

# FCL NEWSLETTER

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FRIENDS COMMITTEE ON LEGISLATION

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## Health care debate heats up

California has seven million people without health care coverage, roughly the entire population of the San Francisco Bay Area. Health care costs are rising at two-and-a-half times the rate of inflation. Half of all bankruptcies are due to health care costs. Three-fourths of these citizens had health insurance at the time of hospitalization. In the U.S., we spend, on average, twice as much for health care as other countries; yet, we are ranked 37th in health care overall by the World Health Organization, just ahead of Slovenia at 38.

The debate on expanding health care in California is becoming more focused as proposals by Senate President pro Tem Don Perata (D., Oakland) and Assembly Speaker Fabian Nuñez (D., Los Angeles) were merged. The governor is making health care reform a priority and has put forth a plan that has not found an author or been introduced in bill form. Though the ongoing budget stalemate has put everything else on the back burner, major action could take place this year. Schwarzenegger's apparent willingness to compromise has fueled speculation that the end product will be a hybrid between the governor's proposal and **Assembly Bill 8** (AB 8), the Perata-Nuñez proposal.

Employers currently cover 18 million Californians, while public insurance programs like Medicare, Medi-Cal and Healthy Families, account for 10 million. One million purchase health insurance in the individual market, leaving 7 million without health insurance. Schwarzenegger's proposal contains an individual mandate requiring everyone to have health insurance. Those not covered by their employer or a government program would be required to purchase health insurance on their own. AB 8



*"No longer preaching to the choir!" Filmmaker Michael Moore joins California nurses and health care advocates at a rally for SB 840 at the State Capitol. Photo by Jaclyn Higgs. Used with permission.*

adds 3.4 million Californians to the ranks of the insured, leaving over 3.5 million Californians without insurance.

Both the governor's plan and AB 8 keep insurance companies in the mix. Insurance companies have a fiduciary responsibility to maximize profits. This results in insuring only those customers who are healthy and

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*"The Friends Committee on Legislation (FCL), guided by Quaker values, advocates for California state laws that are just, compassionate, and respectful of the inherent worth of every person."*

## Health care debate heats up *(Continued from page 1)*

creates incentives to deny health care when they become ill. Under the Schwarzenegger proposal, insurance companies could not deny coverage for preexisting conditions and could not charge higher premiums based on health status. AB 8 limits the number of preexisting conditions that would qualify for the denial of coverage and places those who are denied into a state high-risk pool. Insurers would still be allowed to charge more for premiums on the basis of age and geographic location.

### Employer obligations

Both proposals require employers to provide coverage or pay into a government-run system, and both require employers to establish "Section 125" plans which enable employees to shelter income used to pay health insurance premiums from federal and state taxes.

The governor's plan requires employers with 10 or more employees to provide health insurance for their workers and their dependents or pay four percent of their payroll into a state pool to provide coverage. Under AB 8, all employers must either provide coverage for workers and their dependents or pay the state a fee of 7.5 percent of payroll to enroll them in a new pool called the "California Cooperative Health Insurance Purchasing Plan" (Cal-CHIP). The higher employer contribution means less health care costs would be passed on to employees. Premiums would range from 2.8 percent of gross income for an individual up to 4.5 percent for a family of four. The Managed Risk Medical Insurance Board would be allowed to adjust the fee to ensure solvency. Individuals would have an annual \$500 deductible and an out-of-pocket maximum of \$3,000 per year.

Schwarzenegger's plan estimates that doctors and hospitals will receive between \$10 billion and \$15 billion per year in new money as a result of expanding the numbers of insured and new increases in Medi-Cal provider rates.

Physicians would be required to contribute two percent of gross revenues and hospitals four percent to help subsidize care for qualified individuals.

### Affordability

FCL and other health care advocates have expressed concerns over affordability. Households with incomes over \$75,000 per year are the fastest growing group of the uninsured. While both AB 8 and the governor's proposal increase funds for the safety net, they are inadequate and leave middle-income families to fend for themselves. Governor Schwarzenegger's plan also contains a controversial individual mandate requiring everyone to have health insurance. Supporters contend that without the mandate

some will not purchase coverage until they become sick, when they would receive health benefits without having paid into the system. Massachusetts recently enacted reforms that include an individual mandate, but included an exemption if coverage is unaffordable. Californians ineligible for subsidized care and not covered by employers would be forced into the individual market, where they have no ability to negotiate premiums, deductibles or co-pays.

Workers with in-

comes up to 250 percent of the Federal Poverty Level (FPL) – \$51,625 a year for a family of four – are eligible for subsidized care in the state pool, except that children from families with incomes up to 300 percent of the FPL would receive subsidized care. Premiums would range from three percent to six percent of gross income. Families with incomes in excess of 100 percent of the Federal Poverty Level (\$20,650 for a family of four) would be shifted into the new state pool or the Healthy Families program with fewer benefits.

Those ineligible for the state pool would be required to purchase at minimum a policy with a \$5,000 deductible (\$7,500 for a family). Out-of-pocket expenses would be



*Governor's healthcare plan, depicted as a Trojan Horse, is an insurance industry favored plan.* Photo by Dale Richter

capped at \$7,500 per person and \$10,000 per family per year. Many individuals and families with incomes well in excess of the FPL (calculated as the annual cost of food multiplied by three) could not afford the premiums or deductibles. California has some of the highest housing costs in the nation, along with other financial burdens, such as the cost of providing daycare and transportation.

With a \$5,000 deductible, many would not be able to afford health care. While high deductible plans may protect a family's assets against catastrophic loss, few families mandated to purchase these plans have significant assets to protect. Though the governor also wants to allow individuals to make pre-tax contributions to "health savings accounts," low-income households would not benefit because their tax liability is low. Governor Schwarzenegger's plan also cuts \$2 billion to public hospitals which provide health care for the medically indigent.

AB 8 provides subsidized care for incomes up to 300 percent of the FPL, with premiums ranging from zero to five percent. Californians who do not qualify for subsidized care would go without. As a result, AB 8 is not much better than the governor's plan in terms of affordability.

### No longer preaching to the choir

FCL continues to support **SB 840**, The California Universal Health Care Act, by Sheila Kuehl, D., Santa Monica, which was vetoed by Schwarzenegger last year. The governor's veto message referred to SB 840 as "socialized medicine" and "government-run health care." In fact, under SB 840, health care delivery would remain private with the state acting as the insurance company, much like Medicare, a single-payer system for the elderly. Kuehl's plan removes insurance companies from the mix and covers everyone regardless of medical conditions, age or geographic location. While the governor's plan and AB 8 require 85 percent of health care dollars to be spent on services, SB 840 limits overhead and administration to five percent.

Currently, 25 percent to 45 percent of every health care premium is spent on overhead and profit. Medicare spends less than three percent of health care dollars on overhead. By reducing administrative overhead, eliminating profits and by pooling all current funds spent on health care, SB 840 covers every California resident with comprehensive benefits. An analysis by The Lewin Group, a nationally respected health care consulting firm,



Supporters of SB 840 at a OneCareNow rally in front of Blue Shield's headquarters in San Francisco. Photo by Dale Richter

concluded that SB 840 would save Californians \$8 billion the first year.

Kuehl's bill has been endorsed by hundreds of community and faith-based organizations, the California Nurses Association and the California Federation of Teachers. Single-payer has been deliberated for five years, and earlier this year Senator Kuehl iterated that SB 840 could turn into a ballot initiative should Schwarzenegger veto it again.

In June, single-payer was given a boost by the appearance of filmmaker Michael Moore at the State Capitol. Moore's latest film "Sicko" chronicles the injustices of health care today and has struck a nerve among Americans. Moore addressed an informational hearing at the State Capitol which also included testimony from Dr. Linda Peeno, a former medical director for Humana. In 1996, Peeno testified to Congress that Humana rewarded her financially for denying the claims of people in need of health care. The Sacramento hearing was followed by an SB 840 rally sponsored by the California Nurses Association.

### Taxes, fees and premiums

Though SB 840's companion bill, SB 1014, would require an eight percent tax on payroll and a four percent tax on individuals, most businesses and individuals would see a reduction in health care expenses as they would no longer pay premiums to insurance companies.

The Legislative Counsel has opined that the employer assessments and "fees" imposed on doctors and hospitals

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**Giving Online:** For your convenience, donations to FCL may be made online. Please complete our **secure online donation form** located on our website, [www.fclca.org](http://www.fclca.org). You can mail your donation to 717 K Street, Suite 500B, Sacramento, CA 95814-3408.

## Health care debate heats up *(Continued from page 3)*



Senator Carole Migden addresses SB 840 supporters. Photo by Dale Richter

in the Schwarzenegger proposal also amount to taxes. In its drafting of AB 8, the Legislative Counsel has classified the employer assessment as a fee because it alone determines eligibility in Cal-CHIP.

The distinction between taxes and fees is significant as any new tax requires approval by a two-thirds super-majority of the Legislature. While

Democrats hold significant majorities in both houses, they are six votes short in the Assembly and two votes short in the Senate of two-thirds. All Republican legislators except one have signed the “no new taxes” pledge being advanced by anti-tax crusader Grover Norquist. As drafted, AB 8 would require only a majority vote to go to the gov-

ernor, though the employer assessment could be challenged in court as a tax. Both AB 8 and the governor’s plan could face court challenges concerning the Employment Retirement Security Act, a federal law which protects multi-state corporations by pre-empting state laws regulating employee benefits.

While a hybrid between AB 8 and the governor’s plan could move California in the right direction, the tension between corporate profits and the costs of providing care is kept intact. Still, there are important elements in the governor’s plan and AB 8 that, taken alone, are significant. FCL supports the right of individuals and communities to strive for optimum health. Only SB 840 offers truly universal health care. Healthy communities, more so than healthy bottom lines, should come first and foremost.

Until universal health care is achieved, FCL supports public policies that increase access to affordable health care. Increasing the numbers of insured by 3 million or more is no small accomplishment. Passage of AB 8, the Schwarzenegger plan, or a hybrid would not be the last word in health care reform. If the issue of affordability is resolved, it could mark a significant step towards the goal of universal health care. ©

– Jim Lindburg, <JimL@fclca.org>

# Budget impasse: punishing children for the “sins” of their parents

In 1997, new work requirements for parents receiving cash assistance (CalWORKS) were included as part of the federal government’s welfare overhaul. While adults who do not comply with the new work requirements have their benefits terminated, California has always kept benefits for children intact.

In his January budget proposal, Governor Schwarzenegger proposed cutting CalWORKS benefits for 200,000-plus California children whose parents are not complying with the work requirements. Many parents who do not meet the work requirements face significant barriers such as the availability of affordable child care.

The State Assembly passed a budget that rejected these cuts and restored the benefits to children. Meanwhile, 14 of 15 Senate Republicans have refused to vote for the budget and have demanded, among other things, the cuts to children. Senator Abel Maldonado of Santa Maria is the lone Republican to vote for the budget.

The following remarks from Senator Jeff Denham, R. Atwater, are taken from a conservative blog called “The Flash Report,” (<http://flashreport.org>). Mike Herald, Executive

Director from the Western Center on Law and Poverty, a group that advocates on behalf of low-income Californians, drafted a point-by-point response to Senator Denham’s assertions and has given FCL permission to print his response.

Senator Denham:

*Lost in all the rhetoric and false accusations about the Governor’s proposal to reform CALWORKS (the state’s welfare system) are the facts. While the liberal Democrat leadership of the Senate and Assembly try to portray this proposal conforming to federal law as somehow throwing single mothers and kids out into the streets, nothing could be farther from the truth. Let’s look at the facts about the proposal to reform, and we believe, strengthen, the CALWORKS system:*

*1. The only people “thrown off” off welfare (after still being allowed on it for 5 years!) will be felons, illegal aliens, and persons who don’t comply with such “draconian rules” as trying to find a job. Let me repeat – the reform we are seeking that the liberal Democrats oppose merely seeks to end the gravy-train of felons and illegal aliens after five years. For the first five years we can’t even touch them. Quite frankly, this five-year free ride*

*Continued →*

for law breakers is still too much but we can only imagine the "outrage" if we proposed reforming this "entitlement" any further.

**Mike Herald's response:**

**The Democrats in the Legislature are hardly out on a limb on this since they are protecting the legacy of that great liberal, former Governor Pete Wilson, who proposed that all children be provided aid in 1997 (before any democrat [sic]). Maybe Pete knew what he was doing.**

**Mr. Denham's comments about recipients as law breakers are undignified and paint a caricature of the families. One would hope for more than that from our elected officials. The reason why families don't work are varied and it is not as simple as people just don't want to work. They are certainly not law breakers. Data shows that lack of child care and lack of transportation are the main reason why people can't work. But other families have more serious problems like domestic violence, mental health issues, low educational levels and lack of work experience. Kicking the entire family off aid won't fix any of these problems. Contrary to Mr. Denham's statements illegal aliens are not eligible for aid and families can (and are) penalized at any time during the five years on aid.**

**Senator Denham:**

2. This CALWORKS reform was not diabolically devised by the 15 Republican members of the State Senate, but rather it was proposed by Governor Schwarzenegger in January of this year. He based it on a federal mandate enacted by President William Jefferson Clinton back in 1996. The irony here is that this so-called heartless, harsh and mean-spirited welfare reform proposal was signed into law by the liberal Democrats' own hero. So if the liberal Democrat leaders of the Senate and Assembly have anyone to blame, they might want to direct their anger at the former President from Arkansas.

**Mike Herald's response:**

**This assertion is confusing since former President Clinton had nothing to do with it. Under the welfare law passed during Clinton's tenure states have flexibility to design their own program. The one designed by Governor Wilson and the Legislature is the one now under attack by the caucus. In reality this proposal was first proposed by the Governor this January. But it failed in both houses of the Legislature for very good reasons. The proposal is taken from Texas which did the same thing in 2003 with disastrous results. 155,000 kids kicked off aid, a decrease in the number of adults working enough to meet federal requirements and 45% of Texas welfare funds have been shifted to more expensive child welfare interventions. In welfare policy this is known as a denominator strategy. It brings the state into compliance by kicking off the rolls any person not complying. Last year the Administration and the Legislature took the opposite tack. They decided to solve the problem by adding families to the numerator by getting them into work and intervening with families before they get out of compliance. In LA County nearly 70% of non-compliant adults**

**come into compliance using this approach. We should stay the course with the numerator approach.**

**Senator Denham:**

3. If California does not somehow reform CALWORKS as mandated by the federal government, the state will be fined \$150 million the first year we refuse and almost \$400 million the next year and up from there. 48 other states have already complied and avoided these fines. So let's see, should we protect felons and illegal aliens and lose hundreds of millions in taxpayer dollars, or should we do our best to reform CALWORKS and save the program for the real people who need it, such as persons who are not criminals but are looking to better their life by trying to return to work and just need a little temporary assistance? Not a tough choice for most Californians.

**Mike Herald's response:**

**The fear of federal penalties is overblown. Contrary to the assertion, 48 states have not complied with requirements. It is impossible since the period for judging compliance won't be complete until this October. Further, the Administration's own estimates show that based on the reforms done last year (discussed above) that California will meet the federal work participation rates and avoid federal penalties. But even if that is wrong, penalties will not be imposed until 2010 at the earliest and if the state has subsequently met the work rate then no penalty is imposed. We need to keep putting families to work and not do rash unnecessary acts that only hurt children.**

**Senator Denham:**

The bottom line is that the reforms proposed to CALWORKS, which could save hundreds of millions of dollars and help solve the state budget stalemate, are reasonable and are basically mandated by federal law. Welfare was never intended to be a lifetime source of income for anyone who is able-bodied and able to work – it is meant as a short-term, helping hand. The perverse twisting of this program into a lifeline for felons and illegal aliens is something that must stop. The overwhelming majority of Californians would agree. Perhaps soon my legislative colleagues will wake up and realize this too.

**Mike Herald's response:**

**Welfare is a short term program. Since the law was changed in 1997 more than 80% leave before two years according to data from the state. The bottom line is the Republican proposal takes more \$300 million from a program that is shrinking in size not growing. Welfare used to account for 6.8% of the budget but now it is just 2%. And we spend far less on welfare in real, not inflation adjusted, dollars than we did ten years ago. The real question is why the caucus is focused on a part of the state budget that is not causing the structural deficit nor the out year problems. Could it be that they view these families as politically vulnerable and a nice rallying cry for their supporters? The funny thing is that Democrats and Republican all agree we need to get these families to work and off aid. When we work together on these problems as we did last year we can make real progress. But when we resort to name calling and caricature, we get stalemate.©**

# Putting compassion into compassionate release

by Ashley Hart

In December of 2002, Sherrie Chapman died in prison from breast cancer after struggling for many years to receive care in prison. Despite a successful lawsuit against her prison doctor and the California Department of Corrections and Rehabilitation (CDCR), prison officials never acknowledged that she was terminally ill. Currently, under the state's medical release law, a terminally ill person in prison who poses no threat to society may spend his or her final months in the free world, in the arms of friends and family. In Ms. Chapman's case, however, medical staff never initiated the medical release process; as a result, Ms. Chapman died imprisoned. Her story is unfortunately all too common.

Under current practice, the reality of medical release is strikingly different from its purported intent. Under current law, if a CDCR physician diagnoses a person in prison with a terminal illness and determines that he or she has fewer than six months to live, that person is eligible for medical release. Currently, however, eligibility guarantees nothing. Medical staff must take the initiative to begin the medical release process. Upon satisfaction of the medical criteria, the person's case is referred to the Warden, the secretary of CDCR, and/or the Board of Parole Hearings for review, including review of the relevant public safety criteria. If the imprisoned person satisfies the medical criteria, then the CDCR secretary and the Board of Parole Hearings determine whether the person also satisfies the public safety criteria. If both sets of criteria are satisfied, then the CDCR Secretary and the Board may recommend to the original sentencing court that the person's sentence be recalled. Finally, the court must agree to the sentence recall. The process, if it is initiated at all, takes months, and in many cases, the person in prison dies before its completion. Due to extremely limited communication ability between people inside prisons and people outside of prison, the imprisoned person's family often is unaware of the person's illness until after their death. Currently, medical release law does not apply to those who are considered permanently medically incapacitated, which includes those in comas, those who are paralyzed, and

those who require life support; therefore, the state continues to imprison a number of these persons.

**Assembly Bill 1539**, by Paul Krekorian, D., Glendale, streamlines the medical release process in order to facilitate the release of the terminally ill and the permanently incapacitated. First, AB 1539 would require CDCR doctors who determine that a person is terminally ill to pass that diagnosis up the chain of command to the warden, and would require the warden to inform the imprisoned person and their family about medical release procedures. Once a court orders that a person in prison be re-sentenced, that person would have to be released within 48 hours. AB 1539 would also extend medical release to apply to people who are permanently medically incapacitated and whose release would not threaten public safety.

Fiscal savings to the state under AB 1539 are potentially great: not only would a more effective medical release law increase fiscal savings by decreasing the number of people in prison, the cost of imprisoning the terminally ill and the permanently incapacitated is particularly high. According to a fiscal analysis by the Assembly Appropriations Committee, it costs approximately \$120,000 per year to incarcerate a terminally ill or medically incapacitated person. A streamlined and extended medical release process could save the state of California more than \$7.25 million dollars each year, and could save the CDCR more than \$9.1 million.

AB 1539 passed the Assembly and has moved to the Senate. We urge you to contact your State Senator and the Governor Schwarzenegger in support of AB 1539, and enable people like Sherrie Chapman to reunite with their families before it is too late. ☺

*FCL Newsletter editor and former FCL intern Ashley Hart is a legal advocate at Justice Now, a human rights organization that partners women in prison with local communities to end violence against women and stop imprisonment. Ashley is also a second-year law student at Hastings College. Contact Ashley at <fcleditor@fclca.org>.*

# FCL Community Corner

**FCL** held its 3rd Quarter Board meeting at the Inland Valley Friends Meetinghouse in Riverside, just prior to the Pacific Yearly Meeting. The meeting included a fine meal at an authentic Mexican restaurant in downtown Riverside. Many thanks to Inland Valley Friends for the use of the Meetinghouse.

Jim Lindburg and Dale Richter attended this year's Pacific Yearly Meeting in Redlands. Statewide clerk Brian Vura-Weis chaired an informal FCL during lunch where Jim presented an update on legislative activities and the budget impasse at the Capitol.

Jim and Dale also attended a criminal justice conference on legislative advocacy in San Francisco sponsored by the National Association of Criminal Defense Lawyers and the ACLU. Several panels and speakers who presented on a variety of issues affecting the criminal justice system and advocates from various states shared legislative strategies, successes and failures.

Jim recently gave the United Methodist Women of Merced a legislative update on prison overcrowding and the politics of **AB 900** (see the March-April edition of the *FCL Newsletter*).

Long-time friend of FCL, John Longville, a former Assembly Member from Rialto, suffered a serious bicycling accident near his home in Southern California. Before joining the Legislature, Longville was an aide to Quaker-Congressman George Brown. FCL supporters from Southern California will recall that John was the keynote speaker at last year's Southern California dinner. We're glad to report that John is rapidly recovering and riding his bike again.

## Meeting Contributions

Thanks to the following meetings for recent contributions to FCL: Grass Valley, Marin Apple Seed, Mendocino, Orange County and Strawberry Creek. These contributions help FCL carry out its important legislative and educational work.

## Fundraisers

The recent Spring Fund appeal was a success for both FCL and the Education Fund. Income and donations are up slightly over last year, however; FCL is still behind its fundraising goal for 2007. If you have been meaning to send a donation and haven't gotten around to it, it would be much appreciated.

## Miscellaneous

Lesley McNeish, a student at Swarthmore College, interned for FCL this summer. Leslie wrote a piece on legislative redistricting that will be featured in an upcoming edition of the *Newsletter*. She also wrote several soon-

to-be published pamphlets for the FCL Education Fund. After visiting Russia late this summer, Lesley returns to Swarthmore to complete her senior year and will graduate with a degree in political science. Many thanks to Leslie for her fine contributions to FCL.

Dale continues to coordinate replies to letters from prisoners with Hilary Burwell of Sacramento Friends Meeting. To date, FCL has funded 220 prisoner requests for the *FCL Newsletter* in 2007.

Our newsletter circulation continues to increase and we would like to welcome new readers. A lot of quality effort and hard work by staff go into producing the newsletter. We appreciate our readers and subscribers to the newsletter. ☺

– Dale Richter <Dale@fclca.org>

## ANNUAL PRISONER HOLIDAY CARD CONTEST

Design holiday cards for FCL. If your artwork is selected, you will receive \$100. Your artwork will be featured as part of FCL's Holiday Card mailing and to raise funds to pay for prisoner subscriptions to the *FCL Newsletter* for 2008. You will be identified as the artist.

- Artwork should express universal themes such as peace, joy, unity and hope. No depictions of sectarian themes such as Santa Clauses, etc.
- Only artwork from prisoners will be accepted. Entries must be postmarked from a California Prison.
- Submit artwork in black and white only (suggestions for color schemes are welcomed).
- The deadline for submissions is October 12, 2007. (No limit on the number of submissions.) Send to: FCL Holiday Card Contest, 717 K St., Suite 500-B, Sacramento, CA 95814.

***FCL is proud of its prisoner art collection.***

# Whatever Happened To...

*This is a summary of some of the significant bills that FCL is following in the current legislative session. Bill status is shown as of August 8, 2007. The full list of bills, text and history of each bill may be found by consulting the FCL website or by contacting the author's staff. To express your views on legislation, please write to the governor, your state senator, and your assembly member, with a copy to the bill's author at "State Capitol, Sacramento, CA 95814." You may find out who your legislators are by consulting the State Government pages of your local telephone directory.*

## Capital Punishment

**AB 780** (Jim Silva, R., Huntington Beach) as introduced, expands death-eligible special circumstances when the victim is a person who exercises powers of arrest. As amended, no longer of concern to FCL.

**SB 511** (Elaine Alquist, D., Santa Clara) requires electronic recording of police interrogations for suspects accused of a homicide or a violent felony. FCL SUPPORTS. Assembly Appropriations Committee.

**SB 609** (Gloria Romero, D., Los Angeles) requires that testimony by an in-custody informant used to convict a person, find a special circumstance, or aggravating fact must be corroborated. FCL SUPPORTS. Assembly Floor.

**SB 756** (Mark Ridley Thomas, D., Los Angeles) requires law enforcement to adopt procedures to minimize mistaken eyewitness identifications. FCL SUPPORTS. Assembly Appropriations Committee.

## Children and Youth

**AB 1300** (Curren Price, D., Inglewood) adds the provision of comprehensive education to the purpose of incarceration for young people under the jurisdiction of the Department of Juvenile Justice and requires the department to design services that promote family ties. FCL SUPPORTS. Senate Appropriations Committee.

**AB 1655** (Sally Lieber, D., Mountain View) requires the Department of Juvenile Justice to stop intake of young people convicted of crimes by April 1, 2008 and requires a plan to close all facilities and return wards to county of jurisdiction. FCL SUPPORTS. Assembly Appropriations Committee.

**SB 999** (Leland Yee, D., San Francisco) eliminates life-without-parole for persons under age 18 convicted of first degree murder with a special circumstance and replaces

it with a 25-year-to-life sentence. FCL SUPPORTS. Senate Inactive File.

## Criminal Justice/Imprisonment

**AB 79** (Cathleen Galgiani, D., Tracy) provides that persons convicted of murder who are denied parole become ineligible for a new parole hearing for 10 years. FCL OPPOSES. Assembly Public Safety Committee.

**AB 116** (Greg Aghazarian, R., Stockton) requires a caregiver adult who ingests methamphetamine in the immediate presence of a child to serve a prison sentence of 16 months, 2 years, or 3 years. FCL OPPOSES. Assembly Public Safety Committee.

**AB 148** (Richard Alarcon, D., Los Angeles) allows a lessor of real property to deny housing or to evict a person convicted of a sex offense. FCL OPPOSES. Assembly Public Safety Committee.

**AB 160** (Sally Lieber, D., Mountain View) and **SB 110** (Gloria Romero, D., Los Angeles) establishes the California Sentencing Commission to review and devise sentencing guidelines. FCL SUPPORTS. Senate Appropriations Committee and Assembly Appropriations Committee, respectively.

**AB 370** (Jim Silva, R., Huntington Beach) allows local governments to prohibit persons convicted of sex offenses from dwelling in single-family residences with other persons convicted of sex offenses and allows sober-living facilities to be classified as single-family dwellings for this purpose. FCL OPPOSES. Assembly Appropriations Committee.

**AB 639** (Loni Hancock, D., Berkeley) requires the Department of Corrections and Rehabilitation to take steps to ensure that a person released on parole has a valid California identification card upon release.

FCL SUPPORTS. Senate Appropriations Committee.

**AB 755** (Sally Lieber, D., Mountain View) makes corporal punishment eligible for felony prosecution and a prison sentence. FCL OPPOSES.

**AB 824** (Lori Saldaña, D., San Diego) prohibits prisoners convicted of sex offenses from participating in fire fighting camps. FCL OPPOSES. Assembly Appropriations Committee.

**AB 1416** (Sharon Runner, R., Lancaster) would allow driving while intoxicated with a child in the car a felony, punishable in state prison for 2, 4, or 6 years. FCL OPPOSES. Assembly Public Safety Committee.

**AB 1539** (Paul Krekorian, D., Burbank) streamlines procedures for compassionate release of terminally ill prisoners with six months or less to live. FCL SUPPORTS. Senate Floor.

**SB 40** (Gloria Romero, D., Los Angeles) gives judges sole discretion to sentence defendants to the lower, middle or upper term. FCL OPPOSES. Chaptered.

**SB 304** (Gloria Romero, D., Los Angeles) requires the Department of Corrections and Rehabilitation to permit media representatives to interview prisoners and prohibits retaliation against prisoners who communicate with the media. FCL SUPPORTS. Vetoed.

**SB 591** (Dave Cogdill, R., Fresno) makes possession of methamphetamine a felony punishable by a prison term. FCL OPPOSES. Senate Public Safety Committee.

**SB 851** (Darrell Steinberg, D., Sacramento) authorizes the creation of mental health courts and requires each court to develop procedures for assessing a defendant's mental health to determine amenability for participation in treatment. FCL SUPPORTS. Assembly Appropriations Committee.

## Equality/Nondiscrimination

**AB 21** (Dave Jones, D., Sacramento) creates a state Earned Income Tax Credit for low-income Californians. FCL SUPPORTS. Assembly Appropriations Committee.

**AB 22** (Sally Lieber, D., Mountain View) repeals the exclusion of any children born into a family more than 10 months after the family begins receiving CalWORKs benefits when calculating the family's grant amount. FCL SUPPORTS. Assembly Appropriations Committee.

**AB 43** (Mark Leno, D., San Francisco) provides that marriage is a personal relationship arising out of a civil contract between two persons and makes conforming changes to state law. FCL SUPPORTS. Senate Appropriations Committee.

**AB 167** (Karen Bass, D., Los Angeles) prohibits eligibility for CalWORKs aide from being conditioned on the limitation of individual or family assets. FCL SUPPORTS. Senate Appropriations Committee.

**AB 176** (Dave Jones, D., Sacramento) increases the amount of child support received without being declared as income for determining eligibility for CalWORKs assistance. FCL SUPPORTS. Senate Appropriations Committee.

**AB 508** (Sandre Swanson, D., Oakland) eliminates the food stamp eligibility exclusion for persons convicted of a drug felony. FCL SUPPORTS. Assembly Floor.

**AB 537** (Sandre Swanson, D., Oakland) expands eligibility for Family Leave by allowing a parent to care for an adult child suffering from a serious illness, expanding the definition of "parent" to include a parent-in-law and allows employees to care for a seriously ill grandparent, sibling, grandchild or domestic partner. FCL SUPPORTS. Senate Appropriations Committee.

**AB 1379** (Julia Brownley, D., Santa Monica) requires the Superintendent of Public Instruction to identify alternative criteria for high school seniors unable to pass exit examinations to demonstrate competence and receive a diploma. FCL SUPPORTS. Senate Appropriations Committee.

## Governance

**AB 466** (Loni Hancock, D., Berkeley) authorizes pupils volunteering in voting precincts to be included in independent study without reducing schools' average daily attendance. FCL SUPPORTS. Senate Appropriations Committee.

**AB 583** (Loni Hancock, D., Berkeley) creates a voluntary system of publicly financed campaigns for elective office. FCL SUPPORTS. Assembly Appropriations Committee.

## Health Care

**AB 8** (Fabian Nuñez, D. Los Angeles) requires employers to offer health care coverage to employees and dependents or pay fees to enroll them into a state health insurance pool. FCL SUPPORTS if amended to address concerns with affordability. Senate Appropriations Committee.

**AB 110** (John Laird, D., Santa Cruz) authorizes public entities to use funds from the Department of Public Health for clean needle exchange programs. FCL SUPPORTS. Senate Floor.

**AB 1334** (Sandre Swanson, D., Oakland) allows nonprofit and health care agencies to distribute condoms in state prisons. FCL SUPPORTS. Senate Appropriations Committee.

**AB 1554** (Dave Jones, D., Sacramento) regulates increases in health insurance premiums, co-payments and deductibles. FCL SUPPORTS. Senate Health Committee.

**SB 32** (Darrell Steinberg, D., Sacramento) expands eligibility for children in the Healthy Families Program to families with income up to 300 percent of the Federal Poverty Level. FCL SUPPORTS. Assembly Appropriations Committee.

**SB 840** (Sheila Kuehl, D., Santa Monica) creates the California Universal Healthcare System to provide affordable and comprehensive health care benefits to all California residents. FCL SUPPORTS. Assembly Appropriations Committee.

## Housing

**AB 239** (Mark DeSaulnier, D., Martinez) authorizes Contra Costa and San Mateo counties to charge \$25 document recording fees and use the proceeds for low-income

housing. FCL SUPPORTS. Senate Local Government Committee.

**AB 414** (Dave Jones, D., Sacramento) limits "double-zoning" in designating sites for affordable housing to encourage more high-density and mixed-use zoning. FCL SUPPORTS. Senate Floor.

**AB 607** (Julia Brownley, D., Santa Monica) requires locking mailboxes for residential hotel tenants. FCL SUPPORTS. Senate Floor.

**AB 641** (Alberto Torrico, D., Fremont) reduces up-front costs of affordable housing developments by requiring local governments to provide fee deferrals until the developer has received a certificate of occupancy. FCL SUPPORTS. Senate Floor.

**SB 464** (Sheila Kuehl, D., Santa Monica) limits the prohibition on public entities for adopting statutes, ordinances or regulations compelling owners of real property to continue to offer accommodations to those who have owned the property five years or longer. FCL SUPPORTS. Senate Inactive File.

## Peace/Nonviolence

**AB 1471** (Mike Feuer, D., West Hollywood) expands the definition of "unsafe handguns" to include semi-automatic pistols not equipped with microstamping technology. FCL SUPPORTS. Senate Floor.

**AB 1661** (Paul Cook, R., Yucaipa) allows males under the age of 26 to register with the Selective Service System on their application for a California Driver's License or Identification Card and requires the Department of Motor Vehicles to provide a notice on the application form of the consequences for failure to register. FCL OPPOSES. Assembly Appropriations Committee.

**SB 468** (Alex Padilla, D., Los Angeles) creates the Shaken Baby Syndrome Education Pilot Program modeled after programs in New York that have reduced deaths by half. FCL SUPPORTS. Assembly Appropriations Committee.

**SB 924** (Don Perata, D., Oakland) places an advisory on the ballot asking voters if President Bush should end the U.S. occupation of Iraq and immediately begin the orderly withdrawal of military forces. FCL SUPPORTS. Assembly Appropriations Committee. ©

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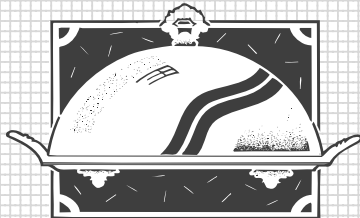
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## Upcoming Events

**Be sure to reserve these dates:**



**October 6th, Berkeley Dinner**  
– and –  
**November 3rd, Whittier Dinner**

Invitations will be mailed.  
Please contact Dale Richter at  
<[Dale@fclca.org](mailto:Dale@fclca.org)> or (916) 443-3734  
for more information.

The Friends Committee on Legislation of California (FCL) includes Friends and like-minded persons, a majority of whom are appointed by Monthly Meetings of the Religious Society of Friends in California.



Expressions of views in this newsletter are guided by Statements of Policy prepared and approved by the FCL Committees. Seeking to follow the leadings of the Spirit, the FCL speaks for itself and for like-minded Friends. No organization can speak officially for the Religious Society of Friends.



While we strive above all for correctness and probity, we are quick to recognize that to err is human. We therefore solicit and welcome comments and corrections from our readers.