

CALIFORNIA LEGISLATURE
2021–22 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 18, 2022

ONE HUNDRED THIRTY-FIRST SESSION DAY

FOUR HUNDRED EIGHTH 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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 18, 2022

The Assembly met at 1 p.m.
Hon. Kevin Mullin, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk Sue Parker at the Desk.
Chief Clerk Sue Parker reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Flora moved a quorum call of the Assembly.
Motion carried. Time, 1:09 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 1:17 p.m., Speaker pro Tempore Mullin declared a quorum of the
Assembly present.

The rollcall was completed, and the following answered to their
names—66:

Aguiar-Curry	Davies	Maienschein	Rubio
Arambula	Flora	Mathis	Salas
Bauer-Kahan	Fong	McCarty	Santiago
Bennett	Gabriel	Medina	Seyarto
Berman	Gallagher	Mullin	Smith
Bigelow	Garcia, C.	Muratsuchi	Stone
Bloom	Gipson	Nazarian	Ting
Boerner Horvath	Gray	Nguyen	Valladares
Bonta, M.	Grayson	O'Donnell	Villapudua
Bryan	Irwin	Patterson	Waldron
Burke	Jones-Sawyer	Petrie-Norris	Ward
Calderon	Kalra	Quirk	Weber, A.
Cervantes	Kiley	Quirk-Silva	Wicks
Cooley	Lackey	Ramos	Wood
Cunningham	Lee	Rivas, L.	Mr. Speaker
Dahle	Levine	Rivas, R.	
Daly	Low	Rodriguez	

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Chaplain Imam Mohammad Yasir Khan:

In the name of God, the most gracious, the most merciful.
Almighty God, We ask that Your grace and blessing be bestowed upon the men and women who have been called to serve our State in this Chamber.

Help them to represent their constituents wisely with an eye toward safeguarding the deeper truths of human life that come only from You.

Bless the regions that they represent. Bless our country. Help our legislators to enact laws that will uphold the values of peace and justice in our land and throughout the world. We ask this in God's name.—*Ameen*.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Fong 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 Ward, seconded by Assembly Member Flora.

LEAVES OF ABSENCE FOR THE DAY

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

Because of illness, per diem waived for the 2021–22 Session (Assembly Journal, page 76): Assembly Member Cooper.

Because of illness: Assembly Members Chen, Choi, and Holden.

On paternity leave: Assembly Member Mayes.

On medical leave: Assembly Members Carrillo, Friedman, Eduardo Garcia, Reyes, and Voepel.

COMMUNICATIONS

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

January 18, 2022

Sue Parker

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

Dear Ms. Parker: Please be advised that I have appointed Assemblymember Vince Fong to replace Assemblymember Randy Voepel on the Assembly Local Government Committee for the Wednesday, January 19 hearing only.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Agriculture, to convene jointly with the Select Committee on Ports and Goods Movement, on Wednesday, February 2, 2022, at 9 a.m., in Room 126;

Budget Subcommittee No. 2 on Education Finance, on Monday, February 14, 2022, upon adjournment of Floor Session, in Room 444.

REPORTS

The following letter of transmittal was presented by the Speaker and ordered printed in the Journal:

California State Auditor

2021-602
January 18, 2022

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As authorized by state law, my office conducted a state high-risk audit of the State's information security. Our assessment focused on the California Department of Technology's (CDT) oversight of information security for state entities within the executive branch that are under the Governor's direct authority (reporting entities). For entities that fall outside of CDT's purview (nonreporting entities), we evaluated their compliance with their selected security standards. The following report details our conclusion that the State's approach to oversight has limited its progress toward ensuring the security of its information.

We found that CDT has yet to establish an overall statewide information security status for the State's 108 reporting entities. CDT relies on compliance audits and technical security assessments to summarize each reporting entity's information security development into a single score, called a *maturity metric*. However, because CDT was slow to complete compliance audits, it only calculated 18 of the 39 maturity metric scores it should have determined by June 2021. Despite being aware of shortcomings with its approach, CDT failed to expand its capacity to perform compliance audits.

Moreover, even though CDT requires reporting entities to complete various self-assessments of their information security each year, it does not use this information to inform the statewide security status. Nonetheless, the information CDT does have shows that reporting entities continue to perform below recommended standards, and have not improved over the last several years. However, CDT has not taken critical steps to help reporting entities improve, such as holding them accountable for identifying potential risks to their critical information systems.

Finally, we surveyed 32 nonreporting entities and found that they also have not adequately addressed their information security. Although 29 of the 32 nonreporting entities have adopted an information security framework or standards, only four reported that they achieved full compliance with their chosen framework or standards. We previously noted that some nonreporting entities have an external oversight framework that requires them to assess their information security regularly. In fact, we found that nonreporting entities with external oversight were generally further along in their information security development. Accordingly, we recommended that the Legislature create an oversight structure for all nonreporting entities.

Respectfully submitted,

MICHAEL S. TILDEN, CPA
Acting California State Auditor

Above report referred to the Committee on Privacy and Consumer Protection.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 18, 2022

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

Assembly Bill No. 676

Assembly Bill No. 933

Assembly Bill No. 1410

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bills re-referred to committee.

NOTICE OF INTENTION TO REMOVE BILLS FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Rodriguez announced his intention to request that Assembly Bills Nos. 524, 551, and 662 be removed from the inactive file.

REQUEST FOR PHOTOGRAPHER

Assembly Member Salas was granted unanimous consent that photographers be permitted on the Floor of the Assembly.

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

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

SPECIAL RECOGNITION

Assembly Member Salas was joined by the Members of the Assembly in recognizing Elaine Howle for her 38 years of dedicated and exceptional service to the state of California and the California State Assembly, with 21 of those years as California's State Auditor, where she served the best interests of the citizens of California.

Assembly Members Gipson, Blanca Rubio, Patterson, Gray, McCarty, Petrie-Norris, Jones-Sawyer, Quirk-Silva, Cristina Garcia, Nazarian, and Cooley joined Assembly Member Salas, who extended best wishes to Elaine Howle upon the occasion of her retirement from state service, whereupon Assembly Member Salas presented a Members' Resolution.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 57—An act to add and repeal Section 11376.6 of the Health and Safety Code, relating to controlled substances.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Public Safety.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 18, 2022

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

Assembly Concurrent Resolution No. 120

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above resolution ordered to the Consent Calendar.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY CONCURRENT RESOLUTION NO. 112 (Grayson)—Relative to Positive Parenting Awareness Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 112**

Upon request of Assembly Member Grayson, the following Members were permitted to be listed as additional coauthors of Assembly Concurrent Resolution No. 112.

Additional Coauthors

The following Assembly Members requested to be listed as additional coauthors:

Aguiar-Curry, Bauer-Kahan, Bennett, Berman, Bigelow, Bloom, Mia Bonta, Bryan, Burke, Calderon, Cervantes, Cooley, Cunningham, Megan Dahle, Daly, Davies, Fong, Gabriel, Gallagher, Gipson, Gray, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Levine, Low, Maienschein, Mathis, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Rendon, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Ward, Wicks, and Wood.

Request for Unanimous Consent

Assembly Member Grayson was granted unanimous consent to take up Assembly Concurrent Resolution No. 112, as revised, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 112, as Revised

ASSEMBLY CONCURRENT RESOLUTION NO. 112—Relative to Positive Parenting Awareness Month.

Resolution read, as revised, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

ASSEMBLY BILL NO. 921 (McCarty)—An act to amend Sections 65865.5, 65962, and 66474.5 of, and to add Section 65962.2 to, the Government Code, to add Sections 12670.5 and 50600.1 to the Water Code, and to add Section 1.5 to Chapter 100 of the Statutes of 1911, relating to flood protection.

Bill read third time, and passed by the following vote:

AYES—56

Aguiar-Curry	Daly	Maienschein	Rodriguez
Arambula	Davies	Mathis	Rubio
Bauer-Kahan	Gabriel	McCarty	Salas
Bennett	Garcia, C.	Medina	Santiago
Berman	Gipson	Mullin	Stone
Bloom	Gray	Muratsuchi	Ting
Boerner Horvath	Grayson	Nazarian	Valladares
Bonta, M.	Irwin	O'Donnell	Villapudua
Bryan	Jones-Sawyer	Patterson	Waldron
Burke	Kalra	Petrie-Norris	Ward
Calderon	Lackey	Quirk-Silva	Weber, A.
Cervantes	Lee	Ramos	Wicks
Cooley	Levine	Rivas, L.	Wood
Cunningham	Low	Rivas, R.	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next rollcall would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 732 (Quirk)—An act to amend Section 25163 of the Health and Safety Code, relating to hazardous waste.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar rollcall.)*

Consent Calendar Rollcall

The roll was called, and the preceding bill on the Consent Calendar passed by the following vote:

AYES—66

Aguiar-Curry	Davies	Maienschein	Rubio
Arambula	Flora	Mathis	Salas
Bauer-Kahan	Fong	McCarty	Santiago
Bennett	Gabriel	Medina	Seyarto
Berman	Gallagher	Mullin	Smith
Bigelow	Garcia, C.	Muratsuchi	Stone
Bloom	Gipson	Nazarian	Ting
Boerner Horvath	Gray	Nguyen	Valladares
Bonta, M.	Grayson	O'Donnell	Villapudua
Bryan	Irwin	Patterson	Waldron
Burke	Jones-Sawyer	Petrie-Norris	Ward
Calderon	Kalra	Quirk	Weber, A.
Cervantes	Kiley	Quirk-Silva	Wicks
Cooley	Lackey	Ramos	Wood
Cunningham	Lee	Rivas, L.	Mr. Speaker
Dahle	Levine	Rivas, R.	
Daly	Low	Rodriguez	

NOES—None

ADJOURN IN MEMORY

Assembly Members Kalra and Quirk-Silva were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Patrick Henning, Sr. of Sacramento.

(Assembly Rule 45.5 suspended.)

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 731 was continued until Thursday, January 20, 2022.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:08 p.m., without objection, Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

ADJOURN IN MEMORY

Assembly Members Gray and Flora were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pastor Adrian Condit of Ceres.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Medina was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Lulamae Clemons of Riverside.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Wednesday, January 19, 2022, Check-in Session, 7 a.m.–3 p.m.;
Thursday, January 20, 2022, Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard “Dick” Gee of Belmont.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following item:

Assembly Bill No. 921: McCarty—Aye.

MOTION TO ADJOURN

At 2:14 p.m., Assembly Member Mia Bonta moved that the Assembly do now adjourn.

Assembly Member Gabriel seconded the motion.

Motion carried.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1660—Nguyen. An act to add Section 3018.5 to the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1661—Davies. An act to amend Section 52.6 of the Civil Code, relating to human trafficking.

ASSEMBLY BILL NO. 1662—Gipson. An act to amend Section 480 of the Business and Professions Code, relating to professions and vocations.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 122—Seyarto and Rodriguez (Principal coauthors: Chen, Choi, Flora, Fong, Lackey, Levine, Medina, Nguyen, Reyes, Smith, and Villapudua) (Principal coauthors: Senators Dahle, Dodd, Grove, Jones, Newman, Nielsen, Portantino, and Wiener). Relative to California Firefighter Appreciation Month and California Firefighters Memorial Day.

MESSAGES FROM THE SENATE

Senate Chamber, January 18, 2022

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 225
Senate Bill No. 444
Senate Bill No. 450
Senate Bill No. 502

Senate Bill No. 542
Senate Bill No. 543
Senate Bill No. 656
Senate Bill No. 748

ERIKA CONTRERAS, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 225—An act to amend Section 17570 of the Business and Professions Code, relating to vending machines.

SENATE BILL NO. 444—An act to add Section 17131.13 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

SENATE BILL NO. 450—An act to add and repeal Section 13142.5 of the Health and Safety Code, relating to fire protection.

SENATE BILL NO. 502—An act to amend Sections 25251, 25252, and 25253 of, and to add Sections 25253.6, 25253.7, and 25253.9 to, the Health and Safety Code, relating to hazardous materials.

SENATE BILL NO. 542—An act to add and repeal Section 6377.2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

SENATE BILL NO. 543—An act to add Article 15 (commencing with Section 11149) to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state agencies.

SENATE BILL NO. 656—An act to amend Section 9.4 of Chapter 819 of the Statutes of 1971, relating to water.

SENATE BILL NO. 748—An act to amend Sections 626, 626.2, 626.4, and 626.6 of the Penal Code, relating to trespass, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Mia Bonta, the Assembly adjourned until 7 a.m., January 19, 2022, out of respect to the memory of Patrick Henning, Sr. on motion of Assembly Members Kalra and Quirk-Silva; out of respect to the memory of Pastor Adrian Condit on motion of Assembly Members Gray and Flora; out of respect to the memory of Dr. Lulamae Clemons on motion of Assembly Member Medina; and out of respect to the memory of Richard “Dick” Gee on motion of Assembly Member Mullin.

ANTHONY RENDON, Speaker

TAMMY WEIS, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 18, 2022**

The following measure was amended in the Assembly on this day:

SB RN
57 2203409

Daily Total: 1

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