

AMENDED IN ASSEMBLY JUNE 29, 2015

AMENDED IN SENATE APRIL 27, 2015

AMENDED IN SENATE APRIL 14, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 539

Introduced by Senator Hueso Glazer
(Principal coauthor: Senator Hall)

February 26, 2015

An act to ~~repeal Section 782 of the Public Utilities Code, relating to renewable energy resources;~~ *amend the heading of Chapter 2.9 (commencing with Section 8195) of Division 1 of Title 2 of, and to add Section 8197 to, the Government Code, relating to public property.*

LEGISLATIVE COUNSEL'S DIGEST

SB 539, as amended, ~~Hueso Glazer. Renewable energy resources: geothermal.~~ *Public property: names: Confederate States of America.*

(1) Existing law prohibits the sale or display of the Battle Flag of the Confederacy, as specified, or its image, by the State of California, subject to exceptions serving educational or historical purposes.

This bill would, on and after January 1, 2017, prohibit the use of a name associated with the Confederate States of America to name schools, government buildings, parks, roads, and other state or local property. The bill would define a name associated with the Confederate States of America to include, but not be limited to, the name of an elected leader or a senior military officer of the Confederacy. The bill would require a name associated with the Confederate States of America used to name state or local property prior to January 1, 2017, to be changed and any sign associated with the name to be removed. By increasing

the duties of local officials, this bill would impose a state-mandated local program. The bill would also make a statement of legislative findings and a conforming change.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Public Utilities Act authorizes the Public Utilities Commission, upon a complaint by a geothermal energy producer, to prohibit any electrical corporation from curtailing the generation, production, or transmission of electricity from a geothermal powerplant operated by the corporation, if the commission deems that the curtailment is not in the public interest.~~

~~This bill would repeal the above-described geothermal generation, production, or transmission curtailment authorization.~~

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

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

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

3 *(a) The Confederate States of America's secessionist movement*
4 *was rooted in the defense of slavery.*

5 *(b) Currently, certain ideological groups use the symbols of*
6 *this movement to demean and offend whole segments of our society*
7 *while sowing racial divisions.*

8 *(c) The use of names of political leaders and senior military*
9 *officers of the Confederate States of America to name California*
10 *public schools, buildings, parks, roadways, and other state and*
11 *local property is antithetical to California's mission for racial*
12 *equality.*

13 *(d) California is opposed to enshrining the names of those*
14 *associated with the Confederate States of America, the secessionist*

1 *movement, or their discriminatory ideals in our public schools,*
2 *buildings, parks, roadways, and other state and local property.*

3 *SEC. 2. The heading of Chapter 2.9 (commencing with Section*
4 *8195) of Division 1 of Title 2 of the Government Code is amended*
5 *to read:*

6
7 CHAPTER 2.9. CONFEDERATE-~~FLAG~~ SYMBOLS
8

9 *SEC. 3. Section 8197 is added to the Government Code, to*
10 *read:*

11 *8197. (a) On and after January 1, 2017, a name associated*
12 *with the Confederate States of America shall not be used to name*
13 *state or local property. If a name associated with the Confederate*
14 *States of America is used to name state or local public property*
15 *prior to January 1, 2017, the name shall be changed and any sign*
16 *associated with the name shall be removed.*

17 *(b) For the purpose of this section, “name associated with the*
18 *Confederate States of America” includes, but is not limited to, the*
19 *name of an elected leader or a senior military officer of the*
20 *Confederacy.*

21 *SEC. 4. If the Commission on State Mandates determines that*
22 *this act contains costs mandated by the state, reimbursement to*
23 *local agencies and school districts for those costs shall be made*
24 *pursuant to Part 7 (commencing with Section 17500) of Division*
25 *4 of Title 2 of the Government Code.*

26 ~~SECTION 1. Section 782 of the Public Utilities Code is~~
27 ~~repealed.~~