

CALIFORNIA LEGISLATURE
2021–22 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 21, 2021

EIGHTH 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.

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

(Corrected 12-5-24)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 21, 2021

The Assembly met at 9 a.m.
Hon. Rebecca Bauer-Kahan, Assistant Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Sue Parker at the Desk.
Reading Clerk David A. Bowman reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Cooper moved a quorum call of the Assembly.
Motion carried. Time, 9:02 a.m.
The Assistant 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., Assistant Speaker pro Tempore Bauer-Kahan declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—70:

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

PRAYER

Upon invitation of Assistant Speaker pro Tempore Bauer-Kahan, the following prayer was offered by Assembly Member Flora, of the 12th Assembly District:

Heavenly Father, I ask for Your blessing on each and every one of us here today. I ask for Your blessing on this great state and our incredible country that we're so privileged to live in. I pray for physical and emotional healing for all who are hurting, lonely, and lost. Give us the wisdom to represent our state in a way that pleases You.

In Your name we pray.—*AMEN.*

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Bauer-Kahan, Assembly Member Luz Rivas 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 Reyes, 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:

Because of illness: Assembly Members Megan Dahle and Grayson.

Because of a death in their families: Assembly Members Kamlager and Salas.

On medical leave: Assembly Members Bigelow, Daly, Frazier, Nazarian, and Weber.

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

COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

January 11, 2021

Sue Parker

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

RE: Reappointment of Pedro Nava to
Milton Marks Little Hoover Commission on
California State Government Organization and Economy

Dear Ms. Parker: Please be advised that I have reappointed Mr. Pedro Nava to the Milton Marks Little Hoover Commission on California State Government Organization and Economy. This is a term appointment starting January 11, 2021, and the expiration date is January 1, 2025.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

January 21, 2021

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

RE: Appointment of Ashley Leon to
California Commission on Disability Access

Dear Ms. Parker: Please be advised that I have appointed Ms. Ashley Leon to the California Commission on Disability Access. This is a term appointment starting January 21, 2021, and the expiration date is January 1, 2024.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

REPORTS

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

California State Auditor

2020-701
January 21, 2021

*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: In calendar years 2019 and 2020, the California State Auditor's Office issued reports on various topics as mandated by the Legislature through statute, the budget process, or approved by the Joint Legislative Audit Committee. While our recommendations are typically directed to the agencies we audit, we also make recommendations for the Legislature to consider in the interest of more efficient and effective government operations. This special report summarizes the recommendations we made to the Legislature during calendar years 2019 and 2020.

In this special report, we include recommendations, for example, intended to address the issue of youth suicide prevention. From 2009 through 2018, the annual number of suicides of youth ages 12 through 19 increased 15 percent and incidents of self-harm increased 50 percent. Because students spend a significant amount of time in school, school personnel are well positioned to recognize the warning signs of suicide risk and to make the appropriate referrals for help. Additionally, studies suggest that students use school health centers when they are available and that such health centers can provide the mental health services that serve as protective factors against suicide. One of our recommendations is that the Legislature provide funding for the California Department of Public Health to award grants for a pilot program that would establish school health centers at a selection of local educational agencies located in counties with high rates of youth suicide and self-harm.

We also made recommendations intended to ensure that the California State Lottery (Lottery) is maximizing its funding for education as was intended when the Lottery was established. Our audit

found that the Lottery did not adhere to a requirement to increase its funding for education proportionate to its increases in net revenue. As a result, the Lottery failed to provide required funding of \$36 million to education in fiscal year 2017–18. We recommended that the Legislature require the Lottery to pay the \$36 million to education and amend the California State Lottery Act to specify that the relationship between increases in the Lottery’s net revenue and increases in its education funding should be directly proportional.

The Appendix includes a list of legislation chaptered or vetoed during the second year of the 2019–20 Regular Legislative Session that was related to the subject matter discussed in our audit reports.

If you would like more information or assistance regarding any of the recommendations or the background provided in this report, please contact Paul Navarro, Chief Deputy State Auditor, Operations, at (916) 445-0255.

Respectfully submitted,

ELAINE M. HOWLE, CPA
California State Auditor

Above report referred to the Committee on Accountability and Administrative Review.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 21, 2021

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

Assembly Bill No. 76

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bill re-referred to committee.

ADJOURN IN MEMORY

Assembly Member Valladares was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William L. Reynolds of Santa Clarita Valley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Petrie-Norris was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gill Mellen of Costa Mesa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Lackey was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Zan Ellis Olson of San Dimas.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Quirk-Silva was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Loren Doll of Fullerton.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Flora was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dennis Vaughn Cummins of Modesto.

(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 Amelia Theresa “Terry” Martinez of Chino.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

The Members of the Assembly joined Assistant Speaker pro Tempore Bauer-Kahan in extending best wishes to Assembly Member Seyarto upon the occasion of his birthday.

DEADLINE ANNOUNCEMENT

Assistant Speaker pro Tempore Bauer-Kahan announced that Friday, January 22, 2021 is the last day to submit bill requests to the Office of Legislative Counsel.

COMMITTEE MEETING ANNOUNCEMENTS

Assistant Speaker pro Tempore Bauer-Kahan announced that Budget Subcommittee No. 4 on State Administration and Housing would convene jointly with the Committee on Housing and Community Development today, upon adjournment of Floor Session, in Room 4202.

ADJOURN IN MEMORY

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 Doris Marion Wyatt Campbell of Carson.

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 HC Loa Tuuaumafuamalu Pele Faletofo of Carson.

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 Helen Rose Maxwell of Carson.

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 Apostle Debra Ann Gipson Ward of Compton.

ANNOUNCEMENTS

Assistant Speaker pro Tempore Bauer-Kahan announced the following session schedule:

Friday, January 22, 2021, No session;

Monday, January 25, 2021, Floor Session, 1 p.m.

MOTION TO ADJOURN

At 9:24 a.m., Assembly Member Reyes moved that the Assembly do now adjourn.

Assembly Member Waldron seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:24 a.m., Assistant Speaker pro Tempore Bauer-Kahan 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. 279—Muratsuchi and Santiago. An act to add and repeal Section 1287 of the Health and Safety Code, relating to care facilities, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 280—Robert Rivas. An act to amend Section 8386 of the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 281—Burke. An act relating to taxation.

ASSEMBLY BILL NO. 282—Lackey. An act to amend Section 1001.95 of the Penal Code, relating to misdemeanor diversion.

ASSEMBLY BILL NO. 283—Chen. An act to amend Section 25100 of the Corporations Code, relating to corporate securities.

ASSEMBLY BILL NO. 284—Robert Rivas (Coauthor: Stone). An act to add Section 38561.5 to the Health and Safety Code, relating to greenhouse gases.

ASSEMBLY BILL NO. 285—Holden. An act to add Article 14 (commencing with Section 33485) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil health, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 286—Lorena Gonzalez. An act relating to business.

ASSEMBLY BILL NO. 287—Quirk. An act to amend Section 338 of the Code of Civil Procedure, relating to civil actions.

ASSEMBLY BILL NO. 288—Bonta. An act to add Article 24 (commencing with Section 70045) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 289—Calderon. An act to amend Sections 45221, 45319, 88051, and 88138 of the Education Code, relating to school employees.

ASSEMBLY BILL NO. 290—Quirk. An act to amend Section 26100 of the Business and Professions Code, relating to cannabis.

ASSEMBLY BILL NO. 291—Seyarto. An act to add and repeal Section 17140.6 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 292—Stone. An act to add Sections 2933.7 and 2933.8 to the Penal Code, relating to corrections.

ASSEMBLY BILL NO. 293—Kalra (Coauthor: McCarty). An act to amend, repeal, and add Section 7737 of, and to add Sections 7737.1 and 7737.2 to, the Business and Professions Code, and to amend, repeal, and add Sections 1520 and 1560 of, and to add Section 1518.5 to, the Code of Civil Procedure, relating to funeral law.

ASSEMBLY BILL NO. 294—Santiago. An act to amend Sections 22524.5, 22651.07, and 34620 of, and to add Chapter 3 (commencing with Section 30000) to Division 13 of, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 295—Jones-Sawyer. An act to add Section 66014.1 to the Education Code, relating to postsecondary education.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 11—Flora. Relative to Physician Anesthesiologist Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 12—Seyarto and Mathis (Principal coauthor: Voepel) (Principal coauthors: Senators Archuleta, Roth, and Umberg). Relative to Purple Heart Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Seyarto and Mathis (Principal coauthor: Voepel) (Principal coauthors: Senators Archuleta, Roth, and Umberg). Relative to the Tomb of the Unknown Soldier.

ASSEMBLY CONCURRENT RESOLUTION NO. 14—Stone. Relative to California Court Reporting and Captioning Week.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

January 21, 2021

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 11

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

LUZ RIVAS, Chair

ASSEMBLY BILL NO. 11—An act to add Part 3.6.5 (commencing with Section 71140) to Division 34 of the Public Resources Code, relating to climate change.

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 Education

January 21, 2021

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 104

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

O'DONNELL, Chair

ASSEMBLY BILL NO. 104—An act to amend Section 51225.1 of, to add Sections 48071 and 49066.5 to, and to add Article 11 (commencing with Section 54810) to Chapter 9 of Part 29 of Division 4 of Title 2 of, the Education Code, relating to pupil instruction.

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.

MESSAGES FROM THE SENATE

Senate Chamber, January 21, 2021

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

Senate Bill No. 85
Senate Bill No. 86
Senate Bill No. 87
Senate Bill No. 88
Senate Bill No. 89

Senate Bill No. 91
Senate Bill No. 92
Senate Bill No. 93
Senate Bill No. 94
Senate Bill No. 95

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. 85**—An act relating to the Budget Act of 2021.
SENATE BILL NO. 86—An act relating to the Budget Act of 2021.
SENATE BILL NO. 87—An act relating to the Budget Act of 2021.
SENATE BILL NO. 88—An act relating to the Budget Act of 2021.
SENATE BILL NO. 89—An act relating to the Budget Act of 2021.
SENATE BILL NO. 91—An act relating to the Budget Act of 2021.
SENATE BILL NO. 92—An act relating to the Budget Act of 2021.
SENATE BILL NO. 94—An act relating to the Budget Act of 2021.
SENATE BILL NO. 95—An act relating to the Budget Act of 2021.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Reyes, the Assembly adjourned until 1 p.m., Monday, January 25, 2021, out of respect to the memory of William L. Reynolds on motion of Assembly Member Valladares; out of respect to the memory of Gill Mellen on motion of Assembly Member Petrie-Norris; out of respect to the memory of Zan Ellis Olson on motion of Assembly Member Lackey; out of respect to the memory of Charles Loren Doll on motion of Assembly Member Quirk-Silva; out of respect to the memory of Dennis Vaughn Cummins on motion of Assembly Member Flora; out of respect to the memory of Amelia Theresa “Terry” Martinez on motion of Assembly Member Rodriguez; out of respect to the memory of Doris Marion Wyatt Campbell on motion of Assembly Member Gipson; out of respect to the memory of HC Loa Tuuaumafuamalu Pele Faletogo on motion of Assembly Member Gipson; out of respect to the memory of Helen Rose Maxwell on motion of Assembly Member Gipson; and out of respect to the memory of Apostle Debra Ann Gipson Ward on motion of Assembly Member Gipson.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 21, 2021**

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

AB RN

11 2103657

104 2106003

Daily Total: 2

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