



## Legislative Committee Meeting

**Committee**  
Supervisor Erin Hannigan (Chair)  
Supervisor John M. Vasquez

**Staff**  
Michelle Heppner

**March 19, 2018**

**1:30 p.m.**

**Solano County Administration Center  
Sixth Floor Conference Center, Room 6003  
675 Texas Street  
Fairfield, CA 94533**

### AGENDA

- i. **Introductions** (Attendees)
- ii. **Public Comment** (Items not on the agenda)
- iii. **Federal Legislative update** (Paragon Government Relations)
  - a. Budget Update – Fiscal Years 2018 and 2019
  - b. Infrastructure
- iv. **Update from Solano County Legislative Delegation** (Representative and/or Staff)
- v. **State Legislative Update** (Karen Lange)
  - American Heart Association – Hypertension Budget Proposal (Pages 2-3)
  - [SB 969](#) ([Dodd](#)) Automatic garage door openers: backup batteries. (Pages 4-8)
  - [AB 2441](#) ([Frazier](#)) Sacramento-San Joaquin Delta Abandoned Vessel Removal Account: removal of abandoned vessels. (Pages 9-11)
- vi. **Future Scheduled Meetings:** April 2, 2018
- vii. **Adjourn**



## Hypertension Budget Proposal

### **Issue**

High blood pressure, also known as hypertension, is a major and modifiable risk-factor contributing to heart disease and stroke, two of the leading causes of death in the world. California does not provide ANY general fund dollars for cardiovascular disease prevention or any funding for hypertension prevention. High blood pressure costs the nation \$48.6 billion each year, including the cost of health care services, medications to treat high blood pressure, and missed days of work.<sup>i</sup> By allocating funding in the state budget to address high blood pressure in California, we can improve and save lives as well as save the state money in the long term.

### **Background**

Blood pressure is the force of blood in artery walls during circulation. Normal blood pressure levels are <120 mmHg systolic and <80 mmHg diastolic. When blood pressure increases and is sustained at  $\geq 130$  mmHg systolic and/or  $\geq 80$  mmHg diastolic, high blood pressure develops.<sup>ii</sup> In the United States, 46% of adults are identified as having high blood pressure.

High blood pressure, known as the silent killer, often has no signs or symptoms and millions of people do not know they have high blood pressure. Often times, a person can live years without knowing that they have high blood pressure. For this reason, seven in ten people having their first heart attack and eight in ten having their first stroke have high blood pressure. Only about 53% of adults with high blood pressure have the condition under control.

In California, almost one in three adults have high blood pressure with some counties having significantly higher prevalence.<sup>iii</sup> In 2016, the California Health Interview Survey (CHIS) showed an estimated 28.4% of Californians self-reported they have hypertension. Sixty two percent of counties (36) have an estimated prevalence of hypertension higher than the state average. Of that 28.4% reporting hypertension, an estimated 53.8% are age 60 or older. However, in twenty-five counties, the estimated prevalence of hypertension is higher among adults between the ages of 18-59 than adults age 60 and older.

Hypertension disproportionately impacts communities of color, especially the African-American and Native American communities. The prevalence of high blood pressure in African-Americans is the highest in the world and develops earlier in life. Research suggests that there may be a gene that African-Americans carry which makes them more salt sensitive, increasing the risk of high blood pressure.<sup>iv</sup> Among African-Americans age 20 and older, 45% of males and 46.3 of females have high blood pressure. In the Native American community, heart disease is the first and stroke is the sixth leading cause of death. According to recent CHIS data, 43.4% of Native Americans adults have high blood pressure.

For all these reasons, we must provide more funding in the state budget to raise awareness, educate, engage, prevent, and help control high blood pressure in California.



## **Proposal**

We are requesting \$10 million to create a 3-5 county pilot program for hypertension awareness, education, prevention, and control. The pilot program would focus on the counties with the highest prevalence of hypertension and establishes best practices in participating health care systems (federally qualified health centers, rural health centers, and/or private providers). The money would be used for the following:

- Identify 5 counties with the highest prevalence of blood pressure. Using data from the 2016 CHIS, the counties with high prevalence, higher priority populations, and geographic and population-size diversity are Glenn, Los Angeles, Solano, Siskiyou, and Tulare.
- Increase utilization rates of blood pressure cuffs among participating Medi-Cal patients. Blood pressure equipment is a covered benefit, but the utilization rates are incredibly low. Participating providers are encouraged to consistently prescribe blood pressure cuffs for self-measured home blood pressure monitoring. Formalizing this best practice will empower patients to fully engage in their own self-care through home monitoring.
- Patients will record their own blood pressure readings daily and subsequently transfer their readings to a patients' electronic health record.
- The care team will require patients to return for a follow-up no later than three months after the initial diagnosis, ideally returning within one month.
- Harness the power of community health workers (CHW) to expand the care team to provide more comprehensive health care. CHWs will make home visits to high-risk patients to provide more education on blood pressure, ensure that patients are using the blood pressure cuffs properly, tracking their readings, and assist in lifestyle modification.
- The goal will be to increase the hypertension control rate to at least 70% of participating patients.

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<sup>i</sup> [https://www.cdc.gov/dhdsp/data\\_statistics/fact\\_sheets/fs\\_bloodpressure.htm](https://www.cdc.gov/dhdsp/data_statistics/fact_sheets/fs_bloodpressure.htm)

<sup>ii</sup> <https://www.americashealthrankings.org/explore/2015-annual-report/measure/Hypertension/state/CA>

<sup>iii</sup> <http://www.chcf.org/~media/MEDIA%20LIBRARY%20Files/PDF/PDF%20C/PDF%20ChronicConditionsCaliforniansCIS2015.pdf> at pg. 33

<sup>iv</sup> [http://www.heart.org/HEARTORG/Conditions/More/MyHeartandStrokeNews/African-Americans-and-Heart-Disease-Stroke\\_UCM\\_444863\\_Article.jsp#.Wjlk2VWnGUk](http://www.heart.org/HEARTORG/Conditions/More/MyHeartandStrokeNews/African-Americans-and-Heart-Disease-Stroke_UCM_444863_Article.jsp#.Wjlk2VWnGUk)



## SB 969 – Garage Door Back up Batteries

### Summary

This bill would require the manufacturer of an automatic garage door opener sold in the state on or after January 1, 2019 to include a backup battery. It would also prohibit any person, corporation or entity from installing a residential garage door opener without a backup battery on or after this date.

### Background

The 2017 Northern California wildfires left a path of destruction and loss that Californians have never seen before; an October statewide fire summary by CALFIRE estimated 8900 structures were destroyed, thousands were rushed to evacuate and forty-three lives were lost.

On October 8th, 2017, residents of Napa, Sonoma, Yuba, Butte, Lake, Mendocino, Nevada, and Orange counties faced severe winds coupled with power outages that complicated already difficult, middle of the night evacuations.

It is estimated that at least five residents lost their lives in the Northern California wildfires because they could not get out of their garages during the power outage.<sup>1</sup>

In 1993, after garage door openers were linked to the injuries and deaths of children, the California Legislature enacted HSC 19890 to require automatic garage doors sold in this state to be manufactured with

<sup>1</sup> The Press Democrat, J.D. Morris, Northern California fire survivors and victims couldn't get past garage doors, December 2, 2017

sensors to prevent entrapment. Expanding the current law to ensure that garage door openers are equipped with backup batteries is the next step in ensuring that this home appliance is safe.

As utility lines fell and residents were left without electricity, numerous Northern California residents found themselves struggling to get out of their garages during evacuations. Media reports have recounted stories of neighbors stopping to help raise garage doors; elderly neighbors who didn't have the strength to manually lift their garage door; and a mother who struggled to get her disabled adult son into a family car because their custom van was in a garage that she could not open.

Additionally, as strong winds accelerate the spread of wildfires, utilities oftentimes preemptively shut off the power to thousands of residents to prevent a falling line from igniting new fires. Cutting power increases the risk of residents being blocked by their garage doors, which do not operate during an outage. While backup batteries are offered to residents during garage door installation, the additional cost of the batteries have discouraged widespread use.

### Existing Law

Following tragic accidents in the 1990s, existing law requires garage door openers manufactured for sale, purchased, sold, or installed in a residence to comply with safety requirements that include an automatic reverse safety device.



### This Bill

To ensure that California residents can safely and expeditiously evacuate their residence during a planned or unplanned evacuation, this bill would require the manufacturer of an automatic garage door opener sold in the state on or after January 1, 2019 to include a backup battery. This bill also prohibits any person, corporation or entity from installing a residential automatic garage door opener without a backup battery on or after this date.

### Support

Consumer Federation of CA (sponsor)

### Contact

[Marisol.prietovalle@sen.ca.gov](mailto:Marisol.prietovalle@sen.ca.gov)

**Introduced by Senator Dodd**  
(Coauthor: Assembly Member Aguiar-Curry)

January 31, 2018

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An act to amend Section 19891 of, and to add Section 19892 to, the Health and Safety Code, relating to automatic garage door openers.

LEGISLATIVE COUNSEL'S DIGEST

SB 969, as introduced, Dodd. Automatic garage door openers: backup batteries.

Existing law requires an automatic garage door opener that is manufactured for sale, purchased, sold, offered for sale, or installed in a residence to comply with specified safety requirements, including that the automatic garage door opener have an automatic reverse safety device.

This bill would also require an automatic garage door opener that is manufactured for sale, purchased, sold, offered for sale, or installed in a residence to have a battery backup function that is designed to operate when activated by an electrical outage. The bill would make a violation of those provisions subject to a civil penalty of \$1,000.

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 19891 of the Health and Safety Code is
- 2 amended to read:
- 3 19891. (a) In addition to any other remedies permitted by law,
- 4 any violations of subdivision (a), (b), or (c) of Section 19890 *or*
- 5 *Section 19892* shall be subject to a civil penalty of one thousand

1 dollars (\$1,000) per opener installed, manufactured, sold, or offered  
2 for sale which is not in compliance with Section ~~19890~~: 19890 or  
3 Section 19892.

4 (b) In addition to any other remedies permitted by law, any  
5 violations of subdivision (d) or (h) of Section 19890 shall be  
6 subject to a civil penalty of five hundred dollars (\$500) per opener  
7 installed and operational, that is not in compliance with Section  
8 19890.

9 (c) In addition to any other remedies permitted by law, a seller  
10 who violates the notice requirements of Section 1102.6 of the Civil  
11 Code, relating to automatic garage door openers, shall be subject  
12 to a civil penalty of five hundred dollars (\$500).

13 (d) Court proceedings may be initiated by the building  
14 department of the local agency with jurisdiction over enforcement  
15 of building standards, by affected consumers, or by the district  
16 attorney. Civil penalties assessed shall be payable to the local  
17 agency initiating the proceedings to enforce this chapter to offset  
18 the costs to the agency related to court proceedings. If an affected  
19 consumer initiates the proceeding, the civil penalties shall be  
20 payable to the consumer.

21 SEC. 2. Section 19892 is added to the Health and Safety Code,  
22 to read:

23 19892. (a) On or after January 1, 2019, no person, corporation,  
24 or entity shall manufacture for sale in this state, purchase, sell,  
25 offer for sale at retail or wholesale, or install in this state a  
26 residential automatic garage door opener that does not have a  
27 battery backup function that is designed to operate when activated  
28 by an electrical outage. The battery backup function shall operate  
29 in a manner so that the automatic garage door opener is operational  
30 without interruption during an electrical outage.

31 (b) This section applies to all automatic garage door openers  
32 manufactured and sold for use in any residence, automatic garage  
33 door openers manufactured for commercial purposes but sold for  
34 or installed in a residence because the commercial opener was  
35 necessary to meet the specific application requirements of that  
36 installation, and other residential applications of automatic garage  
37 door openers manufactured for commercial purposes.

38 (c) On or after January 1, 2019, no replacement residential  
39 garage door opener shall be installed in a manner that connects  
40 the replacement door to an existing residential automatic garage

1 door opener that does not meet the requirements set forth in  
2 subdivision (a), regardless of the date of manufacture of the  
3 residential automatic garage door.

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## AB 2441 – Abandoned Commercial Vessel Removal

### SUMMARY

Assembly Bill 2441 would establish a funding mechanism for the removal of abandoned and derelict commercial vessels in the Sacramento-San Joaquin Delta.

### BACKGROUND

The Sacramento-San Joaquin Delta is vibrant ecosystem that is a source of water for millions of Californians. It is a hub for business and recreational activities, and supports a world-class agricultural industry. However, the sustainability of this vital resource is constantly being threatened by vessels being abandoned or left derelict.

Abandoned and derelict vessels (ADVs) pose a direct threat to the surrounding environment and the entire state's water quality. Once vessels sink, the threat becomes real as asbestos laden materials, lead-based paints, and petroleum products such as gasoline, diesel fuel, and antifreeze leach into the Delta. Furthermore, each ADV impacts the navigability of waterways throughout the Delta, impacting economic and recreational activities.

In 2017, the Department of Fish and Wildlife conducted a thorough aerial survey of abandoned and derelict vessels throughout the Sacramento-San Joaquin Delta. That study found

that there are roughly 250 abandoned and derelict vessels in the Delta, 54 being commercial vessels. On average, two additional commercial vessels appear in the Delta each year.

Funding for the removal of abandoned vessels is insufficient and depends solely on the type of vessel being removed. Currently, the only secure source of funding is for the removal of recreational vessels from a nominal registration fee on recreational vessels and a vessel fuel tax.

The total estimated cost to remove all the known abandoned and derelict vessels from the Delta region is over \$30 million. Commercial vessels make up the most of that cost around an average of \$500,000.

### PURPOSE

AB 2441 seeks to ensure stable funding through lease revenues from property within the Delta and deposit into a new account for the State Lands Commission to work with county marine patrols, state agencies, and others to eradicate commercial ADVs in the Delta region.

### STAFF CONTACT

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AMENDED IN ASSEMBLY MARCH 13, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2441**

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**Introduced by Assembly Member Frazier**

February 14, 2018

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An act to amend Section 6217.6 of the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

LEGISLATIVE COUNSEL'S DIGEST

AB 2441, as amended, Frazier. Sacramento-San Joaquin Delta Abandoned Vessel Removal Account: removal of abandoned vessels.

Existing law vests with the State Lands Commission control over specified public lands in the state, including tidelands and submerged lands. Existing law requires that all rental income received for surface uses, including, but not limited to, surface drilling rights, upon lands under the jurisdiction of the commission be deposited in the State Treasury to the credit of the General Fund, except for certain income from state school lands, royalties received from the extraction of minerals on the surface of those lands, and all rental income from surface uses for lands at Lake Tahoe.

This bill would additionally exclude from the above requirement relating to the use of rental income received from surface uses of public lands, all rental income from surface uses for lands in the Sacramento-San Joaquin Delta, as defined. The bill would create the Sacramento-San Joaquin Delta Abandoned Vessel Removal Account in the General Fund and would require that moneys in the account be available, upon appropriation by the Legislature, to the commission for the removal of abandoned and derelict commercial vessels ~~on lands,~~

from lands and waterways, including tidelands and submerged lands, in the Sacramento-San Joaquin Delta.

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

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

1 SECTION 1. Section 6217.6 of the Public Resources Code is  
2 amended to read:

3 6217.6. All rental income received for surface uses, including,  
4 but not limited to, surface drilling rights, upon lands under the  
5 jurisdiction of the State Lands Commission shall be deposited in  
6 the State Treasury to the credit of the General Fund, except as  
7 follows:

8 (a) Income from state school lands, as provided in Section  
9 6217.5.

10 (b) Royalties received from extraction of minerals on the surface  
11 of those lands, as provided in Section 6217.

12 (c) (1) All rental income from surface uses for lands at Lake  
13 Tahoe.

14 (2) The rental income specified in paragraph (1) shall be  
15 deposited into the Lake Tahoe Science and Lake Improvement  
16 Account, for expenditure upon appropriation by the Legislature  
17 pursuant to Section 6217.6.1.

18 (d) (1) All rental income from surface uses for lands in the  
19 Sacramento-San Joaquin Delta, as defined in Section 12220 of the  
20 Water Code. *Delta.*

21 (2) The rental income specified in paragraph (1) shall be  
22 deposited into the Sacramento-San Joaquin Delta Abandoned  
23 Vessel Removal Account, which is hereby created in the General  
24 Fund. Moneys in the account shall be available, upon appropriation  
25 by the Legislature, to the commission for expenditure for purposes  
26 related to the removal of abandoned and derelict commercial  
27 vessels ~~on lands~~, from lands and waterways, including tidelands  
28 and submerged lands, within the Sacramento-San Joaquin Delta.

29 (3) For purposes of this section, "Sacramento-San Joaquin  
30 Delta" means the lands within the boundaries of the Counties of  
31 Contra Costa, Sacramento, San Joaquin, Solano, and Yolo.

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