

CALIFORNIA LEGISLATURE  
2021–22 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, January 12, 2021**

**THIRD SESSION DAY**

**THIRTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, January 12, 2021

The Assembly met at 7 a.m.  
Hon. Brian Maienschein, Assembly Member, 77th District,  
presiding.  
Chief Clerk Sue Parker at the Desk.  
Reading Clerk David A. Bowman reading.

#### ROLLCALL

The following were placed upon the morning rollcall—65:

Aguiar-Curry	Dahle	Levine	Rodriguez
Arambula	Daly	Low	Rubio
Bauer-Kahan	Davies	Maienschein	Santiago
Bennett	Flora	Mathis	Seyarto
Berman	Fong	Mayes	Smith
Bloom	Friedman	McCarty	Stone
Boerner Horvath	Gallagher	Medina	Ting
Bonta	Garcia, E.	Mullin	Valladares
Burke	Gipson	Nguyen	Villapudua
Calderon	Gray	O'Donnell	Voepel
Carrillo	Grayson	Patterson	Waldron
Chau	Holden	Petrie-Norris	Ward
Chen	Irwin	Quirk-Silva	Wood
Choi	Jones-Sawyer	Ramos	Mr. Speaker
Cooley	Kalra	Reyes	
Cooper	Lackey	Rivas, L.	
Cunningham	Lee	Rivas, R.	

Quorum present.

**At 11:33 a.m., Hon. Rebecca Bauer-Kahan, 16th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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 Members Cristina Garcia, Gonzalez, Muratsuchi, and Wicks.*

*Because of illness in their families: Assembly Members Cervantes and Salas.*

*Because of a death in her family: Assembly Member Kamlager.*

*On medical leave: Assembly Members Bigelow, Chiu, Frazier, Gabriel, Nazarian, and Weber.*

*On medical leave, and waiving per diem: Assembly Member Quirk.*

The following Assembly Member was not excused for the day:

*Not excused, and per diem waived: Assembly Member Kiley.*

**COMMUNICATIONS**

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

January 12, 2021

*Sue Parker*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Ms. Parker: Please be advised that the Assembly Committee on Rules met on January 11, 2021, and approved the following items:

- Assembly Standing Committee Jurisdictions for the 2021–22 Legislative Session (11–0)
- Appointment of Debra Gravert as the Chief Administrative Officer of the Assembly for the 2021–22 Legislative Session (11–0)
- 2021 Assembly Holiday Schedule (11–0)

The roll call, committee jurisdictions, and holiday schedule are enclosed.

Sincerely,

KEN COOLEY, Chair  
Assembly Rules Committee

**ASSEMBLY STANDING COMMITTEES**

Accountability and Administrative Review  
 Aging and Long-Term Care  
 Agriculture  
 Appropriations  
 Arts, Entertainment, Sports, Tourism, and Internet Media  
 Banking and Finance  
 Budget  
 Business and Professions  
 Communications and Conveyance  
 Education  
 Elections  
 Emergency Management  
 Environmental Safety and Toxic Materials  
 Governmental Organization  
 Health  
 Higher Education  
 Housing and Community Development  
 Human Services  
 Insurance  
 Jobs, Economic Development, and the Economy  
 Judiciary  
 Labor and Employment  
 Local Government  
 Military and Veterans Affairs  
 Natural Resources  
 Privacy and Consumer Protection  
 Public Employment and Retirement  
 Public Safety  
 Revenue and Taxation  
 Rules  
 Transportation  
 Utilities and Energy  
 Water, Parks, and Wildlife

**Standing Committee Jurisdictions**

*Accountability and Administrative Review*  
 Administrative Procedure Act and Office of Administrative Law  
 Governmental efficiency and cost control  
 Property acquisition law  
 Property acquisition, state and local  
 State governmental organization and reorganization  
 State printing and binding contracts  
 State procurement

*Aging and Long-Term Care*  
 Area Agencies on Aging  
 Department of Aging  
 Long-term care services  
 Older Americans Act  
 Older Californians Act  
 Senior citizens advocacy activities  
 Senior Legislature  
 Services for seniors in residential and day settings  
 State Commission on Aging

*Agriculture*

- Agricultural commissions
- Agricultural commodities
- Department of Food and Agriculture
- Expositions and fairs
- Farmers markets
- Food access
- Food labeling
- Labeling of agricultural commodities
- Livestock and poultry
- Marketing orders and agreements
- Milk and milk products
- Pest management
- Veterinarians: agricultural issues

*Appropriations*

- Deficiency bills
- Fiscal bills
- General obligation bond acts
- Judgment and settlement bills
- Revenue bonds
- State mandated claims bills

*Arts, Entertainment, Sports, Tourism, and Internet Media*

- Arts
- Athletics, State Athletic Commission
- Entertainment
- Internet Media
- Motion picture industry
- Museums
- Tourism

*Banking and Finance*

- California Pollution Control Financing Authority
- Charitable and cooperative corporation law
- Consumer finance and credit reporting
- Corporate securities law
- Financial institutions
- Foreign banking
- Foreign investments in California financial institutions
- Formation of new corporate entities
- Franchises, except for arbitration of disputes between franchisor/franchisee
- Industrial development bonds
- Insurance finance and lending practices
- Real property finance
- State investment practices

*Budget*

- Bills which establish state budget policy and procedures
- Budget bill
- Budget trailer bills which are not referred to a policy committee
- Current fiscal year appropriations for new projects

*Business and Professions*

Creation of new regulatory agencies under the jurisdiction of  
the Department of Consumer Affairs  
Department of General Services  
Licensing of health care professionals  
Occupational licensing  
Product labeling, except agricultural and medical  
Sunsetting of boards and commissions under the jurisdiction of  
the Department of Consumer Affairs  
Veterinarians: licensing issues  
Vocational education

*Communications and Conveyance*

Broadband  
Cable, Digital Infrastructure and Video Competition Act  
Charter party carriers  
Common carriers  
Limousines  
Passenger stage corporations  
Supplier diversity related to CPUC regulated telecommunications  
Telecommunications  
Transportation Network Companies

*Education*

Adult education  
Certificated employees of schools and teacher salaries  
Charter schools  
K-12 education  
Leasing of school property  
Pupil records  
School buses and crossing guards  
School facilities and finance

*Elections*

California Political Reform Act  
Campaign finance  
Elections  
Redistricting Procedures

*Emergency Management*

California Emergency Services Act  
Emergency communications: alerts and evacuation procedures  
Emergency Medical Services Authority: statewide disaster  
coordination and response  
Emergency services, excluding medical emergencies  
Fire prevention and suppression programs  
Fire safety, excluding residential building standards  
Governor: State of Emergency Declarations and Executive Orders  
Mutual Aid System: coordination and mobilization of resources  
Natural disaster response  
Office of Emergency Services  
State Fire Marshal

*Environmental Safety and Toxic Materials*

Department of Pesticide Regulation  
Drinking water regulation, toxic contamination of water  
Emergency response relating to hazardous materials  
Hazardous waste regulation and remediation  
Pesticides  
Pesticides: processed food and public health  
Proposition 65  
Regulation of consumer products containing toxic substances under  
the Sherman Food, Drug and Cosmetics Law  
Toxic air contaminants and indoor air quality  
Toxic substances and hazardous materials, except for  
workplace safety  
Underground storage tank regulation and cleanup

*Governmental Organization*

Alcoholic Beverage Control  
Gaming  
Horse racing  
Offices of the Governor, Lieutenant Governor, State Controller, and  
State Treasurer  
Open meetings laws as they affect state government  
Outdoor Advertising Act  
State Fire Marshal: Licensing, regulation, and disposal of fireworks  
State holidays, seals, and official acts  
State Lottery  
Tobacco products

*Health*

Alcohol and drug abuse treatment  
Developmental disabilities: insurance coverage  
Emergency Medical Services Authority  
Health care  
Hospital management and safety  
Licensing of hospitals and health care facilities  
Mental health, except mentally disordered offenders  
Prescriptions  
Public health programs  
Tobacco products

*Higher Education*

Academic research partnerships with the private sector  
Community college job training programs  
Postsecondary education, financial aid and campuses

*Housing and Community Development*

Condominium conversions  
Discrimination in housing  
Housing element  
Housing rehabilitation  
Mobile homes  
Public finance of housing  
Redevelopment  
Rent control  
Residential building standards  
Structural fire safety  
Subdivision Map Act re: housing

*Human Services*

- Children's programs and services
- Department of Social Services programs
- Foster care
- Licensing and regulation of community & child care facilities
- Public assistance (General Assistance, CalWORKs, and SSI/SSP)
- Services for people with developmental disabilities
- Services for people with physical disabilities

*Insurance*

- Disability insurance
- Insurance
- Insurance investment, excluding finance, lending and lending practices
- Unemployment compensation
- Vehicle financial responsibility
- Workers' compensation

*Jobs, Economic Development, and the Economy*

- Business advocacy
- California-Mexico relations
- California's overseas trade offices
- Development and expansion of new technologies, except energy
- Disabled Veteran Business Enterprise Program (DVBE)
- Economic disaster relief
- Economic impact reports
- Effect of balance of trade issues on California
- Expansion of overseas markets
- Foreign investments
- Governor's Office of Business & Economic Development
- Impacts of federal budget on high tech projects
- Industrial innovation and research
- International trade
- Intrastate commerce
- Seaports
- Sister state agreements and friendship agreements with other nations
- Small business
- State and local economic development
- Women and minority business enterprises (WMBE)

*Judiciary*

- Administration of justice and court personnel
- Administrative procedure
- Adoptions
- Arbitration of disputes between franchisor/franchisee
- Civil Code
- Code of Civil Procedure
- Condemnation
- Confidentiality of court records
- Eminent Domain
- Enforcement of judgments
- Evidence Code, excluding criminal procedure
- Family law
- Landlord/tenant relations
- Legal notices
- Liens



- Notary Public
- Probate Code
- Product liability
- Property acquisition (private property acquired by state agency)
- Public administration of estates
- Public records and Public Records Act
- State Bar
- Tort liability
- Trade restraints

*Labor and Employment*

- Agricultural Labor Relations Act
- Discrimination in employment
- Employment Development Department
- Unemployment insurance—length of coverage
- Workplace safety regulations and Cal-OSHA

*Local Government*

- City, County and Special District Organization, Powers and Duties
- City and County general plans, land use, and housing element
- Joint Exercise of Powers Act
- Local Agency Formation Commissions (LAFCOs)
- Local Government Finance, including general and special taxes, property taxes, fees, charges, and assessments
- Open Meetings (Ralph M. Brown Act)

*Military and Veterans Affairs*

- Cal-Vet loan program
- Department of Veterans Affairs
- National Guard
- State military
- Veterans

*Natural Resources*

- Air quality
- Beverage Container Recycling Act
- California Coastal Act
- California Coastal Commission
- California Environmental Quality Act, and assessment of environmental impacts
- Climate change
- Department of Conservation programs
- Energy conservation, research, development, and demonstration and siting of power plants
- Forestry
- Harbors
- Natural Community Conservation Planning Act (land use planning)
- Oil Spill Prevention and Response Act
- San Francisco Bay Conservation and Development Commission
- Solid waste management, except hazardous substances
- State lands
- State conservancies
- Stationary source air pollution
- Subdivision Map Act re: timber, coastal, agricultural land use
- Tidelands and submerged lands
- Vessel traffic management systems (VTMS)
- Wild and scenic rivers

*Privacy and Consumer Protection*

- Charitable solicitation
- Consumer protection
- Department of Technology
- False advertising
- Information Technology
- Privacy
- Protection of personal information including but not limited to digital information
- Security of data
- Weights and measures

*Public Employment and Retirement*

- Public employee collective bargaining
- Public employment: state, local, and classified school employees
- Public retirement administration and investment strategy

*Public Safety*

- Asset forfeiture
- Controlled substances
- Crime victims and restitution
- Criminal procedure
- Driving under the influence
- Felony offenses and those misdemeanor violations not incidental to the subject of another committee
- Grand juries
- Impoundment of vehicles
- Inspection of stolen vehicles
- Juvenile law
- Peace officers
- Penal Code
- Qualifications of counsel in criminal matters
- Youth authority and prisons—construction and discipline

*Revenue and Taxation*

- All matters relating to taxation

*Rules*

- Business of the Legislature

*Transportation*

- California Highway Patrol
- Drivers' licenses
- Highways and airports
- Mass transit systems
- Mobile sources of air pollution
- School bus safety and maintenance
- Seaports and physical infrastructure
- Transit authority
- Transportation financing
- Vehicles, aircraft, and vessels: operation, safety, equipment, transfer of ownership, licensing and registration
- Vehicle weight restrictions

*Utilities and Energy*

California Energy Commission  
 California Independent System Operator  
 California Public Utilities Commission (CPUC)  
 CPUC oversight and reform  
 Electric generation: biogas, biomass, coal, geothermal, hydroelectric,  
   natural gas, nuclear, renewables, solar, and wind  
 Electric grid  
 Energy efficiency, energy conservation, and demand response  
 Energy service providers  
 Energy storage  
 Natural Gas  
 Power plant siting  
 Railroads  
 Supplier diversity related to CPUC regulated energy, water, and  
   railroad  
 Utility rates: electric, gas, water, and vessels  
 Water utilities

*Water, Parks, and Wildlife*

Department of Water Resources  
 Drought relief  
 Fish and game  
 Flood control  
 Native plants  
 Natural Community Conservation Planning Act  
 Parks and recreation  
 State Historical Resources Commission  
 State Water Resources Control Board  
 Stream resource management  
 Water and water supply planning  
 Water rights and water banks  
 Wildlife

**2021 ASSEMBLY HOLIDAY SCHEDULE**

The following are proposed holidays to be observed by the Assembly in 2021:

Friday, January 1—*New Year's Day* (previously adopted in 2020)  
 Monday, January 18—*Martin Luther King, Jr. Day*  
 Monday, February 15—*Presidents' Day*  
 Wednesday, March 31—*César Chávez Day*  
 Monday, May 31—*Memorial Day*  
 Friday, July 2—*Independence Day*  
 Monday, September 6—*Labor Day*  
 Thursday, November 11—*Veterans Day*  
 Thursday and Friday, November 25 and 26—*Thanksgiving*  
 Thursday and Friday, December 23 and 24—*Winter Holiday*  
 Thursday and Friday, December 30 and 31—*New Year Holiday*

In addition, the Rules Committee has authorized Assembly employees to take two personal holidays at any time during the year with the approval of the Assembly Member.

### SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Health, on Tuesday, February 16, 2021, upon adjournment of Floor Session, in the Assembly Chamber;

Health, on Tuesday, March 2, 2021, at 1:30 p.m., in the Assembly Chamber.

### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 227—Davies.** An act to add Section 85323 to the Government Code, relating to the Political Reform Act of 1974.

**ASSEMBLY BILL NO. 228—Rodriguez.** An act to amend Section 496 of the Penal Code, relating to theft.

**ASSEMBLY BILL NO. 229—Holden.** An act to amend Sections 7583.3 and 7587.9 of and to amend, repeal, and add Sections 7542, 7574.18, 7583.5, 7583.6, 7583.7, 7583.10, 7585, 7585.6, 7596, 7596.3, 7598.1, 7598.2, 7598.3, 7599.37, and 7599.38 of the Business and Professions Code, relating to professions.

**ASSEMBLY BILL NO. 230—Voepel.** An act to amend Section 510 of, and to add Section 511.5 to, the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 231—Nguyen.** An act to amend Section 2778 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 232—Gallagher and Mathis (Coauthors: Chen and Smith).** An act to amend Section 38010 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 233—Boerner Horvath and McCarty.** An act to add Section 66206 to the Education Code, relating to public postsecondary education.

**ASSEMBLY BILL NO. 234—Ramos.** An act to amend Section 131300 of the Health and Safety Code, relating to public health.

**ASSEMBLY BILL NO. 235—Gipson (Coauthors: Kalra and Santiago) (Coauthor: Senator Bradford).** An act to add Chapter 10.5 (commencing with Section 49650) to Part 27 of Division 4 of Title 2 of the Education Code, relating to pupils.

The following resolution was offered:

**ASSEMBLY JOINT RESOLUTION NO. 4—Cristina Garcia (Coauthors: Bennett, Friedman, Lorena Gonzalez, Holden, Quirk, and Luz Rivas) (Coauthors: Senators Allen, Eggman, Stern, Wieckowski, and Wiener).** Relative to the Basel Convention.

### AUTHOR'S AMENDMENTS Committee on Education

January 12, 2021

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 10

Assembly Bill No. 104

With author's amendments with the recommendation: Amend, and re-refer to the committee.

O'DONNELL, Chair

**ASSEMBLY BILL NO. 10—**An act to amend Sections 43502, 43503, and 43504 of the Education Code, relating to pupil instruction, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**ASSEMBLY BILL NO. 104**—An act relating to pupil instruction.

Bill read second time.

Author’s amendments, presented pursuant to Assembly Rules, read and adopted; bills ordered reprinted, and to be re-referred to the committee.

**Committee on Housing and Community Development**

January 12, 2021

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 16

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CHIU, Chair

**ASSEMBLY BILL NO. 16**—An act relating to tenancies.

Bill read second time.

Author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

January 12, 2021

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 71

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CHIU, Chair

**ASSEMBLY BILL NO. 71**—An act relating to homelessness.

Bill read second time.

Author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**Committee on Public Safety**

January 12, 2021

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 17

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

JONES-SAWYER, Chair

**ASSEMBLY BILL NO. 17**—An act relating to employment.

Bill read second time.

Author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 79**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 80**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 81**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 82**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 83**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 84**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 85**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 86**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 87**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 88**—An act relating to the Budget Act of 2021.  
Bill read second time, and ordered to third reading.

**ASSEMBLY CONCURRENT RESOLUTION NO. 2**—Relative to Korean American Day.

Resolution read, and ordered to third reading.

**ASSEMBLY CONCURRENT RESOLUTION NO. 8**—Relative to Reverend Dr. Martin Luther King, Jr.

Resolution read, and ordered to third reading.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 12, 2021

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 8

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, January 12, 2021

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 79

Assembly Bill No. 80

Assembly Bill No. 81

Assembly Bill No. 82

Assembly Bill No. 83

Assembly Bill No. 84

Assembly Bill No. 85

Assembly Bill No. 86

Assembly Bill No. 87

Assembly Bill No. 88

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bills ordered returned to second reading file.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 13, 2021.

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ANTHONY RENDON, Speaker

TAMMY WEIS, Assistant Minute Clerk

## **AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 12, 2021**

The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
10	2102402
16	2102973
17	2102265
71	2103538
104	2102751

**Daily Total:            5**

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