

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 13, 2020

ONE HUNDRED FIFTY-FIRST SESSION DAY

FOUR HUNDRED THIRTY-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
Thursday, February 13, 2020

The Assembly met at 7 a.m.

Hon. Jim Patterson, Assembly Member, 23rd District, presiding.

Chief Clerk Sue Parker at the Desk.

Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The following were placed upon the morning rollcall—49:

Arambula	Daly	Maienschein	Rivas, L.
Bauer-Kahan	Eggman	Mayes	Rivas, R.
Berman	Flora	McCarty	Rubio
Brough	Gabriel	Medina	Salas
Burke	Garcia, C.	Melendez	Smith
Carrillo	Garcia, E.	Nazarian	Stone
Chau	Gipson	Obernolte	Voepel
Chen	Grayson	O'Donnell	Waldron
Choi	Jones-Sawyer	Patterson	Weber
Chu	Kalra	Quirk	Mr. Speaker
Cooper	Kiley	Quirk-Silva	
Cunningham	Lackey	Ramos	
Dahle	Low	Reyes	

Quorum present.

At 2:11 p.m., Hon. Marc Berman, 24th 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 Aguiar-Curry, Bloom, Boerner-Horvath, Bonta, Calderon, Chiu, Fong, Gallagher, Gonzalez, Gray, Kamlager, Limón, Mathis, Mullin, Petrie-Norris, Santiago, and Ting.

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

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

Because of illness: Assembly Members Bigelow and Frazier.

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:

February 20, 2020

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

Dear Speaker Rendon: I am writing to request a Session excuse for Thursday, February 13, 2020, due to legislative business in my district. Thank you for your consideration.

Sincerely,

CECILIA M. AGUIAR-CURRY, Assembly Member
Fourth District

January 9, 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 Thursday, February 13, 2020, for the Budget Subcommittee No. 6 hearing in San Francisco and a Jewish Caucus event. If you have any questions, please contact Tricia Lipper at (916) 319-2050.

Sincerely,

RICHARD BLOOM, Assembly Member
Fiftieth District

February 10, 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 Thursday, February 13, 2020, due to legislative business. Thank you for your attention to this request. Should you have any questions, please contact me or Rob Charles, my chief of staff, at (916) 319-2076.

Sincerely,

TASHA BOERNER HORVATH, Assembly Member
Seventy-sixth District

January 22, 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 Thursday, February 13, due to legislative business. Thank you for your consideration of this request.

Sincerely,

ROB BONTA, Assembly Member
Eighteenth District

February 13, 2020

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

Dear Speaker Rendon: I respectfully request to be excused from Check-in Session on Thursday, February 13, 2020, for legislative business. Thank you for your consideration of this request.

Sincerely,

IAN C. CALDERON, Assembly Member
Fifty-seventh District

February 12, 2020

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

Dear Speaker Rendon: I respectfully request to be excused from Check-in Session on Thursday, February 13, 2020, to attend the Budget Subcommittee No. 6 Overview of State Homelessness Funding and the Governor's 2020 Budget Proposal on Homelessness. I will be returning to Sacramento late afternoon and I don't anticipate arriving in time before the Desk closes due to additional legislative meetings in my district office. Please feel free to contact my assistant, Sonja Oehler at (916) 319-2917 if you have any additional questions.

Sincerely,

DAVID CHIU, Assembly Member
Seventeenth District

February 13, 2020

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

Dear Speaker Rendon: This letter is to respectfully request permission to be excused from Check-in Session on February 13, 2020, for legislative business. I will be participating in the Assembly Budget Subcommittee No. 6 informational hearing in San Francisco. If you have any questions, please call Sam Chung at (916) 319-2034. Thank you for your consideration of this request.

Sincerely,

VINCE FONG, Assembly Member
Thirty-fourth District

February 11, 2020

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

Dear Mr. Speaker: I respectfully request an excused absence from Check-in Session on February 13, 2020, for legislative business. I will be staying in my district for legislative meetings. Thank you for your assistance. Please contact my office at (916) 319-2003 if you have any additional questions.

Sincerely,

JAMES GALLAGHER, Assembly Member
Third District

February 6, 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 Thursday, February 13, 2020, to attend legislative meetings in my district. Thank you for your assistance in this matter. Please contact Megan Garrison in my office at (916) 319-2054 with any questions.

Sincerely,

SYDNEY KAMLAGER, Assembly Member
Fifty-fourth District

January 21, 2020

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

Dear Mr. Speaker: This letter is to request your approval to be excused from Check-in Session on February 13, 2020, to conduct legislative meetings in my District Office. Thank you in advance for your kind consideration of this request. If you have any questions, please do not hesitate to contact my assistant, Erin Dacumos-Khanna, at (916) 319-2074.

Sincerely,

COTTIE PETRIE-NORRIS, Assembly Member
Seventy-fourth District

February 4, 2020

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

Dear Speaker Rendon: I respectfully request to be excused from Check-in Session on Thursday, February 13, 2020, due to legislative business as Chair of a Budget Subcommittee hearing in San Francisco. Thank you for your consideration of this request. Please contact me at (916) 319-2019 should you have any questions.

Sincerely,

PHIL TING, Assembly Member
Nineteenth 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; for letters explaining the absences of Assembly Members Gonzalez, Gray, Limón, Mullin, and Santiago on this day on legislative business, pursuant to the Assembly Rules, see Assembly Journal for February 12, 2020.)

SPECIAL COMMITTEE MEETINGS

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

Joint Committee on Fisheries and Aquaculture, on Thursday, March 12, 2020, at 12 noon, in Room 112;

Utilities and Energy, on Wednesday, February 19, 2020, at 1:30 p.m., in Room 437.

COMMUNICATIONS

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

California State Auditor

2019-118
February 13, 2020

*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 directed by the Joint Legislative Audit Committee, my office conducted an audit of local law enforcement agencies' use of automated license plate readers (ALPR); the following report details the audit's findings and conclusions. In general, we determined that the law enforcement agencies we reviewed must better protect individuals' privacy through ensuring that their policies reflect state law. In addition, we found that these agencies must improve their ALPR data security, make more informed decisions about sharing their ALPR data, and expand their oversight of ALPR users.

We reviewed four agencies in detail that operate ALPR systems—Fresno Police Department, Los Angeles Police Department, Marin County Sheriff's Office, and Sacramento County Sheriff's Office. An ALPR system collects and stores license plate images of vehicles passing in its view and enables law enforcement to track a vehicle's movements over time; such a system raises privacy concerns. State law helps address these concerns by requiring agencies to have policies and safeguards in place to protect their ALPR systems from misuse. However, the agencies we reviewed either did not have ALPR policies or their policies were deficient, and they had not implemented sufficient safeguards. For example, none had audited searches of the ALPR images by their staff and thus had no assurance that the searches were appropriate. Furthermore, three of the four agencies have shared their ALPR images widely, without considering whether the entities receiving them have a right to and need for the images. The statewide survey of law enforcement agencies we conducted found that 70 percent operate or plan to operate an ALPR system, and this raises concerns that these agencies may share the deficiencies we identified at the four agencies we reviewed. Because many of the issues we identified link to the agencies' deficient ALPR policies we recommend that the Legislature direct the California Department of Justice to develop a policy template that local law enforcement agencies can use as a model for their ALPR policies.

Our statewide survey also showed that the period of time law enforcement agencies retain ALPR images varies widely. However,

among the four agencies we reviewed none had considered the usefulness of the ALPR images to investigators over time when determining their retention periods. We recommend that the Legislature amend state law to specify a maximum retention period for ALPR images.

Respectfully submitted,

ELAINE M. HOWLE, CPA
California State Auditor

Above report referred to the Committee on Public Safety.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2228—Cristina Garcia. An act relating to postsecondary education.

ASSEMBLY BILL NO. 2229—Flora. An act to amend Section 11999.2 of the Health and Safety Code, relating to drugs and alcohol.

ASSEMBLY BILL NO. 2230—Berman. An act to add Section 11756.5 to the Health and Safety Code, relating to substance abuse disorder treatment.

ASSEMBLY BILL NO. 2231—Kalra. An act to amend Section 1724 of the Labor Code, relating to prevailing wage.

ASSEMBLY BILL NO. 2232—Grayson. An act to amend Section 7141.5 of the Business and Professions Code, relating to contractors.

ASSEMBLY BILL NO. 2233—Quirk-Silva. An act to amend Section 11834.09 of the Health and Safety Code, relating to substance abuse treatment facilities.

ASSEMBLY BILL NO. 2234—Chau. An act to amend Sections 45313 and 88132 of the Education Code, relating to school and community college employees.

ASSEMBLY BILL NO. 2235—Gabriel. An act to amend Section 18125 of the Penal Code, relating to gun violence restraining orders.

ASSEMBLY BILL NO. 2236—Gabriel and Chu. An act to amend Section 13519.6 of the Penal Code, relating to peace officer training.

ASSEMBLY BILL NO. 2237—Berman. An act to amend Section 131285 of the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 2238—Mathis (Principal coauthor: Senator Hurtado). An act to add Section 12012.101 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2239—Maienschein and Chiu. An act to amend Section 1341.45 of the Health and Safety Code, relating to health care.

ASSEMBLY BILL NO. 2240—Gloria. An act to amend Section 218 of the Education Code, relating to educational equity.

ASSEMBLY BILL NO. 2241—Calderon. An act to amend Section 39604 of the Health and Safety Code, relating to the State Air Resources Board.

ASSEMBLY BILL NO. 2242—Levine. An act to add Section 1367.014 to the Health and Safety Code, and to add Section 10112.34 to the Insurance Code, relating to mental health.

ASSEMBLY BILL NO. 2243—Eggman. An act to amend Sections 17053.88.5 and 23688.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2244—Chen. An act to amend Section 25100 of the Corporations Code, relating to corporate securities.

ASSEMBLY BILL NO. 2245—Kalra. An act to amend Sections 1423, 1424, and 1424.5 of the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 2246—Mayes. An act to amend Section 2714 of the Public Resources Code, relating to surface mining.

ASSEMBLY BILL NO. 2247—Burke. An act to amend Section 17054 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2248—Aguiar-Curry. An act to amend Section 54441.5 of the Education Code, relating to migrant education.

ASSEMBLY BILL NO. 2249—Mathis. An act to amend Section 9149.22 of, and to add Article 7.7 (commencing with Section 9147.20) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, the Government Code, to add Section 185031 to the Public Utilities Code, and to add Section 2704.79 to the Streets and Highways Code, relating to high-speed rail.

ASSEMBLY BILL NO. 2250—Carrillo. An act to amend Section 486 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 2251—Diep. An act relating to correctional facilities.

ASSEMBLY BILL NO. 2252—Diep. An act to amend Section 2699 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2253—Low. An act to amend Section 1277 of the Health and Safety Code, to amend Section 5068.5 of the Penal Code, and to amend Section 5751.2 of the Welfare and Institutions Code, relating to professional licensure.

ASSEMBLY BILL NO. 2254—Petrie-Norris. An act to amend Section 18001 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2255—Eggman. An act to amend Section 345.5 of the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 2256—Eduardo Garcia. An act to amend Section 8825 of the Health and Safety Code, relating to cemeteries.

ASSEMBLY BILL NO. 2257—Gonzalez and Smith. An act to amend Section 17941 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2258—Reyes, Bonta, Limón, and McCarty (Coauthor: Bauer-Kahan). An act to add and repeal Section 14132.24 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2259—Fong. An act to amend Section 44501 of the Education Code, relating to teachers.

ASSEMBLY BILL NO. 2260—Fong. An act to amend Section 4024 of the Vehicle Code, relating to vehicles.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

February 13, 2020

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Senate Bill No. 275

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

LOW, Chair

SENATE BILL NO. 275—An act to amend Section 2960.1 of the Business and Professions Code, relating to healing arts.

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.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 13, 2020

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

Assembly Concurrent Resolution No. 140

And reports the same correctly enrolled, and presented to the Secretary of State on the 13th day of February, 2020, at 2 p.m.

SUE PARKER, Chief Clerk

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Friday, February 14, 2020.

ANTHONY RENDON, Speaker

TAMMY WEIS, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 13, 2020**

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

SB RN
275 2008686

Daily Total: 1
Cumulative Total: 2913

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