

CALIFORNIA LEGISLATURE  
2019–20 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 24, 2019**

**THIRTEENTH SESSION DAY**

**FIFTY-THIRD 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.

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Thursday, January 24, 2019

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.

Reading Clerk Kathleen M. Lewis reading.

### ROLLCALL

The roll was called.

### Quorum Call of the Assembly

Assembly Member Frazier 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 9:07 a.m., Speaker pro Tempore Mullin declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—77:

Aguiar-Curry	Cunningham	Kalra	Quirk-Silva
Arambula	Daly	Kamlager-Dove	Ramos
Bauer-Kahan	Diep	Kiley	Reyes
Berman	Eggman	Lackey	Rivas, L.
Bigelow	Flora	Levine	Rivas, R.
Bloom	Fong	Limón	Rodriguez
Boerner Horvath	Frazier	Low	Rubio
Bonta	Friedman	Maienschein	Salas
Brough	Gabriel	Mathis	Santiago
Burke	Gallagher	Mayes	Smith
Calderon	Garcia, C.	McCarty	Stone
Carrillo	Garcia, E.	Medina	Ting
Cervantes	Gipson	Melendez	Voepel
Chau	Gloria	Mullin	Weber
Chen	Gonzalez	Muratsuchi	Wicks
Chiu	Gray	Nazarian	Wood
Choi	Grayson	Obernolte	Mr. Speaker
Chu	Holden	Patterson	
Cooley	Irwin	Petrie-Norris	
Cooper	Jones-Sawyer	Quirk	

**PRAYER**

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

Please join me in a moment of reflection.

One week ago today, at the Masonic Temple, many of us were fortunate to hear Rev. Al Sharpton speak at the California Legislative Black Caucus celebration of the life of Dr. Martin Luther King, Jr. That morning, Rev. Sharpton challenged us all to make a difference. He inspired us to “walk the walk” and not just “talk the talk.” As he said, “Don’t just celebrate the King; be a King.”

On August 28, 1963, on the steps of the Lincoln Memorial in Washington, DC, Dr. King gave his inspiring “I Have a Dream” speech. The reason his words continue to resonate within the hearts of people everywhere, is because the “dream” that he spoke of that day, is a dream that lives in the heart of all humanity. It is a dream for all people, everywhere, to live together with human kindness and empathy.

And from that August day in 1963, Dr. King’s words continue to awaken within people everywhere—that dream that lives deep, deep within all of our hearts. It is the dream upon which America was founded.

As Dr. King said over 55 years ago, “I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident: that all men are created equal.”

Let us keep this dream alive so it might continue to resonate for generations to come.

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Mullin, Assembly Member Smith 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 Holden, seconded by Assembly Member Lackey.

**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 O’Donnell.*

*On personal business, and waiving per diem: Assembly Members Dahle and Waldron.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 7, 2019

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

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, January 24, 2019, to attend a briefing on the state of the Port of Los Angeles, vital to my district. If you have any questions regarding this request, please contact my Chief of Staff, Sophia Kwong Kim, at (916) 319-2070. Thank you for your consideration.

Sincerely,  
PATRICK O'DONNELL, Assembly Member  
Seventieth District

**COMMUNICATIONS**

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

January 24, 2019

*The Honorable Ken Cooley*  
*Chair, Assembly Rules Committee*  
*State Capitol, Room 3016*  
*Sacramento, California*

Dear Chairman Cooley: I am requesting that the Assembly Rules Committee take appropriate administrative actions to ensure that my Democratic affiliation is correctly reflected.

Sincerely,  
BRIAN MAIENSCHEIN, Assembly Member  
Seventy-seventh District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 24, 2019

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 47  
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**REFERRAL OF BILLS TO COMMITTEE**

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

<i>Assembly</i>		<i>Committee</i>
<i>Bill No.</i>		
<b>38</b>	-----	G.O. and Nat. Res.
<b>40</b>	-----	Trans. and Nat. Res.
<b>48</b>	-----	Ed. and Higher Ed.
<b>72</b>	-----	Budget
<b>73</b>	-----	Budget
<b>74</b>	-----	Budget
<b>75</b>	-----	Budget

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115	-----	Budget
116	-----	Budget
117	-----	Budget
118	-----	Budget
119	-----	Budget
120	-----	Budget
121	-----	Budget
122	-----	Pub. S.
124	-----	Ed.
127	-----	Pub. S.
130	-----	Higher Ed.
131	-----	G.O.
135	-----	Pub. S.
136	-----	Health
137	-----	Pub. S.

139	-----	H. & C.D.
140	-----	Higher Ed.
141	-----	B. & P.
142	-----	E.S. & T.M.
143	-----	H. & C.D.
144	-----	Nat. Res.
145	-----	Trans.
146	-----	L. Gov. and Trans.
147	-----	Rev. & Tax.
148	-----	Trans. and Nat. Res.
149	-----	B. & P.
150	-----	Ed.
151	-----	Higher Ed.
152	-----	Rev. & Tax.
153	-----	Rev. & Tax.
154	-----	Higher Ed.
155	-----	Rev. & Tax.
156	-----	B. & P.
157	-----	U. & E.
158	-----	Trans.
159	-----	Trans.
160	-----	V.A. and L. & E.
161	-----	Nat. Res.
162	-----	C. & C.
163	-----	Hum. S.
164	-----	Pub. S.
165	-----	Pub. S.
167	-----	Hum. S. and Ed.
168	-----	H. & C.D.
169	-----	Pub. S.
170	-----	L. & E. and Jud.
171	-----	L. & E. and Jud.
172	-----	Trans.
173	-----	H. & C.D.
174	-----	Health and Rev. & Tax.
175	-----	Hum. S. and Jud.
176	-----	Nat. Res. and Rev. & Tax.
177	-----	E. & R. and G.O.
178	-----	Nat. Res.
179	-----	Trans.
181	-----	P.E. & R.
182	-----	Ed.
183	-----	C. & C.
184	-----	B. & P.
186	-----	Rev. & Tax.
187	-----	Nat. Res.
188	-----	Ins.
189	-----	Pub. S.
190	-----	Budget

*Assembly Concurrent**Resolution No.**Committee*

15	-----	Rls.
16	-----	Rls.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 9 (Kalra)**—Relative to India Republic Day.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 9**

Upon request of Assembly Member Kalra, the following Members were permitted to be listed as additional coauthors of Assembly Concurrent Resolution No. 9.

**Additional Coauthors**

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

Arambula, Berman, Bigelow, Boerner Horvath, Bonta, Brough, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Choi, Cooley, Cooper, Cunningham, Daly, Diep, Eggman, Flora, Fong, Frazier, Friedman, Gabriel, Gallagher, Eduardo Garcia, Gipson, Gloria, Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kamlager-Dove, Kiley, Lackey, Levine, Limón, Low, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Muratsuchi, Nazarian, Obernolte, Patterson, Petrie-Norris, Ramos, Rendon, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Smith, Ting, Voepel, Weber, Wicks, and Wood.

**Request for Unanimous Consent**

Assembly Member Kalra was granted unanimous consent to take up Assembly Concurrent Resolution No. 9, as revised, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 9, as Revised**  
**ASSEMBLY CONCURRENT RESOLUTION NO. 9**—Relative to India Republic Day.

Resolution read, as revised, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

**CAUCUS ANNOUNCEMENTS**

Speaker pro Tempore Mullin announced that the Democratic Caucus would meet in the Assembly Lounge, upon adjournment of Floor Session.

**ANNOUNCEMENTS**

Speaker pro Tempore Mullin announced the following session schedule:

Friday, January 25, 2019, No session;

Monday, January 28, 2019, Floor Session, 12:45 p.m.

**ADJOURN IN MEMORY**

Assembly Member Voepel was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ronald Godwin of El Cajon.

**MOTION TO ADJOURN**

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

Assembly Member Flora seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 9:27 a.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. 260—Quirk-Silva.** An act to add Chapter 15.6 (commencing with Section 67388) to Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

**ASSEMBLY BILL NO. 261—Mathis and Frazier (Coauthors: Cooper, Gallagher, Patterson, and Wood).** An act to amend Section 4648.5 of the Welfare and Institutions Code, relating to developmental services.

**ASSEMBLY BILL NO. 262—Gloria and Gonzalez (Coauthor: Boerner Horvath).** An act to add Section 120175.5 to the Health and Safety Code, relating to public health.

**ASSEMBLY BILL NO. 263—Burke.** An act to amend, repeal, and add Section 41 of the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 264—Melendez.** An act to add Sections 17060 and 23647 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 265—Choi.** An act to amend Sections 9083 and 13307 of the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 266—Choi.** An act to add and repeal Sections 17053.60 and 23660 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 267—Chu.** An act to amend Section 1308.8 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 268—Waldron.** An act to amend Section 224 of the Welfare and Institutions Code, relating to child welfare.

**ASSEMBLY BILL NO. 269—Quirk-Silva (Principal coauthor: Senator Portantino).** An act to amend Section 12804.9 of the Vehicle Code, relating to driver's licenses.

**ASSEMBLY BILL NO. 270—Chu.** An act relating to athlete agents.

**ASSEMBLY BILL NO. 271—Cooper and Burke (Principal coauthor: Blanca Rubio).** An act to add Section 19818.11 to the Government Code, relating to civil service.



**ASSEMBLY BILL NO. 272—Muratsuchi.** An act to amend Section 35250 of the Education Code, relating to school district governing boards.

**ASSEMBLY BILL NO. 273—Gonzalez.** An act to amend Sections 3003.1, 3039, 4004, 4005, 4007, 4008, 4009.5, 4150, and 12002 of, to add Section 4001 to, and to repeal Article 2 (commencing with Section 4030) of Chapter 2 of Part 3 of Division 4 of, the Fish and Game Code, relating to trapping.

The following resolution was offered:

**HOUSE RESOLUTION NO. 9—Smith.** Relative to Wear Red Day.

**AUTHOR'S AMENDMENTS**  
**Committee on Business and Professions**

January 24, 2019

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 149

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

LOW, Chair

**ASSEMBLY BILL NO. 149—**An act to amend Section 39831.3 of the Education Code, relating to school transportation.

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.

**INTRODUCTION OF GUESTS**

Assembly Member Mayes, of the 42nd Assembly District, introduced 7th and 8th grade students from Inland Leaders Charter School in Yucaipa.

Assembly Member McCarty, of the 7th Assembly District, introduced students from Center High School in Antelope; and students from Colusa High School in Colusa.

Assembly Member Levine, of the 10th Assembly District, introduced juniors and seniors from Sir Francis Drake High School in San Anselmo.

Assembly Member Aguiar-Curry, of the 4th Assembly District, introduced 4th grade students from Birch Lane Elementary School in Davis, accompanied by their teacher Suzanne Long.

**ADJOURNMENT**

At 9:27 a.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 12:45 p.m., Monday, January 28, 2019, out of respect to the memory of Ronald Godwin on motion of Assembly Member Voepel.

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ANTHONY RENDON, Speaker

TAMMY WEIS, Index Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JANUARY 24, 2019**

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

AB    RN	
149	1905312
<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>4</b>

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