

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 19, 2017

ELEVENTH SESSION DAY

FORTY-SIXTH 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
Thursday, January 19, 2017

The Assembly met at 9 a.m.
Hon. Kevin Mullin, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk David A. Bowman reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Calderon moved a quorum call of the Assembly.
Motion carried. Time, 9:02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:10 a.m., Speaker pro Tempore Mullin declared a quorum of the
Assembly present.

The rollcall was completed, and the following answered to their
names—69:

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

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Guest Chaplain Imam Mohamed Abdul-Azeez:

Almighty God, We stand here as Your humble worshipers. We mention Your name and celebrate Your praises. We thank You for the grace that You have bestowed upon us. We express to You our utmost gratefulness for the blessings we know and the blessings we know not.

On this day, we ask You to bring us closer to each other as one community, to strengthen us and unite us, to make us stronger with our diversity and variations. On this evening, we ask You, Lord, to strengthen our leaders, to inspire their hearts, and to increase their resolve to do good by us and the world!

Lord, help our elected leaders, right here at the California Assembly, to be the leaders that we need at this crossroads of our history—inspiring, empathetic, wise, able, and strong—to help us stay together as one community in the face of adversity; to help us grow and thrive; to protect our civil liberties and our freedoms; to enable our families and our institutions; to empower the weak and aid the disenfranchised; to stand up against the tyranny of the powerful and the overreaching of the privileged; to be a voice for the voiceless and a source of hope for the hopeless.

Almighty God, despite the terrifying challenges that we face in our world today, we ask You to keep our hearts strong so that we never despair, to keep our bonds of brotherhood and sisterhood intact so that they never break. Make us catalysts of good, and allow us to be the change that we want to see in the world around us.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Kiley 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 Gipson, seconded by Assembly Member Baker.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Arambula.

On personal business, and waiving per diem: Assembly Members Travis Allen, Brough, Caballero, Flora, Fong, Mayes, Melendez, Obernolte, and Patterson.

Because of illness: Assembly Member Gray.

(NOTE: For letter explaining the absence of Assembly Member Arambula on this day on legislative business, pursuant to the Assembly Rules, see Assembly Journal for January 18, 2017.)

REFERRAL OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly**Bill No.**Committee*

1	-----	Trans. and Nat. Res.
2	-----	Pub. S.
3	-----	Pub. S. and Hum. S.
4	-----	E. & R.
5	-----	L. & E.
6	-----	Pub. S.
8	-----	W.,P., & W.
9	-----	Rev. & Tax.
10	-----	Ed. and H. & C.D.
12	-----	A. & A.R.
13	-----	Trans.
14	-----	E. & R.
15	-----	Health
16	-----	Pub. S.
17	-----	Trans.
18	-----	W.,P., & W.
19	-----	Higher Ed.
20	-----	P.E.,R., & S.S.
21	-----	Higher Ed. and Jud.
22	-----	P.E.,R., & S.S.
23	-----	Ed.
24	-----	Ed.
27	-----	Pub. S.
28	-----	Trans. and Jud.
30	-----	L. Gov. and H. & C.D.
31	-----	Jud. and Rls.
32	-----	A. & A.R.
37	-----	Ed.
40	-----	B. & P. and Pub. S.
41	-----	Pub. S.
43	-----	Rev. & Tax.
44	-----	Ins.
45	-----	H. & C.D. and Ed.
47	-----	Budget
48	-----	Budget
49	-----	Budget
50	-----	Budget
51	-----	Budget
52	-----	P.E.,R., & S.S.
53	-----	H. & C.D. and Rev. & Tax.
54	-----	Rev. & Tax.
55	-----	L. & E.
59	-----	H. & C.D.
60	-----	Hum. S.
62	-----	H. & C.D.
63	-----	Trans.
65	-----	Trans.
66	-----	Trans.
68	-----	Ed. and Jud.

70 ----- V.A.
71 ----- H. & C.D. and Rev. & Tax.
73 ----- L. Gov. and Nat. Res.
74 ----- H. & C.D. and Health
75 ----- Rev. & Tax.
77 ----- A. & A.R.
78 ----- Pub. S.
79 ----- U. & E.
80 ----- Higher Ed.
81 ----- Ed.
82 ----- Health
83 ----- P.E.,R., & S.S.
85 ----- Hum. S. and V.A.
86 ----- J., E.D., & E.
87 ----- Trans. and C. & C.
88 ----- G.O.
89 ----- B. & P.
91 ----- Trans.
92 ----- A. & A.R.
93 ----- B. & P.
94 ----- Rev. & Tax.
95 ----- Higher Ed.
96 ----- Budget
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143	-----	Budget
144	-----	Budget
145	-----	Budget
146	-----	Budget
147	-----	Budget
148	-----	Health
149	-----	Pub. S.
150	-----	Jud.
152	-----	Pub. S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
10 -----	Rls.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
7 -----	Rls.

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

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

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

Assembly Member Acosta 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 son Doran upon the occasion of Doran’s 19th birthday.

Assembly Member Acosta recognized his wife Carolyn and daughter Allie seated in the Assembly Gallery.

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

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

RECESS

By unanimous consent, at 9:17 a.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Chávez introduced Hon. Joe Green, newly elected City Council Member from the City of Vista.

RECONVENED

At 9:19 a.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding.

DEADLINE ANNOUNCEMENTS

Speaker pro Tempore Mullin announced that tomorrow, Friday, January 20, 2017, is the last day in the Assembly to submit bill requests to Legislative Counsel.

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Friday, January 20, 2017, No session;

Monday, January 23, 2017, Floor Session, 1 p.m.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:21 a.m., without objection, Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

ADJOURN IN MEMORY

Assembly Member Cooper was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Hull Lewis of Elk Grove.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Rodriguez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ted Darland of Ontario.

(Assembly Rule 45.5 suspended.)

MOTION TO ADJOURN

At 9:27 a.m., Assembly Member Ting moved that the Assembly do now adjourn.

Assembly Member Maienschein seconded the motion.

Motion carried.

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 Mary Ann Gardner (Clinton) of Belmont and Beverly Ann Swanson of Hillsborough.

Assembly Member Bonta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rose Pabello Albert of San Francisco.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 182—Waldron. An act to add Article 5 (commencing with Section 11774) to Chapter 1 of Part 2 of Division 70.5 of the Health and Safety Code, relating to drug abuse.

ASSEMBLY BILL NO. 183—Lackey. An act to add Section 3534.5 to the Government Code, relating to public employees.

ASSEMBLY BILL NO. 184—Berman. An act to repeal Section 30968 of the Public Resources Code, relating to sea level rise.

ASSEMBLY BILL NO. 185—O'Donnell. An act to amend Sections 48301, 48302, 48307, 48308, 48310, 48312, 48313, 48314, 48315, and 48316 of, to amend, repeal, and add Section 48311 of, and to add Sections 48309.5 and 48317 to, the Education Code, relating to school attendance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 186—Eggman (Principal coauthor: Senator Wiener). An act to add Section 11376.6 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 187—Gloria. An act to amend Section 84204.5 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 188—Salas. An act to amend Section 44125 of the Health and Safety Code, relating to vehicular air pollution.

ASSEMBLY BILL NO. 189—Low. An act to amend Section 51225.3 of, and to add Section 51221.1 to, the Education Code, relating to school curriculum.

ASSEMBLY BILL NO. 190—Steinorth. An act to add Section 65950.3 to the Government Code, relating to local government.

ASSEMBLY BILL NO. 191—Wood. An act to amend Sections 5251, 5261, and 5270.20 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 192—Medina. An act to amend Section 54444.2 of the Education Code, relating to migrant education.

ASSEMBLY BILL NO. 193—Cervantes. An act to add Section 44274.9 to the Health and Safety Code, relating to vehicular air pollution.

ASSEMBLY BILL NO. 194—Patterson. An act to amend Section 1202.46 of the Penal Code, relating to victim restitution.

ASSEMBLY BILL NO. 195—Oberholte. An act to amend Section 13119 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 196—Bigelow. An act to amend Section 39712 of the Health and Safety Code, relating to greenhouse gases.

ASSEMBLY BILL NO. 197—Kiley. An act to amend Sections 667.1, 667.5, and 1170.125 of the Penal Code, relating to violent felonies.

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3—Kiley. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 9 and 10 of Article II thereof, and by amending Section 8 of Article IV thereof, relating to elections.

The following resolution was offered:

HOUSE RESOLUTION NO. 8—Waldron and Cristina Garcia. Relative to American Heart Month and Wear Red Day in California.

**REPORTS OF STANDING COMMITTEES
Committee on Rules**

Date of Hearing: January 19, 2017

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 4

With the recommendation: Be adopted.

COOLEY, Chair

Above resolution ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 19, 2017

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

Assembly Concurrent Resolution No. 5

And reports the same correctly enrolled, and presented to the Secretary of State on the 19th day of January, 2017, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION OF GUESTS

Assembly Member Kiley, of the 6th Assembly District, introduced 4th-grade students from Blue Oak Elementary School in Cameron Park, accompanied by their teacher Gary Burns.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Ting, the Assembly adjourned until 1 p.m., Monday, January 23, 2017, out of respect to the memory of Mary Hull Lewis on motion of Assembly Member Cooper; out of respect to the memory of Ted Darland on motion of Assembly Member Rodriguez; out of respect to the memory of Mary Ann Gardner (Clinton) and Beverly Ann Swanson on motion of Assembly Member Mullin; and out of respect to the memory of Rose Pabello Albert on motion of Assembly Member Bonta.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk