporary services employer in the security services industry is a security guard who is registered pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code, is employed by a private patrol operator licensed pursuant to that chapter, and is assigned to work for a client, that employee's wages are due and payable no less frequently than weekly, regardless of when the assignment ends, and wages for work performed during any workweek, as defined under Section 500, shall be due and payable not later than the regular payday of the following workweek.

(2) If an employee of a temporary services employer is assigned to work for a client on a day-to-day basis, that employee's wages are due and payable at the end of each day, regardless of when the assignment ends, if each of the following occurs:

(A) The employee reports to or assembles at the office of the temporary services employer or other location.

(B) The employee is dispatched to a client's worksite each day and returns to or reports to the office of the temporary services employer or other location upon completion of the assignment.

(C) The employee's work is not executive, administrative, or professional, as defined in the wage orders of the Industrial Welfare Commission, and is not clerical.

(3) If an employee of a temporary services employer is assigned to work for a client engaged in a trade dispute, that employee's wages are due and payable at the end of each day, regardless of when the assignment ends.

(4) If an employee of a temporary services employer is assigned to work for a client and is discharged by the temporary services employer or leasing employer, wages are due and payable as provided in Section 201.

(5) If an employee of a temporary services employer is assigned to work for a client and quits his or her employment with the temporary services employer, wages are due and payable as provided in Section 202.

(6) If an employee of a temporary services employer is assigned to work for a client for over 90 consecutive calendar days, this section shall not apply unless the temporary services employer pays the employee weekly in compliance with paragraph (1) of subdivision (b).

(c) A temporary services employer who violates this section shall be subject to the civil penalties provided for in Section 203, and to any other penalties available at law.

(d) Nothing in this section shall be interpreted to limit any rights or remedies otherwise available under state or federal law.

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.

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Substantive

Amendment 3

On page 1, strike out lines 1 to 5, inclusive, and strike out page 2

- 0 -

**ADMINISTRATIVE ITEM:
2016 ASSEMBLY HOLIDAY SCHEDULE**

ISSUE:

Should the Assembly Rules Committee approve the proposed holiday schedule for the year 2016?

BACKGROUND:

The Assembly Rules Committee is responsible for creating a holiday schedule to be observed by Assembly employees during the calendar year. The attached 2016 Assembly Holiday Schedule is consistent with the Senate's proposed 2016 holiday schedule.

In addition, the Rules Committee has authorized Assembly employees to take two personal holidays at any time during the year with the approval of the Assembly Member. In the instances where the proposed Assembly holiday differs from the State holiday, Assembly and Senate precedent has been followed.

RECOMMENDATION:

Approve

2016 ASSEMBLY HOLIDAY SCHEDULE

The following are proposed holidays to be observed by the Assembly in 2016:

Friday, January 1 - NEW YEAR'S DAY

Monday, January 18 - MARTIN LUTHER KING, JR. DAY

Monday, February 15 - PRESIDENTS' DAY

Friday, April 1 - CESAR CHAVEZ DAY

Monday, May 30 - MEMORIAL DAY

Monday, July 4 - INDEPENDENCE DAY

Monday, September 5 - LABOR DAY

Friday, November 11 - VETERANS DAY

Thursday and Friday, November 24 and 25 - THANKSGIVING

Friday and Monday, December 23 and 26 - WINTER HOLIDAY

Friday and Monday, December 30 and January 2, 2017 – NEW YEAR HOLIDAY

In addition, the Rules Committee has authorized Assembly employees to take two personal holidays at any time during the year with the approval of the Assemblymember.

**ADMINISTRATIVE ITEM:
MEMBER BASE ALLOWANCE INCREASE**

Issue:

Should the Member Base Allowance be restored to the 2009 level of \$292,000 beginning December 1, 2015?

Background:

The Member Base Allowance was reduced from \$292,000 to \$263,000 in May 2009. In 2013, the reduction was partially restored to the current Member Base Allowance of \$276,100. The budget of the Assembly must meet the requirements of Proposition 140. Funds are available within the limits of Proposition 140 to achieve the Member base budget proposed.

Recommendation:

Approve.