

**Re:**ADA Reasonable Accommodation Request for Public Comment re: AB 965 at July 12, SGF Committee  
**Date:** Mon, 10 Jul 2023 11:09:24 -0700  
**From:** Paul McGavin <pmcgavin@wirecalifornia.org>  
**To:** Roth, Jeffrey <Jeffrey.Roth@sen.ca.gov>, Nam, John <John.Nam@sen.ca.gov>, Colin Grinnell <colin.grinnell@sen.ca.gov>  
**CC:** Itzel Vargas <itzelvargas@sen.ca.gov>, Canales, Michele <Michele.Canales@sen.ca.gov>, Quinonez, Luis <Luis.Quinonez@sen.ca.gov>, Rodriguez, Kimberly <Kimberly.Rodriguez@sen.ca.gov>

July 10, 2023

Dear Mr. Roth,

We are needing a decision by Sen. Caballero on a timely basis re: the ADA Accommodation for the SGF Committee Hearing on July 12, 2023. As of 11:00 am today, we have heard nothing of substance from John Nam or Colin Grinnell about the EMS Californians' ADA Reasonable Accommodation for fair and open deliberations on AB-956 at the July 12, 2023 Senate Governance and Finance Committee.

Will you please communicate Sen. Caballero's decision about this accommodation in writing by Noon today? Hearing by Noon would leave **less than 48 hours** for us to arrange transportation for our EMS Speakers, many of whom suffer from disabling characteristics from RF microwave radiation exposures, meaning we need to arrange car pools and special handling.

We cannot simply stand by and watch the CA Legislative staff run out the clock.

**Perhaps, at this late stage**, the Chair can consider **two-minute telephone testimony by ten of our planned 15 speakers** for opposition: two minutes per speaker for a total of 30 minutes of opposition, consistent with the CA Legislative precedent for ADA Accommodation set in 2017 in deliberations on SB.649. An equal 30-minutes can be allotted to supporters of the bill, as well.

Or the chair can choose to hear the bill later in the Legislative Session to give enough time to make the necessary arrangements.

See the letters, attached.

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**From:** Paul McGavin <[pmcgavin@wirecalifornia.org](mailto:pmcgavin@wirecalifornia.org)>  
**Date:** July 10, 2023 at 9:04 AM  
**To:** "Nam, John" <[John.Nam@sen.ca.gov](mailto:John.Nam@sen.ca.gov)>  
**Subject:** ADA Reasonable Accommodation Request for Public Comment re: AB 965 at July 12, SGF Committee

Hi, John.

Good morning. I need timely answers to these two relevant questions.

1. What says the CA Senate, John, about the Wire California ADA Reasonable Accommodation request put forth in Wire California's June 30, 2023 Opposition letter?
2. In what way will the " process under the Legislative Open Records Act. (Gov. Code, § 9070 et seq.)" provide access to the public records in time for a fair and open deliberation of AB-965 at the July 12, 2023 SGF Committee hearing?

Nam, John wrote on 7/10/23 8:30 AM:

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**From:** Nam, John <[John.Nam@sen.ca.gov](mailto:John.Nam@sen.ca.gov)>  
**Date:** July 10, 2023 at 8:30 AM  
**To:** Paul McGavin <[pmcgavin@wirecalifornia.org](mailto:pmcgavin@wirecalifornia.org)>  
**Subject:** ADA Reasonable Accommodation Request for Public Comment re: AB 965 at July 12, SGF Committee

Good morning – the following item below is in process under the Legislative Open Records Act. (Gov. Code, § 9070 et seq.)

Senate Rules Committee

1. Immediate access to read all of the support and opposition letters submitted for AB-965: via pdfs of each letter published on the SGF Committee web page, pdfs of each emailed directly to me, or prints of each letter made available to me by 9:00 am on Fri July 7 at the SGF Committee office at State Capitol, Room 407, Sacramento, CA.

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**From:** Paul McGavin <[pmcgavin@wirecalifornia.org](mailto:pmcgavin@wirecalifornia.org)>  
**Sent:** Thursday, July 6, 2023 4:48 PM  
**To:** Nam, John <[John.Nam@sen.ca.gov](mailto:John.Nam@sen.ca.gov)>  
**Subject:** ADA Reasonable Accommodation Request for Public Comment re: AB 965 at July 12, SGF Committee

Hi, John.

**Re: Reasonable Accommodation Request for Public Comment re: AB 965 at July 12, SGF Committee**

Please find the the information that I mailed to you at 8:47 am. Nearly all of the text in this email was copied and pasted from my 8 page position letter and Appendix I (<https://wirecalifornia.org/ab965-letter-sgf/#i>). You asked me send you that 8:47 email a second time and I did so at 9:52 am this morning.

This means that I have **triplicated** my efforts to answer a question that I already answered this morning:

In this email, I even **highlighted** the most important parts for you, below. Please read the **highlighted text**, John.

I believe you will find the request was clear **since 8:47 am** this morning. Please follow the video links as evidence of EMS Californians using their ADA Accommodation granted in 2017 – we need the same thing in 2023 (the links were copied from the text below).

- <https://youtu.be/9q5icSeNyyA?t=95>
- <https://youtu.be/OgNLR9fQOX4>
- [https://youtu.be/hyfRE\\_zGF9I](https://youtu.be/hyfRE_zGF9I)
- <https://youtu.be/yW4jfyv2Fuw>
- <https://youtu.be/okhwAdjYAOE>

John, you have had everything you needed since this morning at 8:47 am. You then asked me to fill out a form and sign it, which I did, which is only a formality. **My email from this morning is what actually counts**, according to the federal Americans with Disabilities Act and the rules governing of the Federal Access board.

We both know you received that email, as I was on the line when it arrived.

I look forward to you making progress on granting the ADA accommodation, consistent with precedent from 2017.

>>> Paul McGavin wrote on 7/6/23 9:52 AM:

**From:** Paul McGavin <[pmcgavin@wirecalifornia.org](mailto:pmcgavin@wirecalifornia.org)>  
**Date:** July 6, 2023 at 8:47 AM  
**To:** "Nam, John" <[John.Nam@sen.ca.gov](mailto:John.Nam@sen.ca.gov)>, "Canales, Michele" <[Michele.Canales@sen.ca.gov](mailto:Michele.Canales@sen.ca.gov)>, Colin Grinnell <[colin.grinnell@sen.ca.gov](mailto:colin.grinnell@sen.ca.gov)>, [ada.coordinator@sen.ca.gov](mailto:ada.coordinator@sen.ca.gov).  
**CC:** "Contreras, Erika" <[Erika.Contreras@sen.ca.gov](mailto:Erika.Contreras@sen.ca.gov)>, "Sanchez, Jeovana" <[Jeovana.Sanchez@sen.ca.gov](mailto:Jeovana.Sanchez@sen.ca.gov)>, Aeilts Maryanne <[Maryanne.Aeilts@sen.ca.gov](mailto:Maryanne.Aeilts@sen.ca.gov)>, "Vargas, Itzel" <[Itzel.Vargas@sen.ca.gov](mailto:Itzel.Vargas@sen.ca.gov)>  
**Subject:** ADA Reasonable Accommodation Request for Public Comment re: AB 965 at July 12, SGF Committee

July 6, 2023

Mr. John Nam, ADA Coordinator  
 Ms. Michele Canales, Staff for Sen. Caballero  
 Mr. Colin Grinnell, Staff Director SGF Committee  
 1020 N Street, Room 255,  
 Sacramento, Ca 95814  
 916-651-1504

cc: Erika Contreras, [Jeovana.Sanchez@sen.ca.gov](mailto:Jeovana.Sanchez@sen.ca.gov), Maryanne Aeilts, Itzel Vargas

Dear Mr Nam. Ms. Canales, Mr. Grinnell et al.,

This is a multi-purpose email letter requesting the following:

1. A 30-minute in-person or Zoom meeting with Senate Governance and Finance (SGF) Committee chair, Sen. Caballero to discuss AB-965 prior to the July 12, 2023 SGF Committee hearing (I have cc'ed, Sen. Caballero's scheduler Maryanne Aeilts to expedite this request)
2. Immediate access to read all of the support and opposition letters submitted for AB-965: via pdfs of each letter published on the SGF Committee web page, pdfs of each emailed directly to me, or prints of each letter made available to me by 9:00 am on Fri July 7 at the SGF Committee office at State Capitol, Room 407, Sacramento, CA.
3. **A reasonable ADA Accommodation for Electromagnetic Sensitivity (EMS) Californians to speak substantively at the July 12, 2023 SGF Committee via a 'Special Order of Business', consistent with the precedent set by the CA Senate and Assembly in 2017, detailed below.**

It was good to hear from Melanie Cain of the Senate EUC Committee several weeks ago that the unconstitutional COVID-19 so-called "pandemic" restrictions have been lifted and the rights of Californians to redress their grievances to their state Government face-to-face are now fully restored. Whatever rules/procedures were in place in 2021 no longer apply.

Instead, the CA Legislature can return to principles of deliberations that Californians had from the 1870's through 2017, as guaranteed by our California constitution and demonstrated with evidence of a precedence in [Appendix I ADA Accommodation Precedent from 2017 Applies Equally in 2023](#) (also reproduced below) from our June 30, 2023 AB-965 Opposition Letter, attached, and [here](#). Government convenience is not a sufficient reason to effectively cut the public out from substantive deliberations on bills, as explained in the letter:

"The Digital Divide affects about 3% to 10% of Californians, based on a conservative reading of the [latest FCC data and maps](#). A similar proportion of the state — 3% to 10% of Californians — have already been injured by excessive radio signal strength from wireless infrastructure and are enduring an environmentally-induced-condition called **Electromagnetic Sensitivity (EMS), an ADA-recognized disabling characteristic that affects one or more life activities of those with EMS.**

In this letter, EMS Californians are **requesting a reasonable ADA accommodation from the SGF Committee and the Senate ADA Coordinator** — an ADA accommodation like the precedent set in 2017 by the CA Senate and Assembly in the deliberations of SB-649. See evidence of this 2017 ADA reasonable accommodation in [Appendix I](#).

In the most recent California Senate Daily file, Americans With Disabilities Act [notices](#) which have been in force continually from 2017-2023, enabled Californians with the disabling characteristic of Electromagnetic Sensitivity (EMS) to successfully request and be granted a reasonable accommodation, giving them an equal opportunity to participate in California Senate and Assembly hearings. Specifically, up to six EMS Californians were offered a “time certain” start for testimony at two minutes each (for a total of 12 minutes of testimony) at each of the following hearings:

1. Senate Appropriations Committee on May 15, 2017
2. Assembly Local Government Committee on June 28, 2017
3. Assembly Communications and Conveyance Committee on July 12, 2017

Consistent with this precedent from 2017, Wire California, on behalf of EMS Californians (which comprise up to 10% of all Californians, about 4 million people) is **requesting the Senate Governance and Finance Committee Chair and the Senate ADA Coordinator to grant a similar reasonable accommodation — a Special Order of Business — for the July 12, 2023 Senate Governance and Finance committee hearing**, at which AB-965 will be heard. EMS Californians are seeking a similar time-certain start for six speakers for a total of 12 minutes of testimony at SGF hearing on July 12, 2023.

The SGF Committee could also address and fix shortcomings in the deliberations process of AB-965. On June 26, 2023, Wire California asked the SGF Committee to be a primary opposition witness against AB-965 for the July 12, 2023 SGF Hearing, but heard the following back from the SGF Committee Staff Director, Colin Grinnell:

“Committees no longer identify primary witnesses. The author selects their two witnesses, and opponents should work with each other to select whichever two people will speak as primary opposition witnesses.”

Current Senate Committee procedures creates a bit of a [Catch 22](#) for the public. Despite this directive — “opponents should work with each other” — other than AB-965’s fairly brief [bill analyses](#), there is no way for the public to discover who are the current AB-965 opponents or what are their current positions/arguments because, that information is being hidden from the public by the California Legislature.

Accessing the full contents in the CA legislative portal is unnecessarily restrictive, significantly shortchanging the public. A person only has access to read what he or she uploaded to support or oppose a bill. Members of the public do not have the ability to search for and then read/rebut what other parties have submitted to the legislative portal for a particular bill in a timely manner (CA Public Records Act requests are far too slow for this purpose). Such hiding of information from the public is inconsistent with CA Govt. Code Code [§§11120-111321](#), (the Bagley-Keene

Open Meeting Act), is unnecessary and is wrong.

For an example of a more open electronic comment filing system, I refer you to the FCC's Electronic Comment Filing System ([ECFS](#)). The problem of blocking timely access to the full evidence of deliberations on any bill was raised back in 2021 by Wire California, but the CA Legislature has made no progress in fixing this problem. Instead, the CA Legislature is willfully acting to hide this very relevant information from the public.

Sen. Caballero, as SGF Chair, you can immediately fix this problem for the SGF Committee by directing the SGF Committee staff to publish on the SGF Committee web page every submission to the legislative portal for the bills that the SGF Committee chooses to hear. Will you please do so? Thank you."

I will look forward to having an interactive conversation with John Nam later today to work out the details of an acceptable reasonable accommodation, which, fortunately, has a blueprint **already established in 2017** that can be followed in 2023.

Thank you.

>>> Paul McGavin wrote to Sarah Smith, Consultant for Senate EUC Committee on 6/16/23 4:17 PM:

I wanted to clarify in-person speaking opportunities for the hearing on Tue June 20 @ 9:00 am.

As I recall, before COVID-19 strangeness, in these hearings there were usually some support groups and some opposition groups invited to the table to present with equal time (each had 5 minutes). Then it moved to the line of speakers who made substantive comments standing up at the microphone (2-3 minutes each) and after 30 minutes or so of that, then any additional speakers were reduced to Name, Organization and Position.

Is that the way the hearing will go? Does first-come, first-speak mean who shows up in the room first or who is fast enough to jump to the microphone, regardless of arrival time.

As the League of Cities, CSAC and the others are now neutral, I believe Wire California and the number of cities we have contacted that are in opposition to any involuntary batching provisions in AB-956, is the largest remaining group in opposition. As I first contacted Melanie Cain about this three weeks ago, I also believe we were first in line with our request; the League of Cities, CSAC et al. went neutral about a week ago).

Would you please clarify how we could get the most speaking time in the hearing, hopefully at the table? Sen. Bradford might appreciate learning, how his unserved communities can get full access to the fiber that passes them.

Will you please clarify?

--  
Regards,

**Paul McGavin**  
 Founder, Wire California  
<https://wirecalifornia.org/>  
 work: 707-981-5522  
 text: 707-939-5549

### **Appendix I: ADA Accommodation Precedent from 2017 Applies Equally in 2023**

The evidence of an **ADA accommodation precedent** occurred in 2017 when **both the CA Senate and CA Assembly accommodated EMS Californians** in the deliberations of SB-649.

In the most recent California Senate Daily file, Americans With Disabilities Act notices which were in force continually from 2017-2023, enabled Californians with the disabling characteristic of Electromagnetic Sensitivity (EMS) to successfully **request and be granted a reasonable accommodation, giving them an equal opportunity to participate in California Senate and Assembly hearings**. Specifically, up to six EMS Californians were offered a “time certain” start for testimony at two minutes each (for a total of 12 minutes of testimony) at each of the following hearings:

1. May 15, 2017 Senate Appropriations Committee
2. June 28, 2017 Assembly Local Government Committee
3. July 12, 2017 Assembly Communications and Conveyance Committee

Consistent with this precedent from 2017, Wire California, on behalf of EMS Californians (which comprise up to 10% of all Californians, about 4 million people) is requesting the Senate Governance and Finance Committee Chair and the Senate ADA Coordinator to grant a similar reasonable accommodation for the July 12, 2023 Senate Governance and Finance committee hearing, at which AB-965 will be heard. **EMS Californians are seeking a similar time-certain start for six speakers for a total of 12 minutes of testimony at the July 12, 2023 SGF hearing.**

#### **Notice in the California Senate Daily File**

*“Pursuant to the Americans With Disabilities Act, qualified individuals with disabilities may request **reasonable modifications to Senate policies**, or appropriate auxiliary aids and services, to **ensure an equal opportunity to participate in Senate services, programs, and activities**. Requests should be submitted as soon as possible, but no later than three (3) business days before a scheduled event, to the ADA Coordinator at: [ada.coordinator@sen.ca.gov](mailto:ada.coordinator@sen.ca.gov). 1020 N Street, Room 255, Sacramento, Ca 95814, (916) 651-1504”*

#### **Notice in the California Assembly Daily File**

*“In accordance with the Americans with Disabilities Act, qualified individuals with disabilities may request **reasonable modifications to Assembly policies**, or appropriate auxiliary aids and services, to **ensure an equal opportunity to***

*participate in Assembly services, programs, and activities. Requests should be submitted as soon as possible, but no later than three (3) business days before a scheduled event, to the ADA Coordinator at: Assembly Committee on Rules, 1021 O Street, Suite 6250, Sacramento, CA 95814, (916) 319-2800, [ADA.Coordinator@asm.ca.gov](mailto:ADA.Coordinator@asm.ca.gov)“.*

**1. The May 15, 2017 Senate Appropriations Committee** allowed 17 minutes of testimony in Opposition to SB-649; 8.5 minutes as part of a “Special Order of Business” as an accommodation for over 175 Electromagnetically Sensitive or Disabled Californians who called into the agreed-to Committee conference call number, the evidence of which is shown here → <https://youtu.be/9q5icSeNyyA?t=95>.

**2. On June 28, 2017 Cecilia Aguiar-Curry, Chair of Assembly Local Government Committee made the following comments at start of the SB-649 Hearing:**

*“We will also have a Special Order of Business to hear SB-649 (Hueso), which we will start in just a few minutes. I would like to go over a few rules of this Special Order of Business so we can all be clear on the Committee’s expectations any my expectations as Chair.”*

*First, I requested that we hear this Bill as a Special Order with a dedicated time-certain so that all stakeholders can be present, listen and participate in the hearing. It is my hope that all of the Committee members can ask the questions they need to and we can have a full discussion in the Committee.*

*... Here are my expectations for the Special Order of Business. No more than two minutes per speaker . . . No more than 30 minutes per side. We’ll have 30 minutes for the Opposition and 30 minutes for the Support . . . I also have a request from the Electromagnetic Sensitivity-sufferers, to turn wireless on your phone off and put phones in airplane mode.”*

View the evidence of some of that June 28, 2017 testimony → <https://youtu.be/OgNLR9fQOX4> and [https://youtu.be/hyfRE\\_zGF9l](https://youtu.be/hyfRE_zGF9l)

**3. The July 12, 2017 Assembly Communications and Conveyance Committee** allowed 30 minutes of opposition testimony, including 12 minutes from EMS Californians. Please view the evidence of some of that June 28, 2017 testimony → <https://youtu.be/yW4jfyv2Fuw> and <https://youtu.be/okhwAdjYAOE>.

#### **Appendix J: Evidence of The Mistreatment of the Public In 2021 That Cannot Still Stand in 2023 Because There is No "Pandemic" Emergency Excuse**

Despite the following confirmation, the public's Opposition speaking time on July 8, 2021 was cut

to two speakers x two minutes each, for a total of four minutes as explained here -->

<https://youtu.be/46rsfsJmDR8>

**From:** Vargas, Itzel <[Itzel.Vargas@sen.ca.gov](mailto:Itzel.Vargas@sen.ca.gov)>  
**Date:** July 8, 2021 at 11:29 AM  
**To:** Paul McGavin <[pmcgavin@wirecalifornia.org](mailto:pmcgavin@wirecalifornia.org)>, Alex Krohn <[krohnalex82@gmail.com](mailto:krohnalex82@gmail.com)>, Senator McGuire <[Senator.McGuire@senate.ca.gov](mailto:Senator.McGuire@senate.ca.gov)>  
**CC:** "[drcherylscheurer@gmail.com](mailto:drcherylscheurer@gmail.com)" <[drcherylscheurer@gmail.com](mailto:drcherylscheurer@gmail.com)>, "Heckmann, Cassidy" <[Cassidy.Heckmann@asm.ca.gov](mailto:Cassidy.Heckmann@asm.ca.gov)>, "Favorini-Csorba, Anton" <[Anton.Favorini-Csorba@sen.ca.gov](mailto:Anton.Favorini-Csorba@sen.ca.gov)>, Mark Graham <[mark@keepcellantennasaway.org](mailto:mark@keepcellantennasaway.org)>, "Grinnell, Colin" <[Colin.Grinnell@SEN.CA.GOV](mailto:Colin.Grinnell@SEN.CA.GOV)>  
**Subject:** AB 537 - Senate Governance & Finance Committee Hearing

Confirmed that Alex Krohn [and Cheryl Scheurer] is speaking for 3 minutes each. No extra speakers, no extra time.

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**From:** Paul McGavin <[pmcgavin@wirecalifornia.org](mailto:pmcgavin@wirecalifornia.org)>  
**Sent:** Thursday, July 08, 2021 6:22 AM  
**To:** Vargas, Itzel <[Itzel.Vargas@sen.ca.gov](mailto:Itzel.Vargas@sen.ca.gov)>; Alex Krohn <[krohnalex82@gmail.com](mailto:krohnalex82@gmail.com)>; Senator McGuire <[Senator.McGuire@senate.ca.gov](mailto:Senator.McGuire@senate.ca.gov)>  
**Cc:** [drcherylscheurer@gmail.com](mailto:drcherylscheurer@gmail.com); Heckmann, Cassidy <[Cassidy.Heckmann@asm.ca.gov](mailto:Cassidy.Heckmann@asm.ca.gov)>; Favorini-Csorba, Anton <[Anton.Favorini-Csorba@sen.ca.gov](mailto:Anton.Favorini-Csorba@sen.ca.gov)>; Mark Graham <[mark@keepcellantennasaway.org](mailto:mark@keepcellantennasaway.org)>; Grinnell, Colin <[Colin.Grinnell@SEN.CA.GOV](mailto:Colin.Grinnell@SEN.CA.GOV)>  
**Subject:** Re: AB 537 - Senate Governance & Finance Committee Hearing

July 8, 2021

Dear Ms. Vargas,

I will be driving to Sacramento early this morning and will touch base with you via cell phone around 8:30 am. Please read my additional requests, below.

Vargas, Itzel wrote on 7/7/21 12:21 PM:

Our organization, Wire California, conducted a Zoom call last night to discuss the priorities for the last two weeks of the legislative session before the summer break that will start on July 16. During that call, Alex Krohn -- a very accomplished person who led the efforts of a capable group in Santa Rosa, CA to develop a protective wireless ordinance -- reminded me that his speaking spot at the May 17, 2021 Senate Appropriations hearing on SB.378 **was cancelled by the Committee staff less than one business day before the hearing.**

The committee staff was unresponsive for eight full days prior to that meeting -- entered into the public record here --> <https://youtu.be/6yeqL-y4kxM?t=566> -- a meeting in which we had



four Opposition speakers **scheduled – and all four were cancelled Committee staff less than one business day before the hearing.**

As a result, Alex was not yet been able to address the CA Legislators directly on the important matters of excessive RF Electromagnetic Microwave Radiation (RF-EMR) from Wireless Telecommunications Facilities (WTFs) with insufficiently regulated maximum power output that are being placed much too close to homes -- homes where we eat, sleep and now even work. This is why retaining local control over WTFs, as intended by the federal telecom statutes, is so important.

Alex knows our platform and messaging very well. I am confident that he can deliver a strong, relevant message to the Legislators in the deliberations of AB.537 in today's SGF hearing.

As long as it would not jeopardize Wire California keeping this Primary Opposition Speaker spot on Thu July 8 at the Senate Governance and Finance Committee, I would like to offer Alex my spot. We would **both show up in person** (I would do an in-person "Me Too") and I would be available as a back up, if the Chair cannot accommodate this change.

**Will you please confirm back to both Alex and me that this will work?**

- Alex Krohn <[krohnalex82@gmail.com](mailto:krohnalex82@gmail.com)>, 707-547-7945
- Paul McGavin <[pmcgavin@wirecalifornia.com](mailto:pmcgavin@wirecalifornia.com)>, 707-981-5522

**Also would the Chair please consider allowing three minutes per speaker?** Please let us know by email.

Also, [in 2017](#), when deliberating on SB.649, the Chair McGuire gave Electromagnetic Sensitive (EMS) Californians an additional two spots on Apr 26, 2017 to Mark Graham and myself (two speakers x 3 minutes each = **6 minutes**.)

- <https://scientists4wiredtech.com/2017/05/ca-senate-sb-649-april-26-testimony/>
- <https://youtu.be/naYx3OkEMGw>
- [https://youtu.be/Tk\\_MIDSozdk](https://youtu.be/Tk_MIDSozdk)

**Mark Graham and I would very much appreciate that same opportunity again today**, in addition to Alex's three minutes as a primary Opposition Speaker because John Name and Erika Contreras did not sufficiently conduct an interactive dialogue to grant a reasonable accommodation to members of the protected EMS disabled class from our still active and open ADA Reasonable request filed with Mr. Nam on April 16, 2021.

The current plan of just two speakers x 3 minutes each = **6 minutes . . . is far less** than the substantive public participation we achieved in 2017 against SB.649. In 2021 these are unjustified

"protocols" that violate the [Bagley-Keene](#) Act of 2004. Is just six minutes of Opposition a sufficient "seat at the table reserved for the public"? Clearly being reduced to just "me too" statements is not substantive communications and is disrespectful of the public.

#### **Purpose of Bagley-Keene Act**

"Rather than striving strictly for efficiency, it concludes that there is a **higher value to having a group of individuals with a variety of experiences, backgrounds and viewpoints come together to develop a consensus**. Consensus is developed through **debate, deliberation and give and take**. When the Legislature creates a multimember body, it is mandating that the government go through this consensus building process.

When the Legislature enacted the Bagley-Keene Act, the Legislature said that when a body sits down to develop its consensus, **there needs to be a seat at the table reserved for the public.** (§ 11120.)"

#### **CA Govt Code §11121.**

As used in this article, "state body" means each of the following:

(a) Every state board, or commission, or similar **multimember body** of the state that is created by statute **or required by law to conduct official meetings** and every commission created by executive order.

Thank you for your assistance.

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Regards,

**Paul McGavin**

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