

Assembly Bill No. 2443

Passed the Assembly August 20, 2010

Chief Clerk of the Assembly

Passed the Senate August 12, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 99501 of, to add the heading of Chapter 1 (commencing with Section 99500) to, and to add Chapter 2 (commencing with Section 99530) to, Title 20 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2443, V. Manuel Pérez. State government: international relations.

(1) Existing law, the California International Trade and Investment Act, identifies the Governor as the primary state officer representing this state's interests in international affairs, as specified, and additionally identifies the respective roles of other specified points of contact within the executive branch. The act imposes various responsibilities on the state point of contact, including, among others, serving as the liaison between the state and the Office of the United States Trade Representative on trade-related matters.

This bill would additionally require the state point of contact to provide to specified legislative committees, within 5 business days, copies of any official position or comments that any entity within the executive branch of state government provided to the United States Trade Representative regarding a pending trade agreement.

(2) The California International Trade and Investment Act also requires the Office of Planning and Research to maintain and update a full and comprehensive list of all state agreements made with foreign governments, as specified.

This bill would authorize the Legislature or the Governor to initiate a Sister State relationship, as defined, with a foreign nation or jurisdiction within a foreign nation. This bill would make it the policy of the state to certify and officially recognize Sister State relationships that satisfy prescribed criteria. The bill would make the office responsible for certifying Sister State relationships that satisfy these criteria, and maintaining a list of these Sister State relationships, as specified.

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

SECTION 1. The heading of Chapter 1 (commencing with Section 99500) is added to Title 20 of the Government Code, to read:

CHAPTER 1. GENERAL PROVISIONS

SEC. 2. Section 99501 of the Government Code is amended to read:

99501. (a) (1) The state point of contact within the executive branch acts, in compliance with federal practice, as the liaison between the state and the Office of the United States Trade Representative on trade-related matters.

(2) The state point of contact who, in compliance with federal practice, receives updates from the federal government on trade policies, is often provided the opportunity to review and comment on ongoing trade negotiations.

(b) The state point of contact shall, in addition to any other duties assigned by the Governor, do all of the following:

(1) Promptly disseminate correspondence or information from the United States Trade Representative to the appropriate legislative committees and state agencies and departments.

(2) Work with the Legislature and appropriate state agencies and departments to review the effects of any proposed or enacted trade agreement provisions on the state's businesses and workers, its environment, or its general lawmaking authority, and communicate those findings to the United States Trade Representative.

(3) Serve as liaison to the Legislature on matters of trade policy oversight.

(4) Provide to the legislative committees assigned the responsibility for international trade issues, within five business days, any official position or comments that any entity within the executive branch of state government provided to the United States Trade Representative regarding a pending trade agreement.

SEC. 3. Chapter 2 (commencing with Section 99530) is added to Title 20 of the Government Code, to read:

CHAPTER 2. SISTER STATE RELATIONSHIPS

99530. This chapter shall be known, and may be cited, as the Sister State Relationship Act of 2010.

99531. For purposes of this chapter, the following terms shall have the following meanings:

(a) “Sister State” means a foreign nation or particular jurisdiction within a foreign nation.

(b) “Sister State relationship” means a relationship characterized by a mutual interest in collaboration and the sharing of information to further educational, economic, and cultural exchanges between this state and a Sister State. A “Sister State relationship” shall not be construed to create any legal relationship between this state and a Sister State or to impose any legally enforceable duties or responsibilities on either state. The purposes of a Sister State relationship may include, but need not be limited to, promoting the economic growth and well-being of small, medium, and large companies in both states by increasing their potential for trade and investment, providing a forum for sustained goodwill and cooperation between the elected leaders of the states, and promoting bilateral ties that lead to a more indelible and lasting relationship between the citizens of the states.

99532. A Sister State relationship may be initiated on behalf of this state by either of the following methods:

(a) Either house of the Legislature may enact a concurrent resolution that expresses a desire to enter into a Sister State relationship with a particular Sister State for the purpose of encouraging and facilitating mutually beneficial educational, economic, and cultural exchanges.

(b) The Governor may issue an Executive order that expresses a desire to enter into a Sister State relationship with a particular Sister State for the purpose of encouraging and facilitating mutually beneficial educational, economic, and cultural exchanges.

99533. It shall be the policy of this state to certify and officially recognize Sister State relationships that demonstrate the following characteristics:

(a) A mutual interest between the states to enter into a Sister State relationship. The interest of the State of California shall be demonstrated by a document described in Section 99532. The interest of the Sister State shall be demonstrated by a comparable

written document, as determined by the Office of Planning and Research, issued by the Sister State.

(b) A designation of a contact person in each state who shall be responsible for developing and implementing sister-state activities, including a commitment to begin implementation of these activities within one year of the Sister State relationship being certified pursuant to Section 99534.

(c) A written specification, preferably in the documents described in subdivision (a) or a jointly signed letter, that identifies specific goals and measurable objectives sought to be accomplished during the term of the Sister State relationship.

(d) An established term for the initial Sister State relationship, not to exceed four years.

(e) A commitment that the contact person designated pursuant to subdivision (b) shall prepare and submit to the Office of Planning and Research, no later than six months after the term of a Sister State relationship expires, a report that summarizes all known activities conducted pursuant to the Sister State relationship.

(f) The Sister State does not appear on the United States Department of State list of countries that condone or engage in inhumane treatment of individuals, or is not otherwise prohibited from entering into such a relationship under federal law.

99534. (a) A Sister State relationship that has been initiated pursuant to Section 99532 shall not be officially recognized or implemented until it has been certified by the Office of Planning and Research. The office shall certify a proposed Sister State relationship that complies with the policies of this state enumerated in Section 99533.

(b) The Office of Planning and Research shall maintain a list of all certified Sister State relationships. The list shall be updated within 30 days of the expiration of the term of each existing Sister State relationship or the certification of a new Sister State relationship. The list shall include, at minimum, the following information:

- (1) Identification of the Sister State.
- (2) Identification of the certification and termination dates of the Sister State relationship.
- (3) Identification of the designated contact person for each state.
- (4) The specified goals and objectives of the Sister State relationship.

(c) The Office of Planning and Research shall have the authority to decertify a previously certified Sister State relationship if the Sister State subsequently appears on the United States Department of State list, described in subdivision (f) of Section 99533.

Approved _____, 2010

Governor