



**A VOICE FOR CHOICE
ADVOCACY**

LETTER OF OPPOSITION FOR SB18 AND SCR41 (Pan)

Bill of Rights for the Children and Youth of California: joint legislative committee

April 18, 2017

Dear CA Senators,

A Voice for Choice Advocacy asks for your **NO VOTE on SB18 AND SCR41** (a bill disguised as a resolution), when they come to the floor in the next few weeks. A yes vote on either SB18 or SCR41 would compromise the integrity of the legislative process and set dangerous precedence, as well as confirm your agreement and desire to completely overhaul the tax code, including Prop 13.

SB18, the CA Children's and Youth Bill of Rights Act: Joint Legislative Committee was introduced December 5, 2016 by Senator Pan, and was amended April 3, 2017. SCR41, the Bill of Rights for the Children and Youth of California, was introduced April 18, 2017. A Voice for Choice Advocacy had received a preview of the draft amendments and shared them with your office in mid-March. The amendments that were submitted to the legislature this month differ in a significant ways (outlined below), and confirm that you must **vote NO on SB18 and SCR41 in order to uphold the integrity of the California legislative process, as well as prevent the start of a complete tax code re-write.**

While the bill request itself remains benign, it still has severe implications if allowed to pass.

The amendments to the bill and the resolution have some UNUSUAL and SNEAKY language in them, which cause A Voice for Choice Advocacy to be concerned about the true intent of SB18. They include:

- **The Children's Bill of Rights wording has been removed and has been introduced as a separate Senate Resolution (SCR41), but is referenced in the bill.** This is concerning for two reasons, 1) resolutions are passed quickly and without much overview from legislators because they do not have any statute or enforcement and 2) it circumvents the legislative bill process because the legislature argues that resolutions do not require 72 hours' notice for amendments and are not usually heard in committees. It is unheard of to include reference to a resolution in a bill because then the resolution becomes statute, but doing so Senator Pan and Common Sense Kids Action would sneak key language into the resolution, have it garner huge (perhaps even a unanimous) support, which allows them to claim momentum and unity of purpose. However, doing this would open the door and set precedence for resolutions to become much more meaningful but being incorporated into statute, in the future. We ask that you seriously consider the implications of this and that you do not vote for this precedence to be set.
- **The main request of this bill being the formation of a committee is unusual and unnecessary** because a committee can be created at the whim of the Senate Pro Tem and a change to Senate Rules. Joint committees just require approval of the joint rules by both houses. So putting a new legislative committee in a bill begs the question why? To which the answer is either that there is a different agenda that will become evident in later amendments or that there is no support from the Senate Pro Tem to put such a committee in place. Either way, this bill is unnecessary and unwanted and again circumvents the usual legislative process, setting alternative precedence. Again, we ask that you seriously consider the implications of this and that you do not vote for this precedence to be set.

- **The reference to tax code in the bill is also strange** given that this is a bill supposedly about children, yet six out of seven points in the preamble of the bill (Section 18987.80) include detailed findings on California's tax code and economic issues rather than child related issues. This is the greatest indicator that the real intention of this bill is not to address the needs of the children in California, but instead a huge tax reform bill that will prey upon the heart strings of the legislators, referencing the dire needs of our children to get it passed. Although, California's tax code including, but not limited to Prop 13, sales, state and online taxation reform needs to be addressed, it should not be cloaked in our children's future. A yes vote on SB18 would confirm your agreement with this preamble urging for the adoption of a tax on services, and a huge tax expansion generally. In a year where we have seen taxes increase in so many ways, this is a step too far, as it would enshrine in the code a call for the state to tax movies, haircuts, accountants, lawyers, and realtors, and so much more.
- **The references in the bill now stake the state's claim on the children of California** - "state's children and youth" and "California's children and youth". This may be a semantic error, but we feel that it is very much a Freudian slip, in that Senator Pan and supporters of SB18 believe that the children of California belong to the state and not to their parents.
- While we all want kids to be safe and healthy, it is the parents decision, not the states, how to raise a child, **the resolution which would be enshrined into law through SB18, gives more rights to children than any adult in the US currently** has because it puts to paper so many fundamental rights. The definition of a Bill of Rights is a list of rights which the government cannot touch, such as freedom of speech or religion. This Bill of Rights is the opposite, setting in stone the rights that a child has over everyone else, including their parents, teachers, law enforcement, etc. If passed and tied to SB18 the resolution wording would allow the child to sue their parents, the state, and many other entities if their right to access the various opportunities listed in SCR41 are not upheld by one or more entities. This again is a dangerous precedence to set with limitless implications of abuse of the system, both by the child and the state.

For all the above reasons, we urge your NO VOTE ON BOTH SB18 and SCR41.

Thank you for your time and consideration.

Sincerely,

Christina Hildebrand

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President,

A Voice for Choice Advocacy, Inc.

christina@avoiceforchoiceadvocacy.org

Giving issues a voice, A Voice for Choice Advocacy advocates for people's rights to be fully informed about the composition, quality, and short- and long-term health effects of all products that go into people's bodies, such as food, water, air, pharmaceuticals and cosmetics.