

CALIFORNIA LEGISLATURE
2021–22 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 3, 2021
FIFTEENTH SESSION DAY
FIFTY-NINTH 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
Wednesday, February 3, 2021

The Assembly met at 7 a.m.
Hon. Jordan Cunningham, Assembly Member, 35th District,
presiding.
Chief Clerk Sue Parker at the Desk.
Reading Clerk David A. Bowman reading.

ROLLCALL

The following were placed upon the morning rollcall—68:

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

Quorum present.

At 10:53 a.m., Hon. Philip Y. Ting, 19th 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 personal business, and waiving per diem: Assembly Members Berman, Cervantes, Lorena Gonzalez, Muratsuchi, Nazarian, and Wicks.

Because of illness in their families: Assembly Members Chen and Waldron.

On medical leave: Assembly Members Chiu and Frazier.

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

COMMUNICATIONS

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

February 3, 2021

Sue Parker

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

Erika Contreras

*Secretary of the Senate
State Capitol, Room 400
Sacramento, California*

Dear Ms. Parker and Ms. Contreras: Please be advised that the Assembly and Senate contingents of the Joint Committee on Rules have approved the following actions:

- Selection of Assemblymember Ken Cooley as Chair of the Joint Committee on Rules (24-0)
- Appointment of Debra Gravert as the Chief Administrative Officer of the Joint Committee on Rules (24-0)

The roll call is enclosed.

Sincerely,

KEN COOLEY, Chair
Assembly Rules Committee

SPECIAL COMMITTEE MEETINGS

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

Water, Parks, and Wildlife, on Tuesday, March 2, 2021, at 9:30 a.m., in Room 4202.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 3, 2021

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 73

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bill re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 394—Arambula. An act to amend Section 13 of the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to flood control.

ASSEMBLY BILL NO. 395—Lackey. An act to add Section 465 to the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 396—Gabriel. An act to add Section 18901.12 to the Welfare and Institutions Code, relating to CalFresh.

ASSEMBLY BILL NO. 397—Mayes and Chiu. An act to amend Sections 1260 and 1261 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 398—Fong. An act to amend Section 1810 of the Vehicle Code, relating to the Department of Motor Vehicles.

ASSEMBLY BILL NO. 399—Salas. An act to amend Sections 139.5, 4603.2, 4603.6, 4610, 4616, 4616.2, and 5307.1 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 400—Petrie-Norris, Chiu, Mayes, Nazarian, Santiago, and Wicks. An act to add Chapter 2.5 (commencing with Section 501) to Part 1 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 401—Chiu, Kalra, Mayes, Petrie-Norris, and Santiago (Principal coauthor: Wicks) (Principal coauthor: Senator Wiener) (Coauthors: Aguiar-Curry, Burke, Carrillo, Chau, Davies, Lackey, Nazarian, Quirk-Silva, Stone, Ting, Valladares, and Villapudua) (Coauthors: Senators Glazer, Hertzberg, and Umberg). An act to amend Section 316 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

ASSEMBLY BILL NO. 402—Wicks and Petrie-Norris (Principal coauthor: Chiu) (Coauthors: Mayes and Santiago). An act to add Article 1.2 (commencing with Section 350) to Chapter 2 of Part 1 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

ASSEMBLY BILL NO. 403—Kalra, Bonta, and Salas. An act to add Chapter 6.1 (commencing with Section 66420) to Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 404—Salas. An act to amend Section 5307.6 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 405—Smith. An act to amend Section 44382 of the Education Code, relating to teacher credentialing.

ASSEMBLY BILL NO. 406—Chen. An act to amend Section 374 of the Financial Code, relating to financial institutions.

ASSEMBLY BILL NO. 407—Salas and Low. An act to amend Section 3041 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 408—Quirk-Silva and Luz Rivas. An act to add Sections 48851.3 and 48852.3 to the Education Code, relating to homeless children and youths.

ASSEMBLY BILL NO. 409—Seyarto (Coauthors: Cunningham and Lackey). An act to add Section 186.37 to the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 410—Fong. An act to add Chapter 6.3 (commencing with Section 2839) to Division 2 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 411—Irwin. An act to add Article 5aa (commencing with Section 998.700) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans' housing, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

ASSEMBLY BILL NO. 412—Reyes. An act to add Chapter 3.4 (commencing with Section 8270) to Division 1 of Title 2 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 413—Ting. An act to amend Section 50807 of, and to add Chapter 11.8 (commencing with Section 50811) to Part 2 of Division 31 of, the Health and Safety Code, and to amend Sections 11403.3 and 16206 of the Welfare and Institutions Code, relating to foster youth, and making an appropriation therefor.

ASSEMBLY BILL NO. 414—Maienschein. An act to repeal Section 70219 of, and to repeal Chapter 13.6 (commencing with Section 26290), Chapter 13.7 (commencing with Section 26295), and Chapter 13.8 (commencing with Section 26299.000) of Part 2 of Division 2 of Title 3 of, the Government Code, relating to local government.

ASSEMBLY BILL NO. 415—Robert Rivas. An act to amend Section 245.5 of the Labor Code, relating to employment.

AUTHOR'S AMENDMENTS
Committee on Education

February 3, 2021

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 22

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

O'DONNELL, Chair

ASSEMBLY BILL NO. 22—An act to amend Section 48000 of the Education Code, relating to transitional kindergarten.

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 GOVERNOR
CONCERNING
PARDONS, COMMUTATIONS, REPRIEVES,
AND PAROLE DECISIONS**

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Office, Sacramento
December 31, 2020

Sue Parker

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

Dear Ms. Parker: I enclose the Governor's 2020 Executive Report on Parole Review Decisions and the 2020 Executive Report on Pardons, Commutations of Sentence, and Repleves, issued pursuant to article V, section 8 of the California Constitution.

Sincerely,

CATHERINE E. LHAMON
Legal Affairs Secretary

Governor's Office, Sacramento

To the Members of the Senate and Assembly of the State of California:

In accordance with article V, section 8 of the California Constitution, Penal Code section 4807, and Government Code section 12017, I submit to you a report on the pardons, commutations of sentence, and repleves I issued in 2020. I pardoned 41 people, granted commutations of sentences to 55 people, and granted repleves to 4 people.

This report includes the pardon, commutation, and repleve certificates, and the pardon and commutation application forms submitted for each.

My constitutional authority to grant clemency in criminal cases in the form of pardons, commutations of sentence, and repleves is an important part of California's criminal justice system that can promote accountability, rehabilitation, public safety, make jails and prisons safer, and correct unjust results in the legal system.

The report may be found at www.gov.ca.gov/clemency, or, for a printed copy, contact the Governor's Office at 916-445-2841. Crime victims and survivors who would like information about parole and clemency notification, restitution, and referral and support services can call 1-877-256-6877, email victimservices@cdcr.ca.gov, or visit www.cdcr.ca.gov/victim-services. Californians who would like information about how to apply for clemency can visit www.gov.ca.gov/clemency.

I look forward to our continued partnership in ensuring a fair criminal justice system for all Californians.

Sincerely,

GAVIN NEWSOM

Governor's Office, Sacramento

To the Members of the Senate and Assembly of the State of California:

I submit this report as required by article V, section 8, subdivision (b).

The parole process in California, a critical cornerstone of our criminal justice system, is made stronger by the efforts of many, throughout state government, the legal system, and in our communities.

The California Department of Corrections and Rehabilitation, under the leadership of Secretary Kathleen Allison, the Board of Parole Hearings, including the Parole Commissioners and the Deputy Parole Commissioners, under the leadership of Executive Officer Jennifer Shaffer, and the Division of Adult Parole Operations, under the leadership of Guillermo Viera Rosa, lead this effort in our state government. I also wish to acknowledge the Office of Victim and Survivor Rights and Services led by Acting Chief Katie James.

I am also grateful to the community organizations that provide rehabilitative programming in prisons and reentry services to people on parole in the community; the attorneys who represent incarcerated people in the parole process; the prosecutors who appear at the hearings; and the people in prison, on parole, and post-parole who have committed themselves to rehabilitation and accountability.

Finally, I acknowledge and thank crime victims and survivors for their participation in the parole process. I have been inspired by their courage and resilience.

The report may be found at www.gov.ca.gov/clemency, or, for a printed copy, contact the Governor's Office at 916-445-2841. Crime victims and survivors who would like information about parole and clemency notification, restitution, and referral and support services can call 1-877-256-6877, email victimservices@cdcr.ca.gov, or visit www.cdcr.ca.gov/victim-services. Californians who would like information and instructions on how to apply for clemency may visit www.gov.ca.gov/clemency.

I look forward to our continued partnership in ensuring a fair criminal justice system for all Californians.

Sincerely,

GAVIN NEWSOM

Above reports referred to the Committee on Public Safety.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, February 4, 2021.

ANTHONY RENDON, Speaker

TAMMY WEIS, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 3, 2021**

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

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Daily Total: 1

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