CALIFORNIA LEGISLATURE 2021–22 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 22, 2022 ONE HUNDRED FIFTY-FIRST SESSION DAY FOUR HUNDRED FORTY-THIRD 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 Tuesday, February 22, 2022

The Assembly met at 1 p.m.

Hon. Mia Bonta, Assistant Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Sue Parker at the Desk.

Reading Clerk David A. Bowman reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Ward moved a quorum call of the Assembly. Motion carried. Time, 1 p.m.

The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 1:15 p.m., Assistant Speaker pro Tempore Mia Bonta declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—71:

Aguiar-Curry	Flora	Low	Rodriguez
Arambula	Fong, M.*	Maienschein	Rubio
Bennett	Fong, V.	Mathis	Salas
Berman	Friedman	Mayes	Santiago
Bigelow	Gabriel	McCarty	Seyarto
Bloom	Gallagher	Medina	Smith
Boerner Horvath	Garcia, C.	Mullin	Stone
Bonta, M.	Garcia, E.	Muratsuchi	Ting
Calderon	Gipson	Nazarian	Valladares
Carrillo	Gray	Nguyen	Villapudua
Cervantes	Grayson	O'Donnell	Voepel
Chen	Holden	Patterson	Waldron
Choi	Irwin	Petrie-Norris	Ward
Cooper	Jones-Sawyer	Quirk-Silva	Weber, A.
Cunningham	Kalra	Ramos	Wicks
Dahle	Lackey	Reyes	Wood
Daly	Lee	Rivas, L.	Mr. Speaker
Davies	Levine	Rivas, R.	

^{*} NOTE: Prior to the convening of Floor Session, Assembly Member-elect Mike Fong took and subscribed to the oath of office for Member of the Assembly, 49th Assembly District. See page 3642 of this day's Journal.

COMMUNICATIONS

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

February 18, 2022

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

Dear Ms. Parker: This is to advise you that as of February 18, 2022 at 5:18 p.m., the unofficial results of the Special Primary Election held on Tuesday, February 15, 2022, for State Assembly District Forty-Nine, show that Mike Fong received 27,631 votes or 67.0% of the total number of votes cast for that office.

According to the unofficial results, Mike Fong has been elected as the State Assemblymember for the Forty-Ninth District.

To the best of the Secretary of State's knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by the County of Los Angeles, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

JANA M. LEAN Chief, Elections Division California Secretary of State

SWEARING-IN CEREMONY FOR ASSEMBLY MEMBER-ELECT MIKE FONG

Assembly Member-elect Mike Fong was sworn in during a special ceremony today, at 11 a.m., in the Assembly Chamber prior to the convening of Floor Session.

Speaker Anthony Rendon, 63rd District, presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Rendon, Majority Floor Leader Eloise Gómez Reyes then led the assemblage in the pledge of allegiance to the Flag.

OPENING REMARKS BY SPEAKER RENDON

Speaker Rendon welcomed family and friends of Assembly Member-elect Mike Fong and special guests from the 49th Assembly District, whereupon the Speaker presented opening remarks to the assemblage.

ASSEMBLY MEMBER-ELECT MIKE FONG ESCORTED FOR THE ADMINISTRATION OF THE OATH OF OFFICE

Speaker Rendon invited Assembly Member-elect Mike Fong to the Rostrum for the administration of the oath of office. Assembly Member-elect Mike Fong was escorted by his mother Wanda Fong.

OATH OF OFFICE ADMINISTERED

Assembly Member-elect Mike Fong appeared at the bar of the Assembly, and took and subscribed to the following oath of office administered by the Honorable Anthony Rendon, Speaker of the Assembly:

OATH

for the Office of Member of the Assembly 49th Assembly District

I, Mike Fong, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

MIKE FONG

Subscribed and sworn to before me, this 22nd day of February A.D. 2022

THE HONORABLE ANTHONY RENDON Speaker of the California State Assembly

PRESENTATION OF ASSEMBLY MEMBER MIKE FONG

Speaker Rendon presented the Honorable Mike Fong, Assembly Member for the 49th Assembly District, whereupon Assembly Member Mike Fong addressed the assemblage.

Assembly Member Mike Fong introduced his mother Wanda Fong; his aunt and uncle Mr. and Mrs. Lue; and his cousins Randy Lue, and Beverly and Charles Wike. Assembly Member Mike Fong welcomed his friends and supporters who were present in the Chamber and in the Gallery.

SIGNING OF OATH OF OFFICE

The Chief Clerk of the Assembly, Sue Parker, presented the oath of office for signature. Assembly Member Mike Fong and Speaker Rendon signed the official oath of office for filing with the Office of the Secretary of State.

CONCLUSION OF SPECIAL SWEARING-IN CEREMONY

At 11:23 a.m., Speaker Rendon declared the special swearing-in ceremony for Assembly Member Mike Fong adjourned.

REGULAR SESSION CONVENED

At 1:15 p.m., pursuant to the establishment of a quorum, the Assembly convened for Regular Session.

Assistant Speaker pro Tempore of the Assembly, Mia Bonta, 18th District, presiding.

PRAYER

Upon invitation of Assistant Speaker pro Tempore Mia Bonta, the following prayer was offered by Chaplain Imam Mohammad Yasir Khan:

In the name of God, the most gracious, the most merciful.

Almighty God, We have come to do Your will. We have been attentive to the needs of our times. We have listened to our constituents and to each other in the search of common purpose.

We are grateful to our colleagues, our personal staff, and the staff of the State Assembly for all their work and their dedication. We pray that You bless each of them for their efforts and reward them for their goodness by answering their prayers.

We pray for our families and the people of the districts we represent. Grant them peace, prosperity, and renewed faith.—*Ameen*.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Mia Bonta, Assembly Member Mike Fong 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 Reyes, seconded by Assembly Member Gallagher.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, per diem waived for the 2021–22 Session (Assembly Journal, page 76): Assembly Member Kiley.

Because of illness, per diem waived for the 2021–22 Session (Assembly Journal, page 76): Assembly Member Cooley.

On personal business, and waiving per diem: Assembly Member Bauer-Kahan.

Because of illness: Assembly Member Quirk. On medical leave: Assembly Member Bryan.

COMMUNICATIONS

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

February 22, 2022

Sue Parker

3644

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

Dear Ms. Parker: Please be advised that I have made changes to the following committees for the 2021–22 Regular Session:

Aging and Long-Term Care

I have removed Assemblymember Lisa Calderon from the Assembly Aging and Long-Term Care Committee, creating a Democratic vacancy. *Appropriations*

I have appointed Assemblymember Mike Fong to the Assembly Appropriations Committee.

Banking and Finance

I have appointed Assemblymember Mike Fong to the Assembly Banking and Finance Committee.

Military and Veterans Affairs

I have appointed Assemblymember James Ramos to replace Assemblymember Jacqui Irwin as Chair of the Assembly Military and Veterans Affairs Committee.

Privacy and Consumer Protection

I have appointed Assemblymember Mike Fong to the Assembly Privacy and Consumer Protection Committee.

Revenue and Taxation

I have appointed Assemblymember Jacqui Irwin as Chair of the Assembly Revenue and Taxation Committee.

Rules

I have appointed Assemblymember Mike Fong to replace Assemblymember Mia Bonta on the Assembly Rules Committee. I have also removed Assemblymember James Ramos from the Assembly Rules Committee, creating a Democratic vacancy.

Sincerely,

ANTHONY RENDON Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Utilities and Energy, on Wednesday, March 2, 2022, at 1:30 p.m., in Room 437.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 22, 2022

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

Assembly Concurrent Resolution No. 133

Assembly Concurrent Resolution No. 143

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, February 22, 2022

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

Assembly Concurrent Resolution No. 132

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, February 22, 2022

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

Assembly Bill No. 1893

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bill re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Speaker Rendon was granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118(a) SUSPENDED—PRIVILEGES OF THE FLOOR

Speaker Rendon was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting guests in the Chamber and on the Floor.

SPECIAL RECOGNITION Presentation of Assembly Member Mike Fong

Assistant Speaker pro Tempore Mia Bonta, on behalf of Speaker Rendon, presented the Honorable Mike Fong, Assembly Member for the 49th Assembly District, who was sworn in during a special ceremony prior to convening of Floor Session today. The Members of the Assembly joined Assistant Speaker pro Tempore Mia Bonta and Speaker Rendon in welcoming Assembly Member Mike Fong as the newest Member of the California State Assembly, whereupon he addressed the assemblage.

CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 666 (Quirk-Silva)—An act to add Chapter 3.6 (commencing with Section 11794.5) to Part 2 of Division 10.5 of the Health and Safety Code, relating to substance abuse.

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

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

AYES-68

Aguiar-Curry	Davies	Levine	Rivas, R.
Arambula	Flora	Low	Rodriguez
Bennett	Fong, M.	Maienschein	Rubio
Berman	Fong, V.	Mathis	Salas
Bigelow	Friedman	Mayes	Santiago
Bloom	Gabriel	McCarty	Seyarto
Boerner Horvath	Gallagher	Medina	Smith
Bonta, M.	Garcia, C.	Mullin	Stone
Calderon	Garcia, E.	Muratsuchi	Ting
Carrillo	Gipson	Nguyen	Valladares
Cervantes	Gray	O'Donnell	Villapudua
Chen	Grayson	Patterson	Waldron
Choi	Holden	Petrie-Norris	Ward
Cooper	Jones-Sawyer	Quirk-Silva	Weber, A.
Cunningham	Kalra	Ramos	Wicks
Dahle	Lackey	Reyes	Wood
Daly	Lee	Rivas, L.	Mr. Speaker

NOES—None

Bill ordered enrolled.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 349 (Umberg)—An act to add Chapter 3 (commencing with Section 11980.01) to Part 3 of Division 10.5 of the Health and Safety Code, relating to substance abuse.

Bill read third time.

Motion to Amend

Assembly Member Petrie-Norris moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 129 (Medina)—Relative to the University of California Student Association.

Members Made Coauthors of Assembly Concurrent Resolution No. 129

By unanimous consent, the following Members were permitted to be listed as additional coauthors of Assembly Concurrent Resolution No. 129.

Additional Coauthors

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

Aguiar-Curry, Arambula, Bennett, Berman, Bigelow, Bloom, Boerner Horvath, Mia Bonta, Calderon, Carrillo, Cervantes, Chen, Choi, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Holden, Jones-Sawyer, Kalra, Lackey, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Waldron, Ward, Akilah Weber, Wicks, and Wood.

Resolution read, as revised, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar rollcall.)

Davies

ASSEMBLY CONCURRENT RESOLUTION NO. 131 (Mia Bonta)—Relative to Wear Red Day and American Heart Month.

Members Made Coauthors of Assembly Concurrent Resolution No. 131

By unanimous consent, the following Members were permitted to be listed as additional coauthors of Assembly Concurrent Resolution No. 131.

Additional Coauthors

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

Aguiar-Curry, Arambula, Bennett, Berman, Bigelow, Bloom, Boerner Horvath, Calderon, Carrillo, Cervantes, Chen, Choi, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Holden, Jones-Sawyer, Kalra, Lackey, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Waldron, Ward, Akilah Weber, Wicks, and Wood.

Resolution read, as revised, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar rollcall.)

Consent Calendar Rollcall

The roll was called, and the preceding resolutions on the Consent Calendar adopted by the following vote:

AYES—69

Aguiar-Curry	Flora	Maienschein	Rubio
Arambula	Fong, M.	Mathis	Salas
Bennett	Fong, V.	Mayes	Santiago
Berman	Friedman	McCarty	Seyarto
Bigelow	Gabriel	Medina	Smith
Bloom	Gallagher	Mullin	Stone
Boerner Horvath	Garcia, C.	Muratsuchi	Ting
Bonta, M.	Garcia, E.	Nazarian	Valladares
Calderon	Gipson	Nguyen	Villapudua
Carrillo	Gray	O'Donnell	Waldron
Cervantes	Grayson	Patterson	Ward
Chen	Holden	Petrie-Norris	Weber, A.
Choi	Jones-Sawyer	Quirk-Silva	Wicks
Cooper	Kalra	Ramos	Wood
Cunningham	Lackey	Reyes	Mr. Speaker
Dahle	Lee	Rivas, L.	_
Daly	Levine	Rivas, R.	

Low

NOES-None

Rodriguez

VOTE ADDS

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

Assembly Bill No. 666, Concurrence: Cooper, Cunningham, Eduardo Garcia, Maienschein, Mayes, Santiago, and Wicks—Aye.

Consent Calendar: Cunningham, Maienschein, and Waldron—Aye.

ANNOUNCEMENTS

Assistant Speaker pro Tempore Mia Bonta announced the following session schedule:

Wednesday, February 23, 2022, Check-in Session, 7 a.m.-3 p.m.; Thursday, February 24, 2022, Floor Session, 9 a.m.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 731 was continued until Thursday, February 24, 2022.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:26 p.m., without objection, Assistant Speaker pro Tempore Mia Bonta declared the quorum call of the Assembly dispensed with.

ADJOURN IN MEMORY

Assembly Member Seyarto was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Daryl J. Hickman, former Lake Elsinore Councilmember and former Mayor, resident of Lake Elsinore.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Ward was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Morris Casuto of San Diego.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Davies and Choi were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Robert Ming, former Mayor of Laguna Niguel.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assistant Speaker pro Tempore Mia Bonta announced that Budget Subcommittee No. 4 on State Administration would meet today, upon adjournment of Floor Session, in Room 444.

MOTION TO ADJOURN

At 1:37 p.m., Assembly Member Nazarian moved that the Assembly do now adjourn.

Assembly Member Waldron seconded the motion.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 149—Rodriguez. Relative to American Red Cross Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 150—Nazarian. Relative to the Persian New Year.

ASSEMBLY CONCURRENT RESOLUTION NO. 151—Berman (Coauthor: Senator Becker). Relative to the Captain Matthew Patrick Manoukian Memorial Highway.

AUTHOR'S AMENDMENTS Committee on Higher Education

February 22, 2022

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

Assembly Bill No. 1633

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

MEDINA, Chair

ASSEMBLY BILL NO. 1633—An act to add Section 66014.4 to the Education Code, relating to public postsecondary education.

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.

Committee on Judiciary

February 22, 2022

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

Assembly Joint Resolution No. 23

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

STONE, Chair

ASSEMBLY JOINT RESOLUTION NO. 23—Relative to Title IX.

Resolution read.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

Committee on Public Safety

February 22, 2022

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1639

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

JONES-SAWYER, Chair

ASSEMBLY BILL NO. 1639—An act to amend Section 32000 of the Penal Code, relating to firearms.

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 SENATE

Senate Chamber, February 22, 2022

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

Assembly Bill No. 1568

And respectfully requests the Assembly to concur in said amendments.

ERIKA CONTRERAS, Secretary of the Senate By Bernadette McNulty, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, February 22, 2022

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

Senate Concurrent Resolution No. 66

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. 66—Relative to Eating Disorders Awareness Week.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 22, 2022

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

Assembly Concurrent Resolution No. 29

Assembly Concurrent Resolution No. 44 Assembly Concurrent Resolution No. 93

Assembly Concurrent Resolution No. 96

Assembly Concurrent Resolution No. 99

Assembly Concurrent Resolution No. 100

Assembly Concurrent Resolution No. 102 Assembly Concurrent Resolution No. 103

Assembly Concurrent Resolution No. 104

Assembly Concurrent Resolution No. 105

Assembly Concurrent Resolution No. 111

Assembly Concurrent Resolution No. 112

Assembly Concurrent Resolution No. 117

Assembly Concurrent Resolution No. 120

And reports the same correctly enrolled, and presented to the Secretary of State on the 22nd day of February, 2022, at 3 p.m.

SUE PARKER, Chief Clerk

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Nazarian, the Assembly adjourned until 7 a.m., Wednesday, February 23, 2022, out of respect to the memory of Hon. Daryl J. Hickman, former Lake Elsinore Councilmember and former Mayor, on motion of Assembly Member Seyarto; out of respect to the memory of Morris Casuto on motion of Assembly Member Ward; and out of respect to the memory of Hon. Robert Ming, former Mayor of Laguna Niguel, on motion of Assembly Members Davies and Choi.

ANTHONY RENDON, Speaker

TAMMY WEIS, Assistant Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON FEBRUARY 22, 2022

The following measures were amended in the Assembly on this day:

AB RN

1633 2208848

1639 2208740

AJR RN

23 2209059

SB RN

349 2208141

Daily Total: