

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 4, 2017

SECOND SESSION DAY

THIRTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of rollcall votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

(Corrected 1-30-17)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 4, 2017

The Assembly met at 1 p.m.
Hon. Kevin Mullin, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mayes moved a quorum call of the Assembly.
Motion carried. Time, 1:01 p.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 1:15 p.m., Speaker pro Tempore Mullin declared a quorum of the
Assembly present.

The rollcall was completed, and the following answered to their
names—76:

Acosta	Cooley	Harper	O'Donnell
Aguilar-Curry	Cooper	Holden	Patterson
Allen	Cunningham	Irwin	Quirk
Arambula	Dababneh	Jones-Sawyer	Quirk-Silva
Baker	Dahle	Kiley	Reyes
Berman	Daly	Lackey	Ridley-Thomas
Bloom	Eggman	Levine	Rodriguez
Bocanegra	Flora	Limón	Rubio
Bonta	Fong	Low	Salas
Brough	Frazier	Maienschein	Santiago
Caballero	Friedman	Mathis	Steinorth
Calderon	Gallagher	Mayes	Stone
Cervantes	Garcia, E.	McCarty	Thurmond
Chau	Gipson	Medina	Ting
Chávez	Gloria	Melendez	Voepel
Chen	Gomez	Mullin	Waldron
Chiu	Gonzalez Fletcher	Muratsuchi	Weber
Choi	Gray	Nazarian	Wood
Chu	Grayson	Obernolte	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Chaplain Rev. Bob Oshita and Assembly Alternate Chaplain Rev. Patti Oshita:

Reverend Bob Oshita:

Today we begin anew. Today is a fresh start. Today is a new beginning for the California State Assembly as we welcome in the New Year 2017. And today we break-in two rookie chaplains and we welcome new Members to the California State Assembly.

In opening our gathering today, let us close our eyes and together reflect on our shared new beginning.

Reverend Patti Oshita:

I remember the excitement and anticipation that came with the beginning of every new school term. I think we all might recall that feeling—looking forward to again seeing friends and classmates, and meeting new ones. And also quietly wondering what would the year ahead hold for us? What new lessons will we be learning together in the year ahead?

To this day, the brisk morning air still reminds me of that anxious enthusiasm I felt on those first days of school. Deep inside I was eager to simply do my best.

Although we are now grown and responsible adults, I like to think that if we could connect with our feelings—those feelings that live beneath the layers of the responsibilities we have accumulated over the years—we might find again, that eager and innocent anticipation we felt on our first day of school.

Reverend Bob Oshita:

Today we begin anew. Today is a fresh start. Today is a new beginning for the California State Assembly. As we greet old friends and meet new ones, we all quietly wonder what the year ahead may have in store for us—just as we felt each first day of school. Whatever may come our way, let us all simply continue to do our very best.

—Namo Amida Butsu, with kindness and gratitude beyond words.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Maienschein then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Calderon, seconded by Assembly Member Waldron.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Kalra.

Because of illness: Assembly Member Bigelow.

Because of a travel delay: Assembly Members Burke and Cristina Garcia.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 4, 2017

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have made the following appointments to the Assembly Rules Committee for the 2017–18 Regular Session:

Assemblymember Jordan Cunningham, Vice Chair
Assemblymember Bill Brough
Assemblymember Phillip Chen
Assemblymember Marie Waldron
Assemblymember Vince Fong, Republican Alternate

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

FIRST READING OF ASSEMBLY BILLS

The following bills were read the first time:

ASSEMBLY BILL NO. 56—Holden. An act relating to housing.

ASSEMBLY BILL NO. 57—Brough. An act relating to the National Guard.

ASSEMBLY BILL NO. 58—Travis Allen. An act to amend Section 5002.4 of the Public Resources Code, relating to the state park system.

ASSEMBLY BILL NO. 59—Thurmond. An act to amend Section 50843.5 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 60—Santiago and Gonzalez. An act to amend Sections 8263, 8263.1, and 8273.1 of the Education Code, and to amend Section 11323.2 of the Welfare and Institutions Code, relating to child care and development services.

ASSEMBLY BILL NO. 61—Holden. An act relating to workers' compensation.

ASSEMBLY BILL NO. 62—Wood. An act to add Section 104496 to the Health and Safety Code, relating to tobacco products.

ASSEMBLY BILL NO. 63—Frazier. An act to amend Section 12814.6 of the Vehicle Code, relating to driver's licenses.

ASSEMBLY BILL NO. 64—Bonta, Cooley, Jones-Sawyer, Lackey, and Wood. An act to amend Sections 19334, 26070, 26151, 26152, 26153, and 26154 of, to add Sections 14235.5 and 19322.5 to, and to add Article 12 (commencing with Section 19349) to Chapter 3.5 of Division 8 of, the Business and Professions Code, and to amend Section 11362.775 of the Health and Safety Code, relating to cannabis.

ASSEMBLY BILL NO. 65—Patterson. An act to amend Section 16965 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 66—Patterson. An act to amend Section 185033 of, and to add Section 185033.6 to, the Public Utilities Code, relating to high-speed rail.

ASSEMBLY BILL NO. 67—Rodriguez and Cervantes. An act relating to crimes.

ASSEMBLY BILL NO. 68—Mathis. An act to add Section 17225 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 69—Travis Allen. An act to amend Section 220 of the Streets and Highways Code, relating to state highways.

ASSEMBLY BILL NO. 70—Travis Allen (Coauthors: Chávez and Mathis). An act to add Section 409.16 to the Military and Veterans Code, relating to the California National Guard.

ASSEMBLY BILL NO. 71—Chiu (Coauthors: Mullin and Ting). An act to amend Sections 12206, 17058, 17225, and 23610.5 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 72—Santiago and Chiu (Coauthor: Mullin). An act relating to housing, and making an appropriation therefor.

ASSEMBLY BILL NO. 73—Chiu and Caballero (Coauthors: Mullin, Santiago, and Ting). An act to amend Section 65582.1 of, and to add Chapter 11 (commencing with Section 66200) to Division 1 of Title 7 of, the Government Code, and to add Chapter 4.3 (commencing with Section 21155.10) to Division 13 of the Public Resources Code, relating to land use.

ASSEMBLY BILL NO. 74—Chiu and Santiago (Coauthor: Mullin). An act to add Part 14.2 (commencing with Section 53590) to Division 31 of the Health and Safety Code, relating to housing, and making an appropriation therefor, to take effect immediately, bill related to the budget.

REQUEST FOR PHOTOGRAPHER

Assembly Members Lackey and Mayes were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118(a) SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Lackey was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting a guest to sit at his desk, whereupon he introduced his daughter Jani Lackey, and their family friend, Hannah Butler, who were seated in the rear of the Assembly Chamber.

ASSEMBLY RULE 118(a) SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Arambula was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting guests to sit at his desk.

ASSEMBLY RULE 118(a) SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Mayes was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber and on the Assembly Floor.

ADJOURN IN MEMORY

Assembly Members Bonta, Baker, Bloom, Grayson, Mullin, Quirk, Thurmond, Ting, and Speaker Rendon were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the 36 victims of the “Ghost Ship” warehouse fire in Oakland on December 2, 2016:

(Assembly Rule 45.5 suspended.)

Cash Askew of Oakland
Jonathan Bernbaum of Oakland
Em Bohlka of Oakland
Barrett Clark of Oakland
David Cline of Oakland
Micah Danemayer of Oakland
Billy Dixon of Oakland
Chelsea Dolan of San Francisco
Alex Ghassan of Oakland
Nick Gomez-Hall of Berkeley
Michela Gregory of South San Francisco
Sara Hoda of Walnut Creek
Travis Hough of Oakland
Johnny Igaz of Oakland
Ara Jo of Oakland
Donna Kellogg of Oakland
Amanda Kershaw of San Francisco
Edmond Lapine of Oakland
Griffin Madden of Berkeley
Joseph Matlock of Oakland
Jason McCarty of Oakland
Draven McGill of Dublin
Jennifer Mendiola of Oakland
Jennifer Morris of Foster City
Feral Pines of Berkeley
Vanessa Plotkin of Lakewood
Wolfgang Renner of Oakland
Hanna Ruax of Helsinki, Finland
Benjamin Runnels of Oakland
Nicole Siegrist of Oakland
Michele Sylvan of Oakland
Jennifer Kiyomi Tanouye of Oakland
Alex Vega of San Bruno
Peter Wadsworth of Oakland
Nick Walrath of Oakland
Brandon Chase Wittenauer of Hayward

ADJOURN IN MEMORY

Assembly Member Mayes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of members of the Palm Springs Police Department: Sergeant Jose “Gil” Vega of Palm Springs, and Officer Lesley Zerebny of Hemet.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

Republican Leader Mayes recognized Police Chief Bryan Reyes of the Palm Springs Police Department; and Officer Joseph Cook, also of the Palm Springs Police Department, and President of the Palm Springs Police Officers’ Association.

ADJOURN IN MEMORY

Speaker Rendon and Assembly Member McCarty were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the Honorable Alejandra Garcia Williams, Consul General of Mexico in Sacramento, resident of Sacramento.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

The Members of the Assembly joined Speaker pro Tempore Mullin in offering congratulations to Assembly Member Gonzalez Fletcher on the occasion of her recent marriage to Hon. Nathan Fletcher, former Member of the Assembly.

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Thursday, January 5, 2017, Floor Session, 9 a.m.;

Friday, January 6, 2017, No session.

ADJOURN IN MEMORY

Assembly Member Bloom was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Grant Tinker and Zsa Zsa Gabor, residents of Bel Air.

Assembly Member Dababneh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jose Armando Magana of Northridge.

Assembly Member Gipson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Deacon Willie Lee Prater of Los Angeles and Isadore “Issy” H. Washington of Carson.

Assembly Member O’Donnell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lisa Marie Naegle and Margarita Mojarro, residents of San Pedro.

Assembly Member Mark Stone was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jack Pellerin of Santa Maria.

MOTION TO ADJOURN

At 1:41 p.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Waldron seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:41 p.m., Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 75—Steinorth. An act to amend Section 17052 of the Revenue and Taxation Code, relating to earned income tax credit, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 76—Chau. An act relating to marijuana.

ASSEMBLY BILL NO. 77—Fong (Principal coauthor: Gallagher). An act to amend Sections 11343.4 and 11349.3 of the Government Code, relating to regulations.

ASSEMBLY BILL NO. 78—Cooper. An act to amend Section 652.5 of the Harbors and Navigation Code, relating to vessels.

ASSEMBLY BILL NO. 79—Levine. An act to add Section 25229 to the Public Resources Code, and to add Chapter 6 (commencing with Section 8400) to Division 4.1 of the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 80—Arambula. An act to add Article 4.8 (commencing with Section 66043) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 4—Ting (Coauthors: Bonta, Chau, Chen, Chiu, Choi, Chu, Fong, Gloria, Kalra, Low, and Muratsuchi) (Coauthors: Senators Nguyen and Pan). Relative to the Lunar New Year Celebration.

ASSEMBLY CONCURRENT RESOLUTION NO. 5—Holden and Weber (Coauthors: Burke, Cooper, Gipson, Jones-Sawyer, McCarty, Ridley-Thomas, and Thurmond) (Coauthors: Senators Bradford and Mitchell). Relative to Martin Luther King, Jr. Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Holden and Weber (Coauthors: Burke, Cooper, Gipson, Jones-Sawyer, McCarty, Ridley-Thomas, and Thurmond) (Coauthors: Senators Bradford and Mitchell). Relative to Black History Month.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor’s Office, Sacramento
January 3, 2017

*The Honorable Kevin de León
President pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, California*

*The Honorable Anthony Rendon
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Senator De León and Speaker Rendon:

Attorney General Kamala D. Harris was elected to Congress on November 8, 2016 and, on January 3, 2017, resigned her office as Attorney General of the State of California. Pursuant to Government Code Section 1770, subdivision(c)(1), this resignation creates an immediate vacancy in the office of the Attorney General of the State of California.

Pursuant to Article V, Section 5, subdivision (b) of the California Constitution and Section 1775 of the California Government Code, I hereby nominate the following person to fill the vacancy for the balance of the unexpired term:

Xavier Becerra
Los Angeles, California
United States House of Representatives
California Congressional Representative, 34th District

Pursuant to Section 1775 of the Government Code, the chief deputy to the Attorney General shall discharge the duties of that office until the vacancy is filled.

Sincerely,

EDMUND G. BROWN JR.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 4, 2017

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: I am referring the Governor’s nomination of Xavier Becerra to the office of Attorney General to the Special Committee on the Office of the Attorney General.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Special Committee on the Office of the Attorney General, on Tuesday, January 10, 2017, at 9 a.m., in Room 126.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 9 a.m., Thursday, January 5, 2017, out of respect to the memory of Cash Askew, Jonathan Bernbaum, Em Bohlka, Barrett Clark, David Cline, Micah Danemayer, Billy Dixon, Alex Ghassan, Travis Hough, Johnny Igaz, Ara Jo, Donna Kellogg, Edmond Lapine, Joseph Matlock, Jason McCarty, Jennifer Mendiola, Wolfgang Renner, Benjamin Runnels, Nicole Siegrist, Michele Sylvan, Jennifer Kiyomi Tanouye, Peter Wadsworth, and Nick Walrath of Oakland; Feral Pines, Nick Gomez-Hall, and Griffin Madden of Berkeley; Chelsea Dolan and Amanda Kershaw of San Francisco; Jennifer Morris of Foster City; Brandon Chase Wittenauer of Hayward; Vanessa Plotkin of Lakewood; Alex Vega of San Bruno; Michela Gregory of South San Francisco; Sara Hoda of Walnut Creek; Draven McGill of Dublin; and Hanna Ruax of Helsinki, Finland, on motion of Assembly Members Bonta, Baker, Bloom, Grayson, Mullin, Thurmond, Ting, and Speaker Rendon; out of respect to the memory of Sergeant Jose "Gil" Vega and Officer Lesley Zerebny of the Palm Springs Police Department on motion of Assembly Member Mayes; out of respect to the memory of Hon. Alejandra Garcia Williams, Consul General of Mexico in Sacramento, on motion of Speaker Rendon and Assembly Member McCarty; out of respect to the memory of Grant Tinker and Zsa Zsa Gabor on motion of Assembly Member Bloom; out of respect to the memory of Jose Armando Magana on motion of Assembly Member Dababneh; out of respect to the memory of Deacon Willie Lee Prater and Isadore "Issy" H. Washington on motion of Assembly Member Gipson; out of respect to the memory of Lisa Marie Naegle and Margarita Mojarro on motion of Assembly Member O'Donnell; and out of respect to the memory of Jack Pellerin on motion of Assembly Member Mark Stone.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk