

CALIFORNIA LEGISLATURE  
2019–20 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Thursday, January 31, 2019**

**SEVENTEENTH SESSION DAY**

**SIXTIETH 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 31, 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.

Assistant Clerk David A. Bowman reading.

#### ROLLCALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Choi moved a quorum call of the Assembly.

Motion carried. Time, 9:03 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—66:

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

**PRAYER**

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

Please join me in a moment of reflection.

This weekend, the Los Angeles Rams will face the New England Patriots in Super Bowl LIII. It is interesting: how the games we have created, can also give us a perspective on life. For instance, to play in the Super Bowl is the fulfillment of a professional football player's dream. For especially the players and coaches of the Rams and Patriots, all they have accomplished the entire season comes down to the 60 minutes of this one game. In life, we may have our dreams, but it is rare to have one so clearly defined.

However, like our lives, when the game begins, there is no guarantee of what the outcome will be. Like our lives, our effort to pursue excellence coupled with the decisions we make or do not make, the actions we take or do not take, will play a crucial role in shaping who we are and what the outcome of our lives will be.

Just as the teams this Sunday will be trying their very best each and every play, we can only try to live our very best each and every day. And as I've often shared, "If we try our best to live each moment well, in time, we cannot help but look back on a life well-lived." To feel we have had "a life well-lived" is a dream worthy of pursuing with our best effort.

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Mullin, Assembly Member Frazier 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 Bonta, 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:

*On legislative business: Assembly Members Chau, Friedman, Irwin, Kalra, Limón, Rendon, and Weber.*

*On personal business, and waiving per diem: Assembly Members Bigelow and Cunningham.*

*Because of illness: Assembly Members Brough and Cervantes.*

*Because of illness in their families: Assembly Members Boerner Horvath and Calderon.*

*Because of a travel delay: Assembly Member Nazarian.*

(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; for letters explaining the absences of Assembly Members Chau, Friedman, Irwin, Kalra, Limón, and Rendon on this day on legislative business, pursuant to the Assembly Rules, see Assembly Journal for January 29, 2019.)

**REPORTS**

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

**California State Auditor**

2018-113

January 31, 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 the effectiveness of in-prison rehabilitation programs at the California Department of Corrections and Rehabilitation (Corrections).

This report concludes that inmates who completed in-prison cognitive behavioral therapy (CBT) programs recidivated at about the same rate as inmates who did not complete the programs. These results are serious enough to highlight an urgent need for Corrections to take a more active and meaningful role in ensuring that these programs are effective. In particular, Corrections has not revalidated the accuracy of the tools it uses to assess inmates' rehabilitative needs since recent statutory changes caused a major shift in the State's prison population. Inaccurate assessment tools could result in placing inmates in the wrong programs or in no programs at all. Furthermore, Corrections has not ensured that all of its CBT class curricula are evidence based, resulting in a significant portion of inmates that do not receive treatment that has been proven effective in reducing recidivism. Addressing these two problems would help Corrections ensure that rehabilitation programs are meeting their primary purpose of reducing recidivism.

Moreover, Corrections has neither consistently placed inmates on waiting lists for needed rehabilitation programs nor prioritized those with the highest need correctly. This contributed to Corrections' failure to meet any of the rehabilitative needs for 62 percent of the inmates released in fiscal year 2017–18 who had been assessed as at risk to recidivate. One reason inmates may not be receiving needed rehabilitation programs is that Corrections is having difficulty fully staffing its rehabilitation programs at all of its prisons. These various issues have resulted in low inmate enrollment rates when compared to the programs' budgeted capacity at the three prisons we reviewed.

Finally, Corrections has neither developed any performance measures for its rehabilitation programs, such as a target reduction in recidivism, nor assessed program cost-effectiveness. Moreover, Corrections has not analyzed whether its rehabilitation programs reduce recidivism. To perform such an analysis, Corrections needs to collect additional data and take steps to ensure it delivers CBT programs as intended across all of its facilities. Although Corrections plans to coordinate with external researchers to conduct a performance evaluation of the rehabilitation programs over the course of the next two years, Corrections has taken no formal steps to initiate this process. Because the Legislature provided Corrections with a significant budget increase so that it could expand rehabilitation programs to all prisons in the State, it is vital that Corrections demonstrate that the additional

investment was worthwhile. To this end, the Legislature should implement new accountability mechanisms related to Corrections' rehabilitation programs, including additional oversight, performance targets, and recidivism evaluations conducted by an external researcher.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
California State Auditor

Above report referred to the Committee on Public Safety.

#### **SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Appropriations, on Monday, February 4, 2019, upon adjournment of Floor Session, in the Rules Committee Room.

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 31, 2019

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

Assembly Bill No. 72

Assembly Bill No. 73

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 31, 2019

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

Assembly Bill No. 2

Assembly Bill No. 149

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

#### **REQUEST FOR PHOTOGRAPHER**

Assembly Member Kiley was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

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

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

**RECESS**

By unanimous consent, at 9:15 a.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Kiley recognized the Folsom High School Boys Football team, the Bulldogs, winners of the California Interscholastic Federation (CIF) Division I-A State Championship for the second consecutive year, and their fourth championship in the past 8 years.

Assembly Member Kiley recognized Team Captains Kaden Richardson, Tyler Hardeman, Parker Clayton, and Dylan Jorge; Coaches Jim Noble, Justin Peterson, Brad Qualls, and Tim McCanliss; and District Athletic Director Peter Maroon in the rear of the Assembly Chamber, and acknowledged the remaining members of the team in the Assembly Gallery, whereupon Assembly Member Kiley extended congratulations to the Folsom High School Bulldogs for their outstanding athletic achievements.

**RECONVENED**

At 9:18 a.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE****ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 72 and 73, ordered to the third reading file.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 13 (Chu)**—Relative to Fred Korematsu Day of Civil Liberties and the Constitution.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 13**

Upon request of Assembly Member Chu, the following Members were permitted to be listed as additional coauthors of Assembly Concurrent Resolution No. 13.

**Additional Coauthors**

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

Aguiar-Curry, Arambula, Bauer-Kahan, Berman, Bloom, Bonta, Burke, Carrillo, Chen, Chiu, Choi, Cooley, Cooper, Dahle, Daly, Eggman, Fong, Frazier, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gonzalez, Gray, Grayson, Holden, Jones-Sawyer, Kamlager-Dove, Kiley, Lackey, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, O'Donnell, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Smith, Mark Stone, Ting, Voepel, Waldron, Wicks, and Wood.

**Request for Unanimous Consent**

Assembly Member Chu was granted unanimous consent to take up Assembly Concurrent Resolution No. 13, as revised, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 13, as Revised**

**ASSEMBLY CONCURRENT RESOLUTION NO. 13**—Relative to Fred Korematsu Day of Civil Liberties and the Constitution.

Resolution read, as revised, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

**COMMITTEE MEETING ANNOUNCEMENTS**

Speaker pro Tempore Mullin announced that the Committee on Appropriations would meet on Monday, February 4, 2019, upon adjournment of Floor Session, to hear Assembly Bill No. 149.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 9:28 a.m., without objection, Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

**ADJOURN IN MEMORY**

Assembly Member Muratsuchi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the victims of the shooting at Gable House Bowl in Torrance:

*Astin Kyle Edwards,  
Robert Earl Meekins Jr., and  
Michael Di'Shawn Radford.*

(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 Sandra Orosco of Fullerton.

(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 Delia M. Hernandez of Fullerton.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Quirk and Chu were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Philip Holmes of Fremont.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Eduardo Garcia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Gregory Pettis, former Mayor of Cathedral City, resident of Cathedral City.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Speaker pro Tempore Mullin announced the following session schedule:

Friday, February 1, 2019, No session;

Monday, February 4, 2019, Floor Session, 1 p.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 Jagdish “Jackie” Kaur Ram of Burlingame and Kathleen Freschet of San Mateo.

Assembly Member McCarty was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frederick Wayne Moore of Sacramento.

Assembly Member Waldron was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the Honorable George H.W. Bush, 41st President of the United States from 1989 to 1993, resident of Houston, Texas.

**MOTION TO ADJOURN**

At 9:44 a.m., Assembly Member Bonta moved that the Assembly do now adjourn.

Assembly Member Quirk 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. 327—Maienschein.** An act to amend Section 721 of the Family Code, and to add Section 21385 to the Probate Code, relating to estates and trusts.

**ASSEMBLY BILL NO. 328—Maienschein.** An act to amend Sections 21380, 21382, and 21611 of the Probate Code, relating to estates and trusts.

**ASSEMBLY BILL NO. 329—Rodriguez.** An act to add Section 1318.5 to the Health and Safety Code, and to amend Sections 241 and 243 of the Penal Code, relating to hospitals.

**ASSEMBLY BILL NO. 330—Gabriel.** An act to amend Section 68651 of the Government Code, relating to courts.

**ASSEMBLY BILL NO. 331—Medina, Bloom, Bonta, Gonzalez, Ramos, and Weber.** An act to amend Sections 51225.3 and 51226.7 of the Education Code, relating to pupil instruction.

**ASSEMBLY BILL NO. 332—Lackey.** An act relating to peace officers.

**ASSEMBLY BILL NO. 333—Eggman (Coauthor: Reyes).** An act to add Section 1102.51 to the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 334—Obernolte.** An act to amend Section 7441 of the Elections Code, relating to the California Republican Party.

**ASSEMBLY BILL NO. 335—Eduardo Garcia.** An act to amend Section 132816 of the Public Utilities Code, relating to transportation.

**ASSEMBLY BILL NO. 336—Mathis.** An act to amend Section 10735 of the Water Code, relating to groundwater.

**ASSEMBLY BILL NO. 337—Quirk-Silva.** An act to amend Section 11461.36 of, and to add section 11460.1 to, the Welfare and Institutions Code, relating to foster care.



**ASSEMBLY BILL NO. 338—Chu.** An act to amend Sections 18029.6 and 18603 of, and to add Section 18603.1 to, the Health and Safety Code, relating to manufactured housing.

**ASSEMBLY BILL NO. 339—Irwin.** An act to add Section 18108 to the Penal Code, relating to gun violence restraining orders.

**ASSEMBLY BILL NO. 340—Irwin.** An act to add Sections 30025 and 30030 to the Penal Code, relating to firearms.

**ASSEMBLY BILL NO. 341—Maienschein.** An act to add Sections 15927 and 18901.56 to the Welfare and Institutions Code, relating to public social services.

The following resolutions were offered:

**ASSEMBLY JOINT RESOLUTION NO. 5—Jones-Sawyer (Coauthors: Berman, Bloom, Bonta, Carrillo, Chu, Friedman, Gabriel, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Kalra, Kamlager-Dove, Levine, Limón, Low, McCarty, Muratsuchi, Nazarian, Quirk, Reyes, Luz Rivas, Robert Rivas, Santiago, Mark Stone, Ting, Weber, Wicks, and Wood).** Relative to firearm safety.

**HOUSE RESOLUTION NO. 12—Gipson and Gloria.** Relative to Black HIV/AIDS Awareness Day.

#### MESSAGES FROM THE SENATE

Senate Chamber, January 31, 2019

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

Senate Concurrent Resolution No. 4

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

#### FIRST READING OF SENATE BILLS

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 4—Relative to Physician Anesthesiologist Week.**

#### ADJOURNMENT

At 9:44 a.m., pursuant to the motion by Assembly Member Bonta, the Assembly adjourned until 1 p.m., Monday, February 4, 2019, out of respect to the memory of Astin Kyle Edwards, Robert Earl Meekins Jr., and Michael Di'Shawn Radford on motion of Assembly Member Muratsuchi; out of respect to the memory of Sandra Orosco and Delia M. Hernandez on motion of Assembly Member Quirk-Silva; out of respect to the memory of Philip Holmes on motion of Assembly Members Quirk and Chu; out of respect to the memory of Hon. Gregory Pettis on motion of Assembly Member Eduardo Garcia; out of respect to the memory of Jagdish “Jackie” Kaur Ram and Kathleen Freschet on motion of Assembly Member Mullin; out of respect to the memory of Frederick Wayne Moore on motion of Assembly Member McCarty; and out of respect to the memory of the Honorable George H.W. Bush, 41st President of the United States, on motion of Assembly Member Waldron.

---

KEVIN MULLIN, Speaker pro Tempore

TAMMY WEIS, Index Clerk