CALIFORNIA LEGISLATURE 2019–20 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 7, 2019

TWENTY-FIRST SESSION DAY

SIXTY-SEVENTH 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, February 7, 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.

300

Quorum Call of the Assembly

Assembly Member Wicks 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—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Member Eloise Gómez Reyes, of the 47th Assembly District:

We often celebrate the beginning of life with great anticipation. We dream of the possibilities of a future without limits and without borders. As the years progress, we find there ARE limits and we each work to push beyond these limits for ourselves, and for those who come after us.

Some have seen segregation and fought for inclusion. Some have seen injustices and fought for equity. Some have faced closed doors, high walls, and glass ceilings, and fought to break through them. For some, it has been a very personal battle to better themselves. For others, the fight has been for future generations.

As we move through this legislative year, I pray that we commit to fight for those who do not have the same future opportunities simply because of where they were born or the parents who bore them. We are smart enough, wise enough, to know when we are witnessing injustices. We know when someone is suffering unjustly simply because of the color of their skin, the lack of money in their pocket, the God they believe in, the language they speak, or the limits of their abilities.

I pray that we do not look away. I pray that we use our position and the responsibility that comes with it, to go beyond words and rhetoric. I pray that we look for solutions that teach and protect our children, and give them a sense of belonging. I pray that we give honor and respect to those who have sacrificed for the rest of us. I pray that we lean on each other, and together, lean in to push down the doors and the walls that serve only to limit the dreams and hopes of the very people we are called on to represent.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Bigelow 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 Gipson, 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:

On legislative business: Assembly Member Flora.

On personal business, and waiving per diem: Assembly Member Dahle.

Because of illness in his family: Assembly Member Calderon.

EXPLANATIONS OF ABSENCE

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

January 15, 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 Floor Session on Thursday, February 7, 2019, to attend the Central Valley Ag Summit in my district for legislative business. If you have any questions, please call Dylan Gray at (916) 319-2012. Thank you for your consideration of this request.

Sincerely,

HEATH FLORA, Assembly Member Twelfth District

SPECIAL COMMITTEE MEETINGS

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

Privacy and Consumer Protection, on Wednesday, February 20, 2019, at 9 a.m., in Room 4202;

Natural Resources, to convene jointly with Local Government, on Monday, February 25, 2019, upon adjournment of Floor Session, in Room 447;

Joint Legislative Budget Committee, on Monday, March 18, 2019, at 10:30 a.m., in Room 4203.

REFERRAL OF BILLS TO COMMITTEE

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

Assembly	
Bill No.	Committee
229	Hum. S.
231	Nat. Res.
234	Rev. & Tax.
235	
236	Ed.
238	
	Higher Ed.
	J., E.D., & E.
246	
	G.O.
-	P.E. & R.
	Rev. & Tax.
	Rev. & Tax.
	Trans.
	Nat. Res.
	Nat. Res.
	Ed. and Health
	Trans.
	Hum. S.
	Health
404	11Calul

```
263 _____Rev. & Tax.
  264 _____Rev. & Tax.
  265 _____E. & R.
  266 _____Rev. & Tax.
  267 _____L. & E. and A.,E.,S.,T., & I.M.
  269 _____Trans.
  271 _____P.E. & R.
  273 _____W., P., & W.
  276 _____Pub. S.
  277 _____Pub. S.
  278 _____Nat. Res.
  282 _____Rev. & Tax.
  283 _____Hum. S.
  284 _____W., P., & W.
  286 _____ Rev. & Tax. and B. & P.
  287 _____P.E. & R.
  290 _____ Health
  292 _____E.S. & T.M. and W., P., & W.
  293 _____Nat. Res.
  294 _____Pub. S.
  295 _____Ins.
  296 _____Nat. Res.
  297 _____Ed.
  299 _____E. & R.
  300 _____Pub. S.
  302 _____ Higher Ed.
  303 _____Pub. S.
  304 _____Pub. S.
  307 _____Hum. S.
  308 _____Rev. & Tax.
  310 _____ Jud. and Pub. S.
  311 _____Hum. S.
  312 _____A. & A.R.
Assembly Concurrent
 Resolution No.
   20 _____Rls.
   21 _____Rls.
   23 _____Rls.
   24 _____Rls.
```

REQUEST FOR PHOTOGRAPHER

Assembly Member Wicks 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 Wicks was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting a guest to sit at her desk in the Assembly Chamber, whereupon she introduced her daughter Josephine "Jojo" Ambler.

CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY CONCURRENT RESOLUTION NO. 3 (Choi)—Relative to Korean American Day.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES-75

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

NOES—None

Resolution ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

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

Resolution read.

Members Made Coauthors of House Resolution No. 12

Upon request of Assembly Member Gipson, the following Members were permitted to be listed as additional coauthors of House Resolution No. 12.

Additional Coauthors

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

Aguiar-Curry, Arambula, Bauer-Kahan, Berman, Bigelow, Bloom, Boerner Horvath, Bonta, Brough, Burke, Carrillo, Cervantes, Chau, Chen, Chiu, Choi, Chu, Cooley, Cooper, Cunningham, Daly, Diep, Eggman, Fong, Frazier, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Kamlager-Dove, Kiley, Lackey, Levine, Limón, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Muratsuchi, Nazarian, Obernolte, O'Donnell, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Smith, Mark Stone, Ting, Voepel, Waldron, Weber, Wicks, and Wood.

Request for Unanimous Consent

Assembly Member Gipson was granted unanimous consent to take up House Resolution No. 12, as revised, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 12, as Revised HOUSE RESOLUTION NO. 12—Relative to Black HIV/AIDS Awareness Day. Resolution read, as revised, and adopted.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next rollcall would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 149 (Cooper)—An act to amend Sections 11162.1 and 11164 of, and to add Section 11162.2 to, the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar rollcall.)

Consent Calendar Rollcall

The roll was called, and the preceding bill on the Consent Calendar passed, and the urgency clause to the bill adopted, by the following vote:

AYES-77

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

NOES-None

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the session schedule for Tuesday, February 12, 2019: Floor Session will convene at 10:30 a.m., for the convening of the State of the State Address at 11 a.m., by the Honorable Gavin Newsom, 40th Governor of California.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:44 a.m., without objection, Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

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 Willis Huddleston of Desert Edge.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Patricio Guillen of Chino.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Diep, Daly, and Quirk-Silva were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fire Chief Tom Schultz, Garden Grove Fire Department, resident of Placentia.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Brough was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Arthur Hasselbrink of San Juan Capistrano.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Cooley and Weber were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alice A. Lytle of Sacramento.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Friday, February 8, 2019, No session;

Monday, February 11, 2019, Floor Session, 1 p.m.

ADJOURN IN MEMORY

Assembly Member Salas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marvin Dean of Bakersfield.

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 Russell E. Strahan of Sacramento.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Concurrent Resolution No. 3, Concurrence: Chen, Chiu, Gallagher, Gray, Levine, Nazarian, and Ting—Aye.

Consent Calendar: Chu and Ting—Aye.

MOTION TO ADJOURN

At 10:05 a.m., Assembly Member Cooley moved that the Assembly do now adjourn.

Assembly Member Weber 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. 405—Blanca Rubio. An act to amend Section 6353 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 406—Limón and Gonzalez (Principal coauthor: Senator Jackson). An act relating to paid family leave.

ASSEMBLY BILL NO. 407—Santiago. An act relating to public health.

ASSEMBLY BILL NO. 408—Frazier. An act to amend Sections 295.7 and 5007 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 409—Limón. An act to add Part 4.8 (commencing with Section 71370) to Division 34 of the Public Resources Code, relating to climate change.

ASSEMBLY BILL NO. 410—Nazarian. An act to amend Section 23103 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 411—Mark Stone. An act to amend Section 34191.4 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 412—Quirk-Silva (Coauthor: Mullin) (Coauthor: Senator Moorlach). An act to amend Section 17210 of the Financial Code, relating to escrow agents.

ASSEMBLY BILL NO. 413—Jones-Sawyer (Coauthor: Weber). An act to amend Sections 215, 216, 234.1, 8266.1, 8423, 8801, 11300, 33426, 42920, 44324, 45391, 48325, 48660.1, 49380, 51266, 51865, 52052, 52616.2, 54690, 60901, and 69981 of, and to add Section 96 to, the Education Code, and to amend Sections 5087, 6025, 6027, 13825.2, 13825.4, 13825.5, 13826.11, and 13864 of the Penal Code, relating to youth.

ASSEMBLY BILL NO. 414—Bonta. An act to add Title 24 (commencing with Section 100700) to the Government Code, and to add Part 32 (commencing with Section 61000) to Division 2 of the Revenue and Taxation Code, relating to healthcare coverage.

ASSEMBLY BILL NO. 415—Maienschein. An act to amend Section 13957 of the Government Code, relating to victim compensation, and making an appropriation therefor

ASSEMBLY BILL NO. 416—Fong. An act to amend Section 17072 of, and to add and repeal Section 17208 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 417—Arambula. An act to add Article 7.5 (commencing with Section 540) to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 418—Kalra. An act to amend Section 912 and 917 of, and to add Article 9.5 (commencing with Section 1048) to Chapter 4 of Division 8 of, the Evidence Code, relating to privilege.

ASSEMBLY BILL NO. 419—Committee on Agriculture. An act to amend Section 42815 of the Food and Agricultural Code, relating to food and agriculture.

ASSEMBLY BILL NO. 420—Lackey and Cooley (Coauthor: Wood) (Coauthor: Senator Wilk). An act to amend Section 11362.9 of the Health and Safety Code, relating to cannabis, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 421—Waldron. An act to amend Sections 2103, 2032, 2034, and 2036 of the Streets and Highways Code, relating to transportation, and making an appropriation therefor.

ASSEMBLY BILL NO. 422—Frazier. An act to add Section 185035.5 to the Public Utilities Code, relating to high-speed rail.

ASSEMBLY BILL NO. 423—Gloria. An act to amend Sections 40100 and 40100.5 of, and to add Section 40100.6 to, the Health and Safety Code, relating to the San Diego County Air Pollution Control District.

ASSEMBLY BILL NO. 424—Gabriel. An act to amend Section 2025.340 of the Code of Civil Procedure, relating to depositions.

ASSEMBLY BILL NO. 425—Cooley. An act to amend Sections 28475, 30312, and 30314 of the Penal Code, relating to firearms, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 426—Maienschein. An act to repeal Section 12309.1 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 427—Brough (Principal coauthor: Choi) (Coauthors: Chen, Dahle, Flora, Gallagher, Gray, Lackey, Mathis, Melendez, Patterson, Voepel, and Waldron) (Coauthors: Senators Bates, Chang, and Jones). An act to add Section 17132.9 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 428—Medina, O'Donnell, Frazier, Arambula, and Reyes (Coauthors: Senators Allen, Beall, and Wilk). An act to amend Sections 56836.06, 56836.11, and 56836.145 of, and to add Sections 56836.12 and 56836.146 to, the Education Code, relating to special education funding.

ASSEMBLY BILL NO. 429—Nazarian. An act relating to state government.

ASSEMBLY BILL NO. 430—Gallagher. An act to add Section 21080.36 to the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 431—Gallagher. An act to add Sections 21080.50 and 21080.51 to the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 432—Quirk. An act to amend Sections 101480 and 101485 of, and to add Section 101481 to, the Health and Safety Code, relating to waste.

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 6—Choi (Coauthor: Quirk-Silva). Relative to Yu Gwan-sun Day.

REPORTS OF STANDING COMMITTEES Committee on Rules

Date of Hearing: February 7, 2019

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 23

With the recommendation: Be adopted.

310

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

COOLEY, Chair

Feb. 7, 2019

Above resolution ordered to Consent Calendar.

Date of Hearing: February 7, 2019

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 5

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

COOLEY, Chair

Above resolution ordered to Consent Calendar.

Date of Hearing: February 7, 2019

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 19 With the recommendation: Be adopted.

COOLEY, Chair

Above resolution ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, February 7, 2019

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

Senate Concurrent Resolution No. 9

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. 9—Relative to the Lunar New Year celebration.

INTRODUCTION OF GUESTS

Assembly Member Cooper, of the 9th Assembly District, introduced representatives from the California Youth Football Alliance: Joe Rafter, President and Chairman of the Board; and Ron White, Executive Vice President, Standards and Practices.

Assembly Member Chen, of the 55th Assembly District, and on behalf of Assembly Member Gipson, of the 64th Assembly District, introduced Brooke Ence, CrossFit personality and philanthropist; and Mark Bell, world record powerlifter.

In conjunction with House Resolution No. 12 relative to Black HIV/AIDS Awareness Day, Assembly Member Gipson, of the 64th Assembly District, introduced Raniyah Copeland, President and Chief Executive Officer, The Black AIDS Institute; Alexis Dailey, Health Educator and Testing Coordinator, Sacramento LGBT Community Center; Tony Bradford, Associate Director of Community Engagement, San Francisco AIDS Foundation; and Eric Harris, Legislative Advocate with the National Association for the Advancement of Colored People (NAACP).

Assembly Member Wood, of the 2nd Assembly District, introduced Juan Manuel Galán Pachón, Senator of Colombia.

ADJOURNMENT

At 10:05 a.m., pursuant to the motion by Assembly Member Cooley, the Assembly adjourned until 1 p.m., Monday, February 11, 2019, out of respect to the memory of Willis Huddleston on motion of Assembly Member Eduardo Garcia; out of respect to the memory of Rev. Patricio Guillen on motion of Assembly Member Reyes; out of respect to the memory of Fire Chief Tom Schultz on motion of Assembly Members Diep, Daly, and Quirk-Silva; out of respect to the memory of Arthur Hasselbrink on motion of Assembly Member Brough; out of respect to the memory of Alice A. Lytle on motion of Assembly Members Cooley and Weber; out of respect to the memory of Marvin Dean on motion of Assembly Member Salas; and out of respect to the memory of Russell E. Strahan on motion of Assembly Member McCarty.

ANTHONY RENDON, Speaker

TAMMY WEIS, Index Clerk