

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 29, 2019

FIFTEENTH SESSION DAY

FIFTY-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 29, 2019

The Assembly met at 7 a.m.

Hon. Eloise Gómez Reyes, Assembly Member, 47th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The following were placed upon the morning rollcall—71:

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

Quorum present.

At 1:03 p.m., Hon. Jim Wood, 2nd 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 legislative business: Assembly Members Chau, Friedman, Irwin, Kalra, Limón, Rendon, and Weber.

Because of illness: Assembly Member Brough.

Because of illness in his family: Assembly Member Gray.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 28, 2019

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I will be absent from Check-in Sessions, Tuesday, January 29, 2019, and Wednesday, January 30, 2019, and Floor Session on Thursday, January 31, 2019, due to legislative business.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

January 24, 2019

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

Dear Mr. Speaker: I respectfully request permission to be absent from Assembly Check-in Sessions on Tuesday, January 29, 2019, and Wednesday, January 30, 2019, and Floor Session on Thursday, January 31, 2019, due to legislative business. Your favorable attention and consideration of this request is greatly appreciated. Should you have any questions or need additional information, please contact Edmundo Cuevas in my office at (916) 319-2049.

Sincerely,

ED CHAU, Assembly Member
Forty-ninth District

January 24, 2019

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

Dear Speaker Rendon: I respectfully request permission to travel out-of-state to participate on the Washington, DC delegation. I am requesting permission to be excused from Check-in Sessions, Tuesday, January 29, 2019, and Wednesday, January 30, 2019, and Floor Session on Thursday, January 31, 2019, due to legislative business. Thank you for your consideration of this request.

Sincerely,

LAURA FRIEDMAN, Assembly Member
Forty-third District

January 16, 2019

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

Dear Speaker Rendon: I respectfully request permission to be excused from Session on the following days:

- Tuesday, January 29, 2019
- Wednesday, January 30, 2019
- Thursday, January 31, 2019

I will be taking part in the Assembly trip scheduled for the week of January 28, 2019. Thank you for your consideration of this request. If you have any questions, please contact Susanna Schlendorf at (916) 319-2044.

Sincerely,

JACQUI IRWIN, Assembly Member
Forty-fourth District

January 17, 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 Check-in Sessions on Tuesday, January 29, 2019, and Wednesday, January 30, 2019, and be excused from Floor Session on Thursday, January 31, 2019, due to legislative business for the Assembly DC Delegation trip. If you have any questions, please feel free to contact Jeanette Garcia in my office at (916) 319-2027.

Sincerely,

ASH KALRA, Assembly Member
Twenty-seventh District

January 29, 2019

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

Dear Speaker Rendon: I respectfully request permission to travel outside of my district to participate in a legislative delegation traveling to Washington, DC, for legislative purposes. I plan to fly to Washington, DC on January 28 and return to my district on January 31. I request to be excused from Check-in Sessions on Tuesday, January 29, 2019, and Wednesday, January 30, 2019, and from Floor Session on Thursday, January 31, 2019. Thank you for your consideration of this request.

Sincerely,

MONIQUE LIMÓN, Assembly Member
Thirty-seventh District

(NOTE: For letter explaining the absence of Assembly Member Weber on this day on legislative business, pursuant to the Assembly Rules, see Assembly Journal for January 28, 2019.)

REPORTS

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

California State Auditor

2018-112
January 29, 2019

*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 requested by the Joint Legislative Audit Committee, the California State Auditor presents this audit report concerning California Department of Veterans Affairs (CalVet) and Department of General Services' (DGS) leases and other third-party uses of veterans home property. CalVet operates eight veterans homes across the State that provide residential and medical care to eligible veterans. State law authorizes DGS, with CalVet's consent, to lease property at the homes to third parties so long as the lease terms are in the homes' best interests.

This report concludes that CalVet and DGS entered into agreements with third parties that are inconsistent with the homes' best interests and that violate state law by allowing the third parties to lease property for decades. Although state law requires that the funds from veterans home leases supplement the funding that the homes receive, DGS and CalVet failed to ensure that \$610,000 was appropriately directed to the homes. Additionally, DGS could not explain how it had established the rental rates for most of the leases we reviewed, and the rates for two leases are far below the current market rent. Finally, CalVet allowed some third parties to occupy veterans home property without written agreements to protect the State from liability, without charging rent that could have been used to benefit the homes, and without DGS approval.

Because of these significant issues, we determined that CalVet and DGS should define what constitutes the best interests of the veterans homes and deny any uses that are inconsistent with those interests. We also recommend that DGS set rental rates equivalent to market rent, and that both CalVet and DGS ensure that the proceeds from leases are directed to the veterans homes. Finally, CalVet should evict the entities occupying space without a lease or work with DGS to establish leases for them.

Respectfully submitted,

ELAINE M. HOWLE, CPA
California State Auditor

Above report referred to the Committee on Veterans Affairs.

SPECIAL COMMITTEE MEETINGS

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

Utilities and Energy, on Wednesday, January 30, 2019, at 1:30 p.m., in Room 437;

Higher Education, to convene jointly with Budget Subcommittee No. 2 on Education Finance, on Tuesday, February 26, 2019, at 9:30 a.m., in Room 447.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 29, 2019

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

Assembly Concurrent Resolution No. 15

Assembly Concurrent Resolution No. 16

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, January 29, 2019

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

Assembly Bill No. 48

Assembly Bill No. 72

Assembly Bill No. 73

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 300—Chu. An act to add Section 13024 to the Penal Code, relating to hate crimes.

ASSEMBLY BILL NO. 301—Chu. An act relating to hate crimes.

ASSEMBLY BILL NO. 302—Berman. An act to add Section 76012 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 303—Cervantes. An act to amend Section 6603 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 304—Jones-Sawyer. An act to amend Section 629.98 of the Penal Code, relating to wiretapping.

ASSEMBLY BILL NO. 305—Nazarian. An act to amend Section 6588.7 of the Government Code, relating to local government finance.

ASSEMBLY BILL NO. 306—Ramos. An act to amend Section 5890 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 307—Reyes (Principal coauthor: Senator Wiener). An act to add Section 8262 to the Welfare and Institutions Code, relating to homeless youth, and making an appropriation therefor.

ASSEMBLY BILL NO. 308—Muratsuchi and Smith. An act to amend Section 17941 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 309—Maienschein. An act to amend Sections 27604, 27605, and 27606 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 310—Santiago. An act to amend Section 219 of the Code of Civil Procedure, relating to courts.

ASSEMBLY BILL NO. 311—Frazier. An act to repeal Section 4690.6 of the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 312—Cooley (Coauthor: Frazier). An act to add and repeal Chapter 3.6 (commencing with Section 11366) of Part 1 of Division 3 of Title 2 of the Government Code, relating to state agency regulations.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 18—Choi and Quirk-Silva.
Relative to Dosan Ahn Chang Ho Day.

REPORTS OF STANDING COMMITTEES
Committee on Business and Professions

Date of Hearing: January 29, 2019

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 149

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations.

LOW, Chair

Above bill ordered to second reading.

Committee on Budget

Date of Hearing: January 29, 2019

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 72

Assembly Bill No. 73

With the recommendation: Amend, and do pass as amended.

TING, Chair

Above bills ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 30, 2019.

KEVIN MULLIN, Speaker pro Tempore

TAMMY WEIS, Index Clerk