

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 14, 2019
TWENTY-FIFTH SESSION DAY
SEVENTY-FOURTH 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 14, 2019

The Assembly met at 7 a.m.

Hon. Devon Mathis, Assembly Member, 26th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The following were placed upon the morning rollcall—53:

Aguiar-Curry	Diep	Maienschein	Rivas, R.
Arambula	Fong	Mathis	Rubio
Berman	Gallagher	Mayes	Salas
Brough	Garcia, C.	McCarty	Smith
Burke	Garcia, E.	Medina	Stone
Carrillo	Gipson	Obernolte	Voepel
Cervantes	Holden	O'Donnell	Waldron
Chau	Irwin	Patterson	Weber
Chen	Jones-Sawyer	Petrie-Norris	Wicks
Chiu	Kalra	Quirk	Wood
Choi	Kamlager-Dove	Quirk-Silva	Mr. Speaker
Chu	Lackey	Ramos	
Cooley	Limón	Reyes	
Daly	Low	Rivas, L.	

Quorum present.

At 2:25 p.m., Hon. Joaquin Arambula, 31st 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 Bigelow, Bloom, Boerner Horvath, Bonta, Dahle, Flora, Gloria, Gonzalez, Gray, Grayson, Levine, Mullin, Muratsuchi, Nazarian, Santiago, and Ting.

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

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 Cunningham, Friedman, Gabriel, and Melendez.

Because of illness: Assembly Members Eggman and Frazier.

Because of illness in their families: Assembly Members Bauer-Kahan and Calderon.

Because of a death in his family: Assembly Member Rodriguez.

EXPLANATIONS OF ABSENCE

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

February 11, 2019

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 14, 2019, for in-district meetings and a tour of a modular housing facility that is also in my district. If you have any questions, please contact Tricia Lipper at (916) 319-2050.

Sincerely,

RICHARD BLOOM, Assembly Member
Fiftieth District

February 5, 2019

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 14, 2019, due to legislative business. Thank you for your consideration of this request.

Sincerely,

ROB BONTA, Assembly Member
Eighteenth District

February 14, 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 Check-in Session today, Thursday, February 14, 2019, to attend to legislative business in Paradise. Thank you for your attention to this matter. If you have questions or require additional information, please do not hesitate to contact Cherrish Hardy at (916) 319-2009.

Sincerely,

JIM COOPER, Assembly Member
Ninth District

February 14, 2019

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

Dear Speaker Rendon: I am respectfully asking to be excused from Check-in Session on Thursday, February 14, 2019, in order to tour the Camp Fire area in Paradise with the Governor. I thank you in advance for your consideration of this request. You can contact me by phone in my Capitol office at (916) 319-2001.

Sincerely,

BRIAN DAHLE, Assembly Member
First District

February 14, 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 Check-in Session on Thursday, February 14, 2019, for legislative business in Assembly District 12 including a tour of the Modesto DMV. 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

February 11, 2019

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 14, 2019, for the purpose of meetings in my district office. Thank you for your assistance. Please contact Emily in my office should any questions arise.

Sincerely,

LORENA GONZALEZ, Assembly Member
Eightieth District

February 13, 2019

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

Honorable Speaker Rendon: I respectfully ask to be excused from Check-in Session on Thursday, February 14, 2019. I will be working in my district as I have legislative business to conduct. I thank you for your consideration of my request. If you have any questions, please contact Geny Baldini at (916) 319-2021.

Sincerely,

ADAM C. GRAY, Assembly Member
Twenty-first District

February 8, 2019

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 14, 2019, and from Floor Session on Friday, February 15, 2019. I have been working to set up a meeting with housing stakeholders regarding legislation I will be carrying this year, and this is their only available time to meet. Thank you for your assistance. Please contact Nina Boyd at (916) 319-2014 in my office should any questions arise.

Sincerely,

TIMOTHY GRAYSON, Assembly Member
Fourteenth District

February 12, 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 Check-in Session on Thursday, February 14, 2019, on legislative business. Thank you for your consideration of this request.

MARC LEVINE, Assembly Member
Tenth District

February 12, 2019

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 Thursday, February 14, 2019, 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, 2019

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 14, 2019, while I am in my district for legislative meetings. Thank you for your consideration of this request.

Sincerely,

AL MURATSUCHI, Assembly Member
 Sixty-sixth District

(NOTE: For letters explaining the absences of Assembly Members Bigelow, Boerner Horvath, Gloria, Nazarian, and Ting on this day on legislative business, pursuant to the Assembly Rules, see Assembly Journal for February 13, 2019.)

COMMUNICATIONS

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

February 14, 2019

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have made changes to the following committees for the 2019–20 Regular Session:

Appropriations

I have appointed Assemblymember Brian Maienschein to the Assembly Appropriations Committee, increasing the membership of the committee from 17 to 18 members.

Budget

I have removed Assemblymember Brian Maienschein from the Assembly Budget Committee, decreasing the membership of the committee from 32 to 31 members.

Budget Subcommittee No. 2 on Education Finance

I have appointed Assemblymember Bill Brough to replace Assemblymember Brian Maienschein on the Assembly Budget Subcommittee No. 2 on Education Finance.

Communications and Conveyance

I have removed Assemblymember Brian Maienschein from the Assembly Communications and Conveyance Committee, decreasing the membership of the committee from 14 to 13 members.

Education

I have removed Assemblymember Brian Maienschein from the Education Committee, creating a Republican vacancy.

Housing and Community Development

I have appointed Assemblymember Tyler Diep to replace Assemblymember Brian Maienschein as the Vice Chair of the Assembly Housing and Community Development Committee. Assemblymember Maienschein will remain a member of the committee, increasing the membership of the committee from 7 to 8 members.

Human Services

I have appointed Assemblymember Devon Mathis to replace Assemblymember Brian Maienschein as Vice Chair of the Assembly Human Services Committee. Assemblymember Maienschein will remain a member of the committee, increasing the membership of the committee from 7 to 8 members.

Judiciary

I have appointed Assemblymember James Gallagher to replace Assemblymember Brian Maienschein as Vice Chair of the Assembly Judiciary Committee. Assemblymember Maienschein will remain a member of the committee. Assemblymember Jay Obernolte has also been appointed to the committee, increasing the membership of the committee from 11 to 12 members.

Rules

I have appointed Assemblymember Brian Maienschein to the Assembly Rules Committee, increasing the membership of the committee from 11 to 12 members. I have also appointed Assemblymember Devon Mathis to replace Assemblymember Tyler Diep on the committee. Assemblymember Diep has been appointed to replace Assemblymember Mathis as the Republican Alternate.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

REPORTS

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

California State Auditor

2018-114
February 14, 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 the Joint Legislative Audit Committee requested, the California State Auditor presents to you this audit report regarding California's Disabled Veteran Business Enterprise (DVBE) program.

The Department of General Services (General Services) and the California Department of Veterans Affairs (CalVet) are responsible for overseeing the DVBE program, which requires that state governmental entities that award contracts for goods or services (awarding departments) strive to spend at least 3 percent of the cumulative value of all their contracts on DVBE firms (3 percent goal). This report finds that the State lacks accurate data to gauge DVBE program success and that General Services and CalVet have failed to maximize DVBE participation and to accurately measure the program's success.

One indicator that the DVBE program could be improved is that only a small percentage of currently certified DVBE firms actually benefit from the program. Of the 1,671 firms registered in the DVBE program in fiscal year 2017–18, only 133 (or 8 percent) received contracts as prime contractors directly from state agencies. Moreover, 89 percent of the total amount the State awarded directly to DVBE firms that year went to only 30 of those 133 firms.

We reviewed six awarding departments to understand how they identify and contract with DVBE firms, and they explained that they often struggle to find a DVBE firm that can provide the services or products they need. The awarding departments claim that there are not enough qualified certified DVBE firms. Nevertheless, CalVet and General Services have not considered awarding departments' needs in their outreach efforts to encourage more businesses owned by disabled veterans to participate in the DVBE program, nor have they measured the success of those outreach efforts. CalVet also lacks the necessary resources to fully meet its statutory responsibility to assist departments that struggle to meet the 3 percent goal, and we believe that General Services is better equipped to fulfill this responsibility.

Finally, none of six awarding departments we reviewed could fully support the amounts that they told General Services they had spent on contracts with DVBE firms in fiscal year 2017–18. As a result, General Services may have overstated awarding departments' successes in

meeting the 3 percent goal, further highlighting the State's need for reliable data by which to measure this program's success.

Respectfully submitted,

ELAINE M. HOWLE, CPA
California State Auditor

Above report referred to the Committee on Jobs, Economic Development, and the Economy.

SPECIAL COMMITTEE MEETINGS

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

Jobs, Economic Development, and the Economy, on Tuesday, February 26, 2019, in Room 127.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 568—Reyes. An act to add and repeal Section 4366 of the Welfare and Institutions Code, relating to caregivers.

ASSEMBLY BILL NO. 569—Fong. An act to amend Section 148.1 of the Penal Code, relating to false reports.

ASSEMBLY BILL NO. 570—Aguiar-Curry. An act to amend Section 50633 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 571—Mullin. An act to amend Section 85305 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 572—Kalra (Principal coauthors: Bloom, Eduardo Garcia, and Reyes). An act to add Section 6105 to the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 573—Limón. An act to add Chapter 4 (commencing with Section 6390) to Part 4 of Division 10 of the Family Code, relating to domestic violence.

ASSEMBLY BILL NO. 574—Lackey. An act relating to child abuse.

ASSEMBLY BILL NO. 575—Weber. An act to amend Sections 2574 and 42238.02 of the Education Code, relating to education finance.

ASSEMBLY BILL NO. 576—Nazarian. An act relating to taxation.

ASSEMBLY BILL NO. 577—Eggman (Principal coauthor: Senator Portantino). An act to amend Section 14005.18 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 578—Mullin. An act to amend Section 31490 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 579—Daly. An act to amend Section 66000 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 580—Lackey. An act to repeal Section 12017 of the Government Code, and to amend Section 4807 of the Penal Code, relating to pardons, reprieves, and commutations.

ASSEMBLY BILL NO. 581—Levine. An act to amend Section 1170.91 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 582—Patterson (Coauthors: Gallagher and Lackey) (Coauthor: Senator Borgeas). An act to amend Section 20001 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 583—Diep. An act to amend Section 5510 of the Business and Professions Code, relating to professions and vocations.

ASSEMBLY BILL NO. 584—Gallagher. An act to amend Section 7145 of the Fish and Game Code, relating to fishing.

ASSEMBLY BILL NO. 585—Limón. An act to amend Section 6804 of the Public Resources Code, relating to public lands.

ASSEMBLY BILL NO. 586—Diep. An act to amend Section 21002.1 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 587—Friedman. An act to amend Section 65852.2 of, and to add Section 65852.26 to, the Government Code, relating to land use.

ASSEMBLY BILL NO. 588—Chen. An act to add Sections 30503.5 and 30526 to the Food and Agricultural Code, relating to animal shelters.

ASSEMBLY BILL NO. 589—Gonzalez. An act to add Sections 1019.3 and 1019.5 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 590—Mathis. An act to amend Section 239 of the Food and Agricultural Code, relating to the Agriculture Trust Fund.

ASSEMBLY BILL NO. 591—Cristina Garcia. An act to amend Section 71267 of the Water Code, relating to municipal water districts.

ASSEMBLY BILL NO. 592—Gallagher. An act to amend Section 18500 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 593—Carrillo. An act to amend Section 1095 of the Unemployment Insurance Code, relating to workforce development.

ASSEMBLY BILL NO. 594—Salas. An act relating to technology.

ASSEMBLY BILL NO. 595—Medina. An act to add Section 79149.25 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 596—Grayson. An act to amend Sections 1633.3, 1795.90, and 1795.91 of the Civil Code, and to amend Section 11814 of the Vehicle Code, relating to motor vehicles.

ASSEMBLY BILL NO. 597—Levine. An act to amend Sections 1203, 1203.35, and 4019 of the Penal Code, relating to corrections.

ASSEMBLY BILL NO. 598—Bloom (Coauthors: Gallagher and Mullin). An act to add Section 1367.72 to the Health and Safety Code, and to add Section 10123.72 to the Insurance Code, relating to healthcare coverage.

ASSEMBLY BILL NO. 599—Maienschein. An act to add Section 50093.1 to the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 600—Chu. An act to amend Section 65062 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 601—Bigelow. An act to amend Section 120100 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 602—Berman. An act to add Section 644 to the Penal Code, relating to deceptive recordings.

ASSEMBLY BILL NO. 603—Melendez. An act to amend Section 16690 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 604—Mullin. An act to amend Section 1229 of the Health and Safety Code, relating to clinics.

ASSEMBLY BILL NO. 605—Maienschein. An act to add Section 56040.3 to the Education Code, relating to special education.

ASSEMBLY BILL NO. 606—Diep. An act to amend Section 53091 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 607—Carrillo (Coauthors: Senators Mitchell, Skinner, and Wiener). An act to amend Section 11370 of the Health and Safety Code, and to amend Section 29820 of, to repeal Section 1203.073 of, and to repeal and add Section 1203.07 of, the Penal Code, relating to probation.

ASSEMBLY BILL NO. 608—Petrie-Norris. An act to amend Section 155.20 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 609—Levine. An act to amend Section 25613 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 610—Obernolte. An act to amend Section 9401 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 611—Nazarian. An act to amend Section 4830.7 of the Business and Professions Code, and to amend Section 597.9 of, and to repeal and add Section 286.5 of, the Penal Code, relating to sexual abuse of animals.

ASSEMBLY BILL NO. 612—Weber. An act to amend Section 18919 of the Welfare and Institutions Code, relating to CalFresh.

ASSEMBLY BILL NO. 613—Low. An act to add Section 101.1 to the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

ASSEMBLY BILL NO. 614—Eggman (Principal coauthor: Salas) (Coauthors: Flora, Cristina Garcia, Mathis, Robert Rivas, and Voepel) (Coauthors: Senators Bates, Dodd, and Galgiani). 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. 615—Brough. An act to amend Section 11831.6 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 616—Patterson. An act to add Article 7.9 (commencing with Section 4599) to Chapter 8 of Part 2 of Division 4 of the Public Resources Code, relating to fire safety.

ASSEMBLY BILL NO. 617—Mullin. An act to amend Section 684 of the Business and Professions Code, relating to healing arts.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 28—Gipson (Coauthors: Burke, Jones-Sawyer, Kamlager-Dove, McCarty, and Weber) (Coauthor: Senator Bradford). Relative to sickle cell disease.

HOUSE RESOLUTION NO. 13—Chu (Coauthors: Bauer-Kahan, Boerner Horvath, Choi, Diep, Friedman, Mathis, Petrie-Norris, Reyes, Smith, and Wicks). Relative to California Girls and Women in Sports Day.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

February 14, 2019

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 147

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

BURKE, Chair

ASSEMBLY BILL NO. 147—An act to amend Sections 6015, 6203, and 7262 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Friday, February 15, 2019.

ANTHONY RENDON, Speaker

TAMMY WEIS, Index Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 14, 2019**

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

AB RN

147 1910330

Daily Total: 1

Cumulative Total: 14

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