

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 12, 2020

ONE HUNDRED FIFTIETH SESSION DAY

FOUR HUNDRED THIRTY-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
Wednesday, February 12, 2020

The Assembly met at 7 a.m.

Hon. Steven S. Choi, Assembly Member, 68th District, presiding.

Chief Clerk Sue Parker at the Desk.

Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The following were placed upon the morning rollcall—56:

Aguiar-Curry	Cooper	Jones-Sawyer	Quirk
Arambula	Dahle	Kalra	Quirk-Silva
Bauer-Kahan	Daly	Kamlager	Ramos
Berman	Eggman	Lackey	Reyes
Boerner Horvath	Flora	Low	Rivas, L.
Bonta	Fong	Maienschein	Rivas, R.
Burke	Frazier	Mayes	Rubio
Calderon	Friedman	McCarty	Salas
Carrillo	Gabriel	Medina	Smith
Chau	Gallagher	Nazarian	Stone
Chen	Garcia, C.	Obernolte	Voepel
Chiu	Garcia, E.	O'Donnell	Waldron
Choi	Gipson	Patterson	Weber
Chu	Grayson	Petrie-Norris	Mr. Speaker

Quorum present.

At 12:12 p.m., Hon. Susan Eggman, 13th 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 Bloom, Brough, Gonzalez, Gray, Limón, Mathis, Melendez, Mullin, and Santiago.

Because of illness, per diem waived for the 2019–20 Session (Assembly Journal, page 66): Assembly Member Cooley.

On personal business, per diem waived for the 2019–20 Session (Assembly Journal, page 66): Assembly Member Kiley.

On personal business, and waiving per diem: Assembly Members Diep, Gloria, Holden, Irwin, Muratsuchi, Rodriguez, Ting, Wicks, and Wood.

Because of illness: Assembly Members Bigelow and Cunningham.

Because of illness in his family: Assembly Member Levine.

On maternity leave: Assembly Member Cervantes.

EXPLANATIONS OF ABSENCE

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

January 31, 2020

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

Dear Mr. Speaker: I respectfully request approval to be excused from Check-in Session, Wednesday, February 12, 2020, so that I can attend the Los Angeles Innovation League's event in my district. Thank you for your consideration of this matter. If you have any questions, please contact Tricia Lipper at (916) 319-3162.

Sincerely,

RICHARD BLOOM, Assembly Member
Fiftieth District

January 24, 2020

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

Dear Speaker Rendon: I respectfully request approval to be excused from Check-in Session due to legislative business on Wednesday, February 12, 2020. I have a resolution to present to the VFW Post 281, Dana Point Chamber Annual Installation of Officers and have been invited to give a legislative update at the Mission Viejo Chamber meeting on Thursday morning 2/13/20. Please contact me at (949) 606-2687 should you have any questions.

Sincerely,

WILLIAM P. BROUGH, Assembly Member
Seventy-third District

January 31, 2020

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Session on February 12th and 13th, to speak at the California Labor Federation's Forum on AB 5 on the 12th and to hold meetings in my district office on the 13th. Thank you for your assistance. Please contact Cary in my office should any questions arise.

Sincerely,

LORENA GONZALEZ, Assembly Member
Eightieth District

February 10, 2020

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Session on Wednesday, February 12, 2020, and Thursday, February 13, 2020, due to legislative business. Thank you for your assistance. Please contact Terra Grantham in my office should any questions arise.

Sincerely,

ADAM C. GRAY, Assembly Member
Twenty-first District

February 11, 2020

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 Check-in Session on Wednesday, February 12 and Thursday, February 13, 2020, due to legislative business in my district. Should you have any questions or need additional information, please contact Scheduler, Kristina Calderon, in my Capitol Office, or myself. Thank you for your consideration of this request.

Sincerely,

MONIQUE LIMÓN, Assembly Member
Thirty-seventh District

February 12, 2020

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-in Session on Wednesday, February 12, 2020, on Legislative Business. I will be hosting a Town Hall Meeting in my district. If you need further information or have any questions, please contact Donda Scholl in my office at (916) 319-2067. Thank you for your attention to this matter.

Sincerely,

MELISSA A. MELENDEZ, Assembly Member
Sixty-seventh District

February 5, 2020

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 Session on February 12th and 13th for legislative business. Thank you for your consideration of this request and please contact Miriam Farouk in my Capitol office at (916) 319-2022 should any questions arise.

Sincerely,

KEVIN MULLIN, Assembly Member
Twenty-second District

January 28, 2020

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Session on Wednesday, February 12th and Thursday, February 13th to attend legislative meetings in my District. Thank you for your attention to this request. If you have any questions, please contact me or Kitty Barowitz at (916) 319-2053.

Sincerely,

MIGUEL SANTIAGO, Assembly Member
Fifty-third District

(NOTE: For letter explaining the absence of Assembly Member Mathis on this day on legislative business, pursuant to the Assembly Rules, see Assembly Journal for February 11, 2020.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 12, 2020

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

House Resolution No. 77

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above resolution ordered on file.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2195—Maienschein. An act relating to housing.

ASSEMBLY BILL NO. 2196—Calderon. An act to amend Section 104905 of the Health and Safety Code, relating to older adults.

ASSEMBLY BILL NO. 2197—Blanca Rubio. An act to add Part 4 (commencing with Section 3480) to Division 8 of the Family Code, relating to child custody.

ASSEMBLY BILL NO. 2198—Ting. An act to add Section 1583 to the Code of Civil Procedure, relating to unclaimed property.

ASSEMBLY BILL NO. 2199—Nazarian. An act to amend Section 1246.7 of the Business and Professions Code, relating to clinical laboratories.

ASSEMBLY BILL NO. 2200—Kalra. An act to amend Section 98 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2201—Grayson. An act to amend Section 3007.05 of the Penal Code, relating to prisons.

ASSEMBLY BILL NO. 2202—Mathis. An act to amend Section 391 of the Welfare and Institutions Code, relating to juveniles.

ASSEMBLY BILL NO. 2203—Nazarian. An act to amend Section 1367.51 of the Health and Safety Code, and to amend Section 10176.61 of the Insurance Code, relating to health insurance.

ASSEMBLY BILL NO. 2204—Arambula. An act to add Section 1367.48 to the Health and Safety Code, and to add Section 10123.92 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 2205—Jones-Sawyer. An act to amend Section 6025 of the Penal Code, relating to corrections.

ASSEMBLY BILL NO. 2206—Oberholte (Coauthors: Senators Grove and Morrell). An act to add Section 25660 to the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 2207—Arambula. An act to amend Sections 13102 and 13501 of, and to add Chapter 6 (commencing with Section 6870) to Part 1 of Division 6 of, the Elections Code, relating to elections.

ASSEMBLY BILL NO. 2208—Irwin. An act relating to charitable organizations.

ASSEMBLY BILL NO. 2209—Mayes. An act to add and repeal Chapter 5.8 (commencing with Section 11549.50) of Part 1 of Division 3 of Title 2 of the Government Code, relating to geographic information technology.

ASSEMBLY BILL NO. 2210—Aguiar-Curry. An act to amend Sections 7109.5 and 7110.5 of the Business and Professions Code, relating to professions and vocations.

ASSEMBLY BILL NO. 2211—Blanca Rubio. An act to add Section 49550.4 to the Education Code, relating to school meals.

ASSEMBLY BILL NO. 2212—Committee on Accountability and Administrative Review. An act to amend Section 12479 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 2213—Limón. An act to add Section 8589.65 to the Government Code, relating to emergency services.

ASSEMBLY BILL NO. 2214—Carrillo. An act to amend Section 11346.2 of the Government Code, relating to administrative regulations.

ASSEMBLY BILL NO. 2215—Chau. An act to amend Section 13650 of the Business and Professions Code, relating to service stations.

ASSEMBLY BILL NO. 2216—Chen (Coauthor: Ting). An act to amend Sections 4502, 16590, 18010 and 22015 of, to add Section 22296 to, to repeal Section 22090 of, and to repeal and add Section 22010 to, the Penal Code, relating to prohibited weapons.

ASSEMBLY BILL NO. 2217—Mathis. An act to amend Section 17010 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2218—Santiago (Principal coauthor: Senator Wiener). An act to add Division 119 (commencing with Section 150900) to the Health and Safety Code, and making an appropriation therefor, relating to access to health services.

ASSEMBLY BILL NO. 2219—O'Donnell. An act to amend Sections 24950.5 and 24976 of the Education Code, relating to individual retirement plans, and making an appropriation therefor.

ASSEMBLY BILL NO. 2220—Cooper (Coauthor: Senator Galgiani). An act relating to real property.

ASSEMBLY BILL NO. 2221—Cristina Garcia. An act to add Article 3.5 (commencing with Section 49445) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 2222—Maienschein. An act to add Article 10 (commencing with Section 17610) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to business.

ASSEMBLY BILL NO. 2223—Petrie-Norris. An act to amend Section 11776 of the Health and Safety Code, relating to substance use disorder.

ASSEMBLY BILL NO. 2224—Mayes. An act to amend Section 34176.1 of the Health and Safety Code, relating to local government.

ASSEMBLY BILL NO. 2225—Grayson. An act to amend Section 44011 of the Health and Safety Code, relating to vehicular air pollution.

ASSEMBLY BILL NO. 2226—Voepel and Brough (Coauthor: Senator Wilk). An act to add and repeal Section 17132.9 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2227—Irwin. An act to amend Sections 5380, 5502, and 5806 of the Civil Code, relating to common interest developments.

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21—Melendez. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XIII A of the California Constitution thereof, relating to taxation.

**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

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 Ralph Diaz, 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 lead this effort in our state government. I also wish to acknowledge the Office of Victims and Offenders Rights and Services led by Chief Notice Edwards.

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 inmates 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 report referred to the Committee on Public Safety.

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 reprieves I issued in 2019. I pardoned 22 people, granted commutations of sentences to 23 people, and granted reprieves to 737 people in the form of a moratorium on the death penalty.

This report includes the pardon and commutation certificates, and the application forms submitted for each. The report also includes Executive Order 03.13.19, which sets forth the reasons for my decision to institute a moratorium on the death penalty.

My constitutional authority to grant clemency in criminal cases in the form of reprieves, commutations, and pardons 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

Above report referred to the Committee on Public Safety.

Governor's Office, Sacramento

February 10, 2020

Sue Parker

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

Dear Ms. Parker: I enclose the Governor's 2019 Executive Report on Parole Review Decisions and the 2019 Executive Report on Pardons, Commutations of Sentence, and Reprieves, issued pursuant to Article V, Section 8 of the California Constitution.

Sincerely,

CATHERINE E. LHAMON
Legal Affairs Secretary

Above reports referred to the Committee on Public Safety.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Thursday, February 13, 2020.

ANTHONY RENDON, Speaker

TAMMY WEIS, Assistant Minute Clerk

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