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Children's Legislative Report Card

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## 2008 Children's Legislative Report Card

Children's Advocacy Institute, University of San Diego School of Law

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# CHILDREN'S LEGISLATIVE REPORT CARD

LEGISLATIVE SESSION: 2007–08 REPORT CARD TERM: 2008

Dear Californians,

This Report Card reflects the grades attributed to California legislators for their votes on child-related legislation during the second year of the 2007–08 legislative session. The grades you will see reflect each legislator's votes on 23 bills that ran through policy and fiscal committees and achieved votes on both the Assembly and Senate floors. This Report Card also includes two additional bills—an Assembly bill that was killed in the Suspense File of the Senate Appropriations Committee, and a Senate bill that was killed in the Suspense File of the Assembly Appropriations Committee. For those measures, each legislator in the house of origin will receive a "yes" or "no" vote, depending on how he/she voted when the bill came up for a floor vote. Each legislator in the other house—where the bill died—will receive a "no" vote, reflecting the fact that they allowed the bill to die in the Suspense File without an affirmative vote. Thus, this Report Card reflects each legislator's actions on 25 total measures.

As this *Report Card* discusses, 2008 was not a stellar year for California's policymakers. They engaged in the longest budget stalemate in California's history. They produced a 2008–09 budget that was billions out of balance before the ink was dry. They rejected meaningful legislative reforms that had minor ancillary costs — including some proposals that would achieve significant <u>savings</u> for the state over the long run.

On the bright side, our policymakers should be commended for sparing foster care from further budget cuts. We are grateful for that. Current investment levels in foster kids are unacceptably low, but at least they were saved from cuts during 2008. The same cannot be said for other areas impacting our kids — such as the basic safety net, health care, child care, K–12 education, and higher education — where the state has been gradually reducing already low child investment levels.

This *Report Card* is intended to educate and inform you of your legislators' actions on a selection of bills that would have benefited children if enacted. This *Report Card* cannot tell you all there is to know about your elected officials. Accordingly, we urge you to communicate frequently with them so they know your expectations of them for California's children.

Sincerely,

Robert C. Fellmeth

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Executive Director, Children's Advocacy Institute



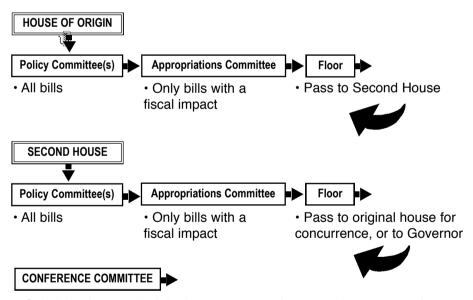
# Dedicated to the memory of JEAN BRUNKOW, nationally respected child care advocate. With gratitude from the

Children's Advocacy Institute and the 10 million children we represent.

# A Primer THE LEGISLATIVE PROCESS

After introduction by a legislator, a bill is heard in the appropriate policy committee(s), and if it has a fiscal impact is then heard in the Appropriations Committee in the house of origin (either Assembly or Senate). If a bill passes those committees, it is next voted upon by all members of that house (the "floor vote"). If the bill passes a floor vote in the house of origin, it then goes to the other house and begins the process all over again (policy committee(s), Appropriations Committee, and floor vote). At any of these points, the bill may be changed or "amended." If the bill is amended in the second house, it must return for a second vote on the floor of the house of origin (the "concurrence vote").

Once a bill passes both houses of the Legislature (and, if necessary, passes a concurrence vote in the house of origin), the Governor may sign it into law, veto it, or take no action within the constitutionally-prescribed time limit, thereby allowing it to become law without his/her signature. The only change a Governor may make in a bill, without sending it back to the Legislature, is to reduce or eliminate the money allocated in the bill.



- Only if the house of origin does not concur in second house amendments
- · Returns to both houses for approval



- · Sign, veto or become law without signature
- · May reduce or eliminate funding

#### 2008 Children's Legislative Report Card

# THE YEAR IN REVIEW

The past year was historic for California, and not in a good way.

The chief policymaking document in this — the world's sixth largest economy — is the annual State Budget, currently about \$100 billion in General Fund spending. The budget process requires a two-thirds vote for passage; California is one of just three states with such a supermajority requirement. Although burdening spending, the structure favors tax break enactment to current levels exceeding \$30 billion in deductions, credits and exemptions — achievable by majority vote and ended only by two-thirds vote. Adding to the problem is gerrymandering reducing competitive districts, and a Republican caucus rule binding all of its members to follow its majority vote. Accordingly, an unrepresentative group of 17% of our elected representatives are able to block much-needed child investment.

Another irony underlies the values-defining budget debate: the 2001 and 2003 Bush tax cuts saved California taxpayers (the relatively wealthy among us) an average of \$37 billion per year every year to 2011 at least. And the new Administration in Washington, D.C. apparently intends to maintain that reduction, and to enact additional tax expenditures. The dilemma now confronting California child advocates is dual:

- First, we are creating a massive unfunded liability for future generations (already projected at over \$50 trillion by Comptroller General Walker). The cost to merely carry the total federal debt we are loading on our grandchildren at a modest 4.5% interest rate will amount to over \$20,000 per annum in current dollars for each of our families.
- Second, the state will continue to lack its own resources and will depend on federal priorities and bailout. And even as to federal assistance, it is unclear how the state will provide its—share of the match for impoverished children (TANF), child welfare, or medical coverage.

The problems facing child advocates were exacerbated by the failures of 2008. The late-enacted budget for 2008–09 relied heavily on borrowing and gimmicks. It produced a budget that was billions out of balance before the ink was dry, transformed into a crisis by the "collapse" (the Legislative Analyst's word) of state revenues in the wake of the broader economic downturn.

The current damage in California from the level of abrogation now extant includes a deficit of over \$40 billion over the next two years. Even so, the Children's Advocacy Institute (CAI) and many other groups successfully argued that foster children should be spared cuts, a fate helped by federal matching fund leverage for most accounts. Both parties do appear to acknowledge the special status of abused and neglected children for whom the state is now the legal parent. These are our children in a direct sense. But they continue to suffer from serious shortfalls in public investment:

- The caseloads of attorneys who represent them are in many counties three times the maximum permitted by constitutional standard, and courts (who serve as their legal parents) have caseloads several times the level needed to perform effectively.
- Foster parents who actually provide care for these children are compensated at about one-half the actual cost of care in violation of federal law, result ing in fewer family placements and adoptions; and
- Although private parents average \$45,000 per child post-18 to help their young adult children achieve self-sufficiency, California provides less than one-quarter of that amount for its foster children, who fall off the proverbial cliff when they turn 18, with poverty, homelessness, arrest rates and disability dwarfing any other population.

In other areas impacting our kids — such as the basic safety net (TANF), health care, child care, K–12 education, and higher education — the state has been gradually reducing child investment. California, once providing over 90% of the federal poverty line (a very low safety net for California), has now sunk to below 65% of that line, and now threatens to go much lower, and to abandon 320,000 children from all support. Our state's K–12 system, once the pride of America, now ranks 47th in funding per child. Our higher education system, its proud hallmark, now imposes record tuition and fees and is cutting back admissions and opportunity markedly. Our state's moral commitment to her children has been sunk by ideological rationalizations for Boomer Generation indulgence by one party, and self-inflicted impotence by the other.

California needs a Legislature that once again champions future generations of children by refusing to shoulder them with crushing debt just so their parents can self-ishly enjoy services without paying for them. The Republicans have a point in eschewing "top down" government bureaucracy as the answer to everything. They rightly remind us of personal responsibility and of the many failures of the Democrats to call out the citizenry on unwed births and child support failure, and on excessive license. And they are needed to challenge the efficacy of every government

program, demanding outcome measures, accountability, and sunsets that terminate programs unless affirmatively re-justified.

But there is a difference between skepticism and hard questions about government and demands for accountability, and the doctrinaire diminution of public investment in our children and our future. And as this *Children's Legislative Report Card* reflects, the price children pay for adult non-feasance is not just disinvestment. For not only is the safety net diminished, child care lacking and educational opportunity diminished — but even modest improvements are blocked. Any measure — even if it saves money over three years or costs virtually nothing — is procedurally blocked by the "suspense file" game allowing the elimination of bills without public vote, or it is not even proposed because of its certain fate. This hidden impediment does not just extend to expensive reforms — it reaches the most elementary corrections with minor ancillary cost, or even long-term savings.

This following list of bills and the votes cast for and against is the tip of an iceberg. For the most part, these are among the far too few meaningful child-related measures that made it through the legislative process. Lying beneath these measures is a much, much larger body of economic abandonment and prematurely scuttled legislative proposals. For 2008, it is what was not voted upon that mattered the most.

#### 2008 Children's Legislative Report Card

# SUBJECTS GRADED

#### **POVERTY**

AB 2844 (Laird) would have repealed the quarterly re-determination requirement for the California Work Opportunity and Responsibility to Kids (CalWORKs) program and Food Stamp Program (FSP), and would have instead imposed a semi-annual redetermination requirement for these programs, beginning July 1, 2010. Supporters argued that the bill would save money, focus county administrative time on more important matters, and make it more likely that needy families will receive and/or maintain benefits.

STATUS: This measure was passed by the Legislature, but was vetoed by the Governor on September 28, 2008.

**SB 1160 (Alquist).** Existing law requires any relative caregiver who moves from one county to another and who is receiving a monthly CalWORKs grant on behalf of a foster child to re-apply for CalWORKS in the new county, which entails submitting a new application, submitting a new set of fingerprint images for the state fingerprint imaging system clearance, and having a new face-to-face interview with a county CalWORKs employee in the new county of residence to re-determine the child's eligibility for a CalWORKs grant. This bill exempts those relative caregivers from the new submission of fingerprints and the face-to-face interview; instead, this bill allows the reapplication interview to be conducted over the telephone.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 28 (Chapter 484, Statutes of 2008).

**SB 1341 (Padilla).** Persons eligible for the CalWORKs program are also eligible for a one-time homeless assistance benefit if they are homeless or at risk of homelessness; however, to be eligible for homeless assistance, the individual or family cannot have more than \$100 in liquid assets. This bill instead permits families currently participating in CalWORKs to utilize money within a restricted savings account to avoid homelessness situations. Allowing a restricted savings account for rent allows persons who are otherwise low-income and in need of CalWORKs benefits and services to access them more quickly, without extended homelessness.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 28 (Chapter 485, Statutes of 2008).

#### **NUTRITION**

AB 2300 (Laird) directs the California Department of Education (CDE), in consultation with the California Department of Health Care Services (DHCS), to develop and implement a process to use Medi-Cal participation data to verify and directly certify children into the National School Lunch and School Breakfast programs (school meal programs), upon receipt of federal funds to support implementation.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 30 (Chapter 673, Statutes of 2008).

#### **CHILD HEALTH /SAFETY**

**AB 2262 (Torrico).** Existing law describes the procedure for the surrender of a child 72 hours old or younger by a parent or other person having lawful custody of the child to a safe-surrender site without incurring any criminal liability under the state's child abandonment laws. This bill would have extended the 72-hour provision to a seven-day period, in an effort to save the lives of more babies in California.

STATUS: This measure was passed by the Legislature, but was vetoed by the Governor on September 30, 2008.

**SB 107 (Alquist)** requires a wave pool operator to comply with specified safety requirements, including the use of life vests, assignment of lifeguards, wave action suspense procedures and restrictions for children under 42 inches in height, and requires the operator to post these requirements. For example, the bill requires a child under 42 inches in height to wear a life vest to gain access to a wave pool and also to be accompanied by an adult to gain access into the park.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 26 (Chapter 335, Statutes of 2008).

SB 697 (Yee) prohibits a health care provider who is furnished documentation of a patient's enrollment in the Healthy Families Program (HFP) or Access for Infants and Mothers Program (AIM) from seeking reimbursement or attempting to obtain payment for any covered services provided to that person other than from the participating health plan covering that person (with the exception of copayments or deductibles in the AIM program, and copayments in HFP, that are required for the covered services provided to the person under his or her participating health plan). The bill is focused on the practice of "balance billing" which occurs when a non-contracting health care provider bills the health plan, and if dissatisfied with the payment from the health plan, bills a patient directly for the balance of the charges the provider feels is appropriate.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 30 (Chapter 606, Statutes of 2008).

**SB** 775 (Ridley-Thomas) would have required the Department of Public Health (DPH) to make available to all health care providers current information about lead and lead poisoning and to report on the state's lead poisoning prevention programs. It also would have required health care providers, when providing services to a child who receives services from a publicly-funded program for low-income children, to conduct or provide a referral for a blood lead test and to document the assessment and screening in the child's immunization record.

STATUS: This measure was passed by the Legislature, but was vetoed by the Governor on September 27, 2008.

**SB 1168 (Runner)** provides that a health plan or insurer may not terminate coverage for a dependent child who is over 18 years of age and enrolled at a secondary or post-secondary educational institution if the child takes a medically necessary leave of absence from school. It allows a student suffering from a treatable medical condition that renders him/her unable to continue as a full-time student to continue on his/her parents' health insurance coverage for up to one year while he/she is being treated for the medical condition and not able to sustain full-time student status.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 27 (Chapter 390, Statutes of 2008).

#### **CHILD CARE / DEVELOPMENT**

AB 978 (Benoit), among other things, requires the Department of Social Services to include in its licensing report on child care facilities all violations that pose an immediate health or safety risk to children, ensure that the compliance plan is measurable and verifiable, and record the final resolution of all investigations. It also requires unannounced follow-up visits within 30 days to ensure compliance with temporary suspension orders, revocation orders, and orders of exclusion.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 25 (Chapter 291, Statutes of 2008).

AB 2759 (Jones) consolidates child care and development programs serving threeand four-year-old children under the state's preschool program and allows programs to provide part- or full-time services. The intent is to consolidate all the current State Preschool, Prekindergarten and Family Literacy (PKFL), and General Child Care programs serving preschool-aged children to create the California State Preschool program. According to supporters, by consolidating the existing preschool delivery programs, center-based preschools and school-based preschool programs would no longer have to apply, administer and report on the various state preschool contracts the state currently funds. Condensing these three separately administered contracts into one will eliminate unneeded bureaucracy and administrative burden. Consolidation will create a uniform and streamlined system which may be enhanced and expanded to serve children.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 26 (Chapter 308, Statutes of 2008).

#### **EDUCATION**

AB 2138 (Adams). Frequent residential and/or school changes can have detrimental effects on a foster youth's academic achievement; foster children entering new school districts during their junior or senior year of high school often do not have time to complete local graduation coursework requirements that a district mandates in addition to the state required courses. This bill would have required school districts to exempt a pupil in foster care who transfers to a new district in grade 11 or 12 and who would not be able to graduate from high school by his/her 19th birthday from any additional graduation coursework requirements the governing board has adopted.

STATUS: This measure was passed by the Legislature, but was vetoed by the Governor on September 28, 2008.

AB 2040 (Nunez) will provide eligible pupils with disabilities who have fulfilled all of the requirements for a high school diploma except passage of the high school exit exam (HSEE) the opportunity to demonstrate through alternative means that they have achieved the same level of academic achievement required for passage of the HSEE.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 30 (Chapter 666, Statutes of 2008).

SB 564 (Ridley-Thomas) expands the definition of "school health centers" to allow centers to conduct routine physical health, mental health, and oral health assessments, and provide for any services not offered onsite or through a referral process. The bill also requires the State Department of Public Health, to the extent funds are appropriated for implementation of the Public School Health Center Support Program, to establish a grant program to provide technical assistance and funding for the expansion, renovation, and retrofitting of existing school health centers and the development of new school health centers, as specified. School-based clinics intervene in a variety of serious health matters facing young people today, such as obesity, diabetes, asthma, communicable diseases and mental health disorders, and can also play an important role in response to public health emergencies such as pandemic flu or bioterrorism. Additionally, school health centers can achieve cost savings through the

provision of primary care services and the reduction of inappropriate emergency room use and hospitalization.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 27 (Chapter 381, Statutes of 2008).

SB 1457 (Steinberg). Current law prohibits the Scholarshare Investment Board from accepting contributions from any nonpublic entity, person, firm, partnership or corporation that is not designated for a specified beneficiary. This bill establishes the California Scholarshare Advancement Vehicle for Education (CalSAVE) program within the Scholarshare trust to fund scholarships for beneficiaries to be determined by the Board; categories of potential beneficiaries will include foster youth and youth in at-risk categories, among others.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 28 (Chapter 474, Statutes of 2008).

**SB 1515 (Kuehl).** Currently, California regulations authorize schools to use emergency interventions only to control unpredictable, spontaneous behavior which poses clear and present danger of serious physical harm to the individual or others and which cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. This bill would have prohibited an educational provider from using chemical and mechanical restraint, and would have limited the use of physical restraint and seclusion, as specified.

STATUS: This measure was passed by the Legislature, but was vetoed by the Governor on September 29, 2008.

**SB 1545 (Romero).** Existing law requires K–12 schools to transfer a pupil's permanent records when the pupil transfers between public school districts, from a public school to a private school, or from a private school to a public school. Credit for completed coursework may be partial or full credit, and coursework may be completed while a pupil attends any public school, juvenile court school, or non-public, non-sectarian school. However, the Superintendent of Public Instruction has received reports of inconsistent application of the requirement to transfer credits for completed coursework. This bill would have required the Department of Education to develop, and the State Board of Education to adopt, regulations to implement existing law that requires the transfer to another K–12 school of full or partial credit for coursework completed by a pupil while attending a public school, juvenile court school, or non-public, non-sectarian school or agency.

STATUS: This measure was passed by the Senate but died in the suspense file of the Assembly Appropriations Committee, which estimated that the measure would incur a one-time General Fund cost of between \$150,000 and \$200,000.

#### **CHILD PROTECTION**

AB 2029 (Tran) would have authorized any person, including a child who is a dependent of the court, to petition the court for an order of visitation between the child and a relative, and would have provided that the court, upon petition, may order visitation between the child and a relative if the court determines that it is in the best interest of the child. Unfortunately, many foster children lose contact with their families once they are removed from the custody of their parents or guardians, and as a result, have few people who remain constant in their lives. This bill would have helped foster children maintain relationships with their family members, increasing their base for emotional support and stability.

STATUS: This measure was passed by the Assembly but died in the suspense file of the Senate Appropriations Committee, which estimated that the measure would require two hours of a social worker's time to assess each case for which a petition is filed, at a rate of \$70/hour.

AB 2096 (Bass). With respect to dependent children and wards of the juvenile court, this measure extends to group homes the reasonable and prudent parent standard in determining whether to give permission for a child to participate in extracurricular, enrichment, and social activities, and requires that the group home take reasonable steps in determining the appropriateness of the activity.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 28 (Chapter 483, Statutes of 2008).

AB 2310 (Maze) requires county welfare departments to provide specified information and documents to a youth in the foster care system who has reached the age of majority before the juvenile court terminates jurisdiction over that individual. For example, departments must provide the youth with a letter that includes his/her name and date of birth; the dates during which the child was within the jurisdiction of the juvenile court; a statement that the child was a foster youth in compliance with state and federal financial aid documentation requirements; if applicable, the death certificate of the parent or parents; and if applicable, proof of the child's citizenship or legal residence. The measure is aimed at enabling youth who age out of the dependency system to be as equipped as possible to access the resources and services to which they are entitled as former dependents of the juvenile court.

STATUS: This measure was passed by the Legislature and signed by the Governor on July 16 (Chapter 131, Statutes of 2008).

**AB 3051 (Jones)** provides children subject to dependency hearings a greater opportunity to attend and participate in their hearings by requiring the court to allow a child present at his/her juvenile court hearing who so desires to address the court and participate in the hearing; requiring the court in a juvenile court hearing, where the child

who is the subject of the hearing is 10 years of age or older and is not present at the hearing, to determine whether the minor not only was properly notified, but also was given an opportunity to attend; requiring the court, if the child was not properly notified or, if he/she wished to be present and was not given an opportunity to be present, to continue the hearing to allow the child to be present, unless the court finds that it is in the best interest of the child not to continue the hearing; requiring the court to continue the hearing only for that period of time necessary to provide notice and secure the presence of the child; and permitting the court to issue any and all orders reasonably necessary to ensure that the child has an opportunity to be present. The measure also provides that existing law shall not be construed to prevent a court that assumes jurisdiction of a minor child, pursuant to Section 300 of the Welfare and Institutions Code, or a probate court, as appropriate, from issuing orders or making appointments, on motion of the child's counsel, necessary to ensure the appropriate administration of funds for the benefit of the child; orders or appointments regarding those funds may continue after the court's jurisdiction is terminated.

STATUS: This measure was passed by the Legislature and signed by the Governor on July 21 (Chapter 166, Statutes of 2008).

SB 1132 (Migden) would have prohibited the Department of Health Care Services from requiring independent foster care adolescents to complete any paperwork qualification or to provide any other information as a condition of continuing to receive the Medi-Cal benefits to which they are already entitled at the time of initial eligibility or at annual redetermination. This bill would have removed an unnecessary requirement, helped former foster youth maintain health coverage, and clarified current law and procedures to ensure that youth who have left foster care are able to receive services with minimal action on their part. The current process results in a large number of youth losing their Medi-Cal coverage prior to their 21st birthday, and these youth are often unaware of the loss of coverage until they seek medical or dental services and are denied. This bill will have ensured ongoing health care coverage for these young adults while avoiding the paperwork and staff time involved in the reapplication and redetermination process.

STATUS: This measure was passed by the Legislature, but was vetoed by the Governor on September 29, 2008.

SB 1612 (Kuehl) permits a minor who is the parent of a child who is the subject of certain proceedings, including those involving child dependency, parentage, and guardianship to appear in court without a guardian ad litem (GAL). This bill requires a court to appoint a GAL in these circumstances if the court finds that the minor parent is unable to understand the nature of the proceedings or to assist counsel in preparing the case. Supporters noted that teen parents in both dependency and family law cases have the same rights and responsibilities as adult parents, and should be

able to communicate their desires directly to their attorneys without a presumption that they are "incompetent" simply because they are under the age of eighteen.

STATUS: This measure was passed by the Legislature and signed by the Governor on July 22 (Chapter 181, Statutes of 2008).

SB 1638 (Alquist). Juvenile court schools serve students under the protection or authority of the juvenile court system and incarcerated in juvenile halls, homes, ranches, camps, day centers, or regional youth facilities. Because some counties lack a coordinated effort among agencies to ensure that the youth in custody receive appropriate education instruction and support, this bill encourages each county superintendent and the county chief probation officer to enter into a memorandum of understanding, or an equivalent agreement, that supports a process for collaboration, exchanging information, and dispute resolution relating to the delivery of educational services to pupils in juvenile court schools.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 28 (Chapter 531, Statutes of 2008).

#### **JUVENILE JUSTICE**

**SB 1147 (Calderon).** Lack of access to medical care is an acute problem for youth exiting the juvenile detention system. Many are in need of psychotropic medicine or other medical care necessary to treat severe health conditions. Failure of a ward to receive treatment for a mental health or substance abuse disorder can be a significant factor in the high rate of recidivism among youth. This bill requires the Department of Health Care Services to develop procedures to ensure that the Medi-Cal eligibility of minors is not terminated when they are incarcerated.

STATUS: This measure was passed by the Legislature and signed by the Governor on September 28 (Chapter 546, Statutes of 2008).

#### **How Legislators Were Graded**

# **METHODOLOGY**

All the bills included in this *Report Card* would improve current law for children. An "AYE" vote on these measures represents a vote for children and is indicated by a "\( \pi \)." "NO" votes and abstentions are noted with a "- ," indicating the legislator was not there for children. Abstentions count against a legislator's score because a legislator who fails to vote effectively votes "NO." In cases where a legislator had an excused absence when the floor vote was taken (for illness, legislative business, etc.), the vote will be noted with a "-\*" but will count as a "NO" vote for purposes of the legislator's total grade. Bills held in the suspense file of the Senate or Assembly Appropriations Committee will be noted with -\*\*; for our purposes, each and every legislator's failure to pull the bill from suspense qualifies as a "NO." Vacancies in a legislative seat are noted with a "V."

- ★ means A VOTE FOR CHILDREN (an "AYE" vote)
- \_ means NOT THERE FOR CHILDREN (a "no" vote or abstention; counts as a NO vote)
- \_\* means **EXCUSED ABSENCE**(illness, legislative business, etc.; counts as a NO vote)
- \_\*\* means **HELD IN SUSPENSE** (counts as a NO vote)
- V means VACANT SEAT

The 2008 Children's Legislative Report Card evaluates final floor votes on selected bills affecting children. When bills were amended in the second house, the concurrence vote in the house of origin was used to compute those legislators' scores, so that comparing Senate and Assembly votes on the same bills will reflect votes on the same version of the bill.

Legislators' overall scores indicate the percentage of affirmatively cast votes for children on the legislation presented. Votes and attendance were tallied from the Assembly and Senate Daily Journals and the Legislative Counsel's website (www.leginfo.ca.gov).

CHILI	DREN'S LEGISL	ILDREN'S LEGISLATIVE REPORT CARD														2008 REPORT									
	Legislator	POVERTY	AB 2844 (Laird)	SB 1160 (Alquist)	SB 1341 (Padilla)	NUTRITION	AB 2300 (Laird)	HEALTH/SAFETY	AB 2262 (Torrico)	SB 107 (Alquist)	SB 697 (Yee)	SB 775 (Ridley-Thomas)	SB 1168 (Runner)	CHILD CARE / DEVELOPMENT	AB 978 (Benoit)	AB 2759 (Jones)									
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- 1	Padilla		* * * * * -*	*		*		*	*	*	*	*		*	*										
- 1	Perata Ridley-Thomas				*		*		*	*	_*	_ ★	*		<b>-</b>	* -									
- 1	Romero				-	*		*	*		*		*	*	*	*	*		*	*					
- 1	Runner												_		_	_	_	_		*		_	_	*	_
- 1	Scott Simitian		* * * * * -*	* *		*		*		*	* *	* *	<b>-</b>	*		*	<u>-</u> ★								
- 1	Steinberg				<b>★</b>	· ·	*	۱	*	*	-	*	*	* *	*										
- 1	Torlakson Vincent <sup>1</sup>			<b>★</b> _*			<b>★</b>		<b>★</b>	<u></u> *	<u></u> *	<u></u> *	<b>★</b>		* * _* _*	* _*									
- 1	Wiggins		*	*			*		*	*	*	*	*		*	*									
- 1	Wyland Yee		_ ★	<b>-</b>	<b>-</b>		*		*	*	*	<b>-</b>	* *		*	*									
	ree															^									
	Adams			*	-		*		*	-	*	-	*		*	*									
	Aghazarian Anderson		*	<b>★</b>	_		*		*	*	*	_	*		*	* -									
	Arambula		*	*	*		*		*	*	*	*	*		*	*									
ES.	Bass		*	*	*		*		*	*	*	*	* *		*	*									
Ш	Beall Benoit		_	* -	* -		*		*	*	*	_	*		*	*									
⅀	Berg		*	*	*		*		*	*	*	*	*		*	*									
Σ	Berryhill Blakeslee		_ _	* *	-		*		*	_ ★	*	-	*		*	*									
ASSEMBLYMEMBERS	Brownley		*	*	*		*		*	*	*	*	*		*	*									
Σ	Caballero Calderon		*	<b>★</b> _*	*		*		*	*	*	*	<b>★</b> _*		*	*									
SE	Carter		*	*	*		*		*	*	*	*	*		*	*									
Ą	Cook		_	*	_		*		*	_	*	_	*		*	*									
	Coto Davis		*	*	*		*		*	*	*	*	*		<b>★</b>	<u>★</u>									
	De la Torre		*	*	*		*		*	*	*	*	*		*	*									
	De Leon		*	*	*		*		*	*	*	*	*		*	*									

EDUCATION	AB 2138 (Adams)	AB 2040 (Nunez)	SB 564 (Ridley-Thomas)	SB 1457 (Steinberg)	SB 1515 (Kuehl)	SB 1545 (Romero)	CHILD PROTECTION	AB 2029 (Tran)	AB 2096 (Bass)	AB 2310 (Maze)	AB 3051 (Jones)	SB 1132 (Migden)	SB 1612 (Kuehl)	SB 1638 (Alquist)	JUVENILE JUSTICE	SB 1147 (Calderon)	2008 Votes for Children	2008 Grade	Legislator
	*	-	-	-	-	-		_**	*	*	*	-	*	*		-	9 of 25	36%	Aanestad
	*	_	_	_	_	-		-**	*	*	*	-	*	*		-	10 of 25	40%	Ackerman
	*	*	*	*	*	*		_** _**	*	*	*	*	*	*		*	24 of 25	96%	Alquist
	*	*	_	_	_	_		_**	*	*	*	_	*	*		_	12 of 25 8 of 25	48% 32%	Ashburn Battin
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	24 of 25	96%	Calderon
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	23 of 25	92%	Cedillo
	*	_	_	_	_	_		-**	*	*	*	_	*	*		_	11 of 25	44%	Cogdill
	*	*	*	*	*	*		-**	*	*	*	*	*	*		*	24 of 25	96%	Corbett
	*	*	*	*	*	*		_** _**	*	_* ★	*	*	*	*		*	21 of 25 13 of 25	84% 52%	Correa Cox
	*	_	_	*	_ ★	_		_**	<u>*</u>	^ *	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>		<u>*</u>	16 of 25	64%	Denham
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	24 of 25	96%	Ducheny
	*	-	-	*	-	-		-**	*	*	*	-	*	*		*	14 of 25	56%	Dutton
	*	*	*	*	*	*		-**	*	*	_*	*	*	*		*	21 of 25	84%	Florez
	*	_	_	_	*	_		-** -**	*	*	*	_	*	*		*	14 of 25	56%	Harman
	*	_ ★	*	*	_ ★	_ ★		_**	*	*	* *	*	*	*		_ ★	9 of 25 24 of 25	36% 96%	Hollingsworth Kehoe
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	23 of 25	92%	Kuehl
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	23 of 25	92%	Lowenthal
	*	*	*	*	*	*		-**	*	*	*	*	*	*		*	23 of 25	92%	Machado
	*	*	_	*	*	_		-**	*	*	*	*	*	*		*	19 of 25	76%	Maldonado
	*	_	_	_	*	-		_** _**	*	* *	*	*	*	*		_	13 of 25 9 of 25	52% 36%	Margett McClintock
	*	<b>-</b>	<b>-</b>	_	*	_ ★		_**	*	*	*	_ ★	*	*		_	18 of 25	72%	Migden
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	24 of 25	96%	Negrete Mcleod
	*	-	*	*	*	*		-**	*	*	-	*	*	*		*	22 of 25	88%	Oropeza
	*	*	*	*	*	*		-**	*	*	*	*	*	*		*	24 of 25	96%	Padilla
	*	* *	*	*	* *	* *		_** _**	*	<b>★</b> _*	* *	* *	*	*		_ ★	20 of 25 20 of 25	80% 80%	Perata
	*	*	*	*	*	*		_**	*	_ ★	*	*	*	*		*	24 of 25	96%	Ridley-Thomas Romero
	*	-	-	-	_	-		_**	*	*	*	-	*	*		-	11 of 25	44%	Runner
	*	*	*	*	*	*		-**	*	*	*	*	*	*		*	22 of 25	88%	Scott
	*	*	*	*	*	*		-**	*	*	*	*	*	*		*	24 of 25	96%	Simitian
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	23 of 25 24 of 25	92% 96%	Steinberg Torlakson
	_*	_*	*	_*	*	*		_**	_*	*	_*	*	*	_*		_*	6 of 25	24%	Vincent <sup>1</sup>
	*	*	*	*	*	*		_**	*	*	*	*	*	*		*	24 of 25	96%	Wiggins
	*	*	-	-	*	-		-**	*	*	*	-	*	*		-	15 of 25	60%	Wyland
	*	*	_	*	*	*		_**	*	*	_*	*	*	*		*	22 of 25	88%	Yee
	*	*	_	_	_	_**		*	*	*	*	_	*	*		_	15 of 25	60%	Adams
	*	<del>*</del>	_	*	_	_**		*	*	<u>*</u>	<u>*</u>	*	<u>*</u>	<u>*</u>		*	20 of 25	80%	Aghazarian
	*	-	-	-	-	_**		*	*	*	*	-	*	*		-	10 of 25	40%	Anderson
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Arambula
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Bass
	*	*	*	*	*	-** -**		*	*	*	*	*	*	*		*	24 of 25 13 of 25	96% 52%	Beall Benoit
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25	96%	Berg
	*	*	-	-	-	-**		*	*	*	*	-	*	*		-	15 of 25	60%	Berryhill
	*	*	_	_	_	-**		*	*	*	*	*	*	*		_	17 of 25	68%	Blakeslee
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Brownley
	*	*	*	*	_ ★	-** -**		*	*	*	*	*	*	<b>★</b> _*		*	23 of 25 21 of 25	92% 84%	Caballero Calderon
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25	96%	Carter
	*	*	-	*	-	_**		*	*	*	*	*	*	*		-	17 of 25	68%	Cook
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Coto
	*	*	*	*	_*	_**		*	*	*	*	*	*	*		*	22 of 25	88%	Davis
	*	*	*	*	*	-** -**		*	<b>-</b>	*	*	*	*	*		*	23 of 25	92%	De la Torre
	*	*	*	*	*			*	×	*	×	×	*	*		<b>*</b>	24 of 25	96%	De Leon

 $<sup>-^{\</sup>star}$  : EXCUSED ABSENCE (Counts as a No vote)  $-^{\star\star}$  : HELD IN SUSPENSE (counts as a NO vote)

<sup>1 :</sup> Senator Vincent missed several floor votes due to illness

CHILI	DREN'S LEGISL	AT	IVE	R	P	DRI	C/	ARI	D							2008 REPORT	
	Legislator	POVERTY	AB 2844 (Laird)	SB 1160 (Alquist)	SB 1341 (Padilla)	NUTRITION	AB 2300 (Laird)	HEALTH/SAFETY	AB 2262 (Torrico)	SB 107 (Alquist)	SB 697 (Yee)	SB 775 (Ridley-Thomas)	SB 1168 (Runner)	CHILD CARE / DEVELOPMENT	AB 978 (Benoit)	AB 2759 (Jones)	
	Desaulnier Devore		*	*	*		*		*	*	*	*	*		*	*	_
	Devore		_	_	_		_ ★		*	_	*	_	*		*	*	
	Dymally		*	*	*		*		*	*	*	*	*		*	*	
	Emmerson Eng		_ ★	*	<b>-</b>		*		*	_ ★	*	<b>-</b>	*		*	*	
	Evans		*	*	*		*		*	*	*	*	*		*	*	
	Feuer Fuentes		_ ★	*	*		*		_ ★	*	*	* *	*		*	*	
	Fuller		<u> </u>	-	_		*		*	*	*	-	*		*	*	
	Furutani		+ -	*	*		*		*	*	*	*	*		*	*	
	Gaines Galgiani			* *	<b>-</b>		_ ★		*	<b>-</b>	* *	_ ★	*		* *	* *	
	Garcia			*	-		*		*	*	*	-	-		*	*	
	Garrick Hancock				<b>-</b>		*		*	_ ★	*	<b>-</b>	*		*	*	
	Hayashi		*	*	*		*		*	*	*	*	*		*	*	
	Hernandez Horton		<b>*</b>	*	<b>*</b>		*		*	* *	* *	<b>*</b>	*		*	* * * * * * * * * * * * * * * * * * *	
	Houston		=	*	_		*		*	_	*	_	_*		*	*	
	Huff		_	*	_		*		_	-	*	-	*		*	*	
	Huffman Jeffries		<b>*</b>	* *	<b>*</b>		*		*	<b>★</b> -	*	<b>★</b> -	*		*	*	
	Jones		*	*	*		*		*	*	*	*	*		*	*	
	Karnette Keene		*	*	*		<b>*</b>		_ ★	<b>*</b>	*	*	*		*	*	
ဒ္ဌ	Krekorian		*	*	<b>+</b>		*		*	*	*	*	*		*	*	
Ë	La Malfa	- * -		-				*	_	*	-	*		*	*		
¥	Laird Leno		*	<u></u> *	*		*		*	*	*	*	*		*	*	
≝	Levine		* * * * * *	*		*		*	*	Ξ	*	*		*	*		
	Lieber Lieu			*	*		*		*	*	*	*	* *		*	*	
EMBLYMEMBERS	Ma		*	*	*		*		*	*	*	*	*		*	*	
SEI	Maze		_ ★	*	_ ★		_ ★		_ ★	_	*	_ ★	*		* *	*	
AS	Mendoza Mullin		*	*	*		*	ı	*	*	*	*	*		*	*	
	Nakanishi		-	*	-		*		*	-	*	-	*		*	*	
	Nava Niello		*	*	<b>*</b>		*		*	* -	*	* -	*		*	*	
	Nunez		*	*	*		*		*	*	*	*	*		*	*	
	Parra Plescia		*		<b>*</b>		*		<b>★</b>	<b>★</b>	* *	<b>★</b> -	*		*	*	
	Portantino		*	*	*		*		*	*	*	*	*		*	*	
	Price		<b>★</b>	<b>★</b> _*	*		<b>★</b> _*		<b>★</b> _*	<b>★</b> _*	<b>★</b> _*	<b>★</b> _*	*		<b>★</b> _*	* _*	
	Runner Ruskin		*	*	<b>-</b>		*		*	*	*	*	*		*	<u>−</u> " ★	
	Salas		*	*	*		*		*	*	*	*	*		*	*	
	Saldana Silva		*	*	<b>*</b>		*		<b>★</b>	*	*	*	*		*	*	
	Smyth		_	*	_		*		*	-	*	-	*		*	*	
	Solorio Soto <sup>2</sup>		<b>★</b> _*	<b>★</b> _*	<b>★</b> _*		<b>★</b> _*		<b>★</b> _*	* _*	<b>★</b> _*	* -*	<b>★</b> _*		<b>★</b> _*	* _*	
1	Soto			*			*		*		*		*		*		
	Strickland		_	*	-		*		*	-	*	-	*		*	*	
	Swanson Torrico		* * -*	*	*		*		*	*	* *	*	* *		*	*	
	Tran			*			*			-	*	-	*		*	*	
	Villines Walters		_	_ ★	-		-   -		_	-	*	-	*		*	* -	
	Wolk		*	<u>*</u>	*		*		*	*	<b>*</b>	*	*		<u>*</u>	*	

EDUCATION	AB 2138 (Adams)	AB 2040 (Nunez)	SB 564 (Ridley-Thomas)	SB 1457 (Steinberg)	SB 1515 (Kuehl)	SB 1545 (Romero)	CHILD PROTECTION	AB 2029 (Tran)	AB 2096 (Bass)	AB 2310 (Maze)	AB 3051 (Jones)	SB 1132 (Migden)	SB 1612 (Kuehl)	SB 1638 (Alquist)	JUVENILE JUSTICE	SB 1147 (Calderon)	2008 Votes for Children	2008 Grade	Legislator
	*	*	*	*	*	_** _**		*	*	*	*	*	*	*		*	24 of 25 13 of 25	96% 52%	Desaulnier
	<u>*</u>	_	_	_	_	_**		<u>*</u>	*	<b>*</b>	<del>*</del>	_	<u>*</u>	<u>*</u>		_	13 of 25	52%	Devore Duvall
	*	*	*	*	*	_**		*	*	_*	*	*	*	*		*	23 of 25	92%	Dymally
	*	*	_ ★	<b>-</b>	_ ★	_** _**		*	*	*	*	*	*	*		_ ★	16 of 25 24 of 25	64% 96%	Emmerson Eng
	<del>*</del>	<b>*</b>	*	*	*	_**		<del>*</del>	*	*	<del>*</del>	<u>*</u>	<b>*</b>	<del>*</del>		*	24 of 25	96%	Evans
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	22 of 25	88%	Feuer
	*	*	*	*	*	_** _**		*	*	*	*	*	*	*		*	24 of 25	96%	Fuller
	*	_ ★	_ ★	_ ★	_ ★	_**		*	*	*	*	*	<b>★</b> -	*		_ ★	15 of 25 23 of 25	60% 92%	Fuller Furutani
	*	-	-	-	-	_**		*	*	*	*	-	*	*		-	12 of 25	48%	Gaines
	*	*	*	*	*	-** -**		*	*	*	_*	*	*	*		*	23 of 25	92%	Galgiani
	*	<b>*</b>	_	<b>★</b> -	_	_**		* *	*	<b>★</b> _*	*	* *	* *	*		_	17 of 25 14 of 25	68% 56%	Garcia Garrick
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25	96%	Hancock
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Hayashi
	*	*	<b>*</b>	*	<b>*</b>	-** -**		*	*	*	*	*	* *	*		<b>*</b>	24 of 25 17 of 25	96% 68%	Hernandez Horton
	*	-	-	*	-	_**		*	*	*	*	*	*	*		_	15 of 25	60%	Houston
	*	_	-	_	_	-**		*	*	*	*	_	*	*		-	13 of 25	52%	Huff
	* *	*	_	*	*	-** -**		* *	*	*	*	*	* *	*		<b>*</b>	23 of 25 16 of 25	92% 64%	Huffman Jeffries
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25	96%	Jones
	*	*	*	*	*	_**		*	*	_*	*	*	*	*		*	22 of 25	88%	Karnette
	*	<b>-</b>	_ ★	_ ★	_ ★	-** -**		*	*	* *	*	_	*	*		_ ★	13 of 25 23 of 25	52% 92%	Keene Krekorian
	*	_	_	_	_	_**		*	*	*	*	_	*	*		_	13 of 25	52%	La Malfa
	*	*	*	*	_*	-**		*	*	*	*	*	*	*		*	23 of 25	92%	Laird
	*	*	*	*	* *	-** -**		*	*	* *	*	*	* *	_* ★		*	22 of 25 23 of 25	88% 92%	Leno Levine
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25	96%	Lieber
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Lieu
	*	*	*	*	*	-** -**		*	*	* *	*	*	* *	*		<b>*</b>	24 of 25 14 of 25	96% 56%	Ma Maze
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25	96%	Mendoza
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Mullin
	* *	*	_ ★	*	_ ★	-** -**		* *	* *	*	* *	* *	* *	* *		_ ★	17 of 25 24 of 25	68% 96%	Nakanishi
	*	_	_	_	_	_**		*	*	*	*	_	*	*		_	14 of 25	56%	Nava Niello
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Nunez
	* *	* *	<b>*</b>	*	-	-** -**		* *	*	* *	_* ★	*	*	<b>★</b> _*		<b>*</b>	22 of 25 13 of 25	88% 52%	Parra Plescia
	*	*	*	*	*	_**		*	*	*	*	*	*	_ ★		*	24 of 25	96%	Portantino
	*	*	*	*	*	-**		*	*	*	*	*	*	*		*	24 of 25	96%	Price
	_* ★	_* ★	_* ★	_* ★	_ ★	-** -**		*	_* ★	* *	*	_* ★	*	_* ★		_* ★	5 of 25	20%	Runner
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25 24 of 25	96% 96%	Ruskin Salas
	*	*	*	*	_*	_**		*	*	*	*	_	*	*		*	22 of 25	88%	Saldana
	*	*	-	_	-	-**		*	*	*	*	*	*	*		-	15 of 25	60%	Silva
	*	*	<b>-</b>	*	<b>-</b>	-** -**		*	*	*	*	*	*	*		<b>-</b>	17 of 25 24 of 25	68% 96%	Smyth Solorio
	_*	_*	_*	_*	_*	_**		_*	_*	_*	_*	_*	_*	_*		_*	0 of 25	0%	Soto <sup>2</sup>
	*	_	-	-	-	-**		*	-	*	_*	-	*	*		-	12 of 25	48%	Spitzer
	*	*	<b>-</b>	*	_ ★	-** -**		*	*	*	*	*	*	*		_ ★	17 of 25 24 of 25	68% 96%	Strickland Swanson
	*	*	*	*	*	_**		*	*	*	*	*	*	*		*	24 of 25	96%	Torrico
	*	*	-	-	_*	_**		*	*	*	*	*	*	*		-	15 of 25	60%	Tran
	*	-	_	-	_	-** -**		*	*	*	*	_	*	*		_	11 of 25 10 of 25	44% 40%	Villines Walters
	*	*	*	*	*	_ _**		*	*	*	*	*	*	*		*	24 of 25	96%	Wolk

 $<sup>^{-\</sup>star}$  : EXCUSED ABSENCE (Counts as a No vote)  $^{-\star\star}$  : HELD IN SUSPENSE (counts as a NO vote)

<sup>2 :</sup> Assemblymember Soto missed several floor votes due to illness



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The Children's Advocacy Institute is part of the Center for Public Interest Law at the University of San Diego School of Law.

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