

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 26, 2019

THIRTY-FIRST SESSION DAY

EIGHTY-SIXTH 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.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

(Corrected 6-9-20)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 26, 2019

The Assembly met at 7 a.m.

Hon. Cecilia M. Aguiar-Curry, Assembly Member, 4th 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—77:

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

Quorum present.

At 1:21 p.m., Hon. Adrin Nazarian, 46th 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 Member Mullin.

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

On paternity leave: Assembly Member Calderon.

EXPLANATIONS OF ABSENCE

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

February 26, 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 Tuesday, February 26, 2019, for legislative business. I will be receiving an award in my district from the local Parent Teacher Association. 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

COMMUNICATIONS

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

February 26, 2019

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

RE: Appointment of Antonia Hernandez to
Council on Health Care Delivery Systems

Dear Mr. Wilson: Please be advised that I have appointed Ms. Antonia Hernandez to the Council on Health Care Delivery Systems. This is a pleasure appointment starting January 9, 2019.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

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

Further Explanation of Absence

February 26, 2019

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

Dear Speaker Rendon: I previously requested absences from Assembly Check-in Sessions on Tuesday, February 12, 2019, and Wednesday, February 13, 2019, on legislative business and waived per diem. This was done in error. I respectfully request to amend my previous letters and receive per diem for those dates as I unintentionally waived per diem.

Sincerely,

ROB BONTA, Assembly Member
Eighteenth District

REPORTS

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

California State Auditor

2018-117
February 26, 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 this audit report regarding cities and counties in California that contract with federal entities to house individuals who have been detained for reasons related to immigration (detainees). From July 2013 through June 2018, three cities and four counties had contracts with U.S. Immigration and Customs Enforcement (ICE) to house detainees. Additionally, Yolo County has an agreement with the federal Office of Refugee Resettlement (Refugee Resettlement) to house in its juvenile detention facility individuals under 18 years old who have no lawful immigration status in the United States and no parent or guardian in the country to provide care and physical custody (unaccompanied children).

This report concludes that local governments must improve their oversight of such contracts to address cost overruns and serious health and safety concerns at contracted detention facilities. We found that three cities—Adelanto, McFarland, and Holtville—subcontracted to private operators nearly all of their responsibilities under their ICE contracts, including providing detainees with housing, safekeeping, subsistence, and medical services. The cities provide little or no oversight of the private operators and simply passed federal payments from ICE to these subcontractors despite the fact that federal inspections have found serious health and safety problems at these

private detention facilities. For example, a recent federal inspection of the Adelanto Detention Facility reported one suicide and three suicide attempts, inadequate dental care, and cursory medical assessments.

The counties that contract with ICE failed to ensure that ICE fully paid their costs for housing detainees. Although some counties have taken action to resolve these revenue shortfalls, others, such as Orange County, have not. Orange County's costs for housing detainees exceeded ICE detainee housing payments by about \$1.7 million in fiscal year 2017–18, and it may have had to pay those excess costs with county funds. Yolo County's May 2018 budget proposal indicates that its past budgets did not include all costs for housing unaccompanied children and that it has substantially subsidized segments of the program.

As our recommendations in this report indicate, California's cities must provide better oversight of subcontractors to ensure detainees' health and safety, and counties should take steps to ensure all allowable costs are paid for by federal entities.

Respectfully submitted,

ELAINE M. HOWLE, CPA
California State Auditor

Above report referred to the Committee on Public Safety.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 26, 2019

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

Assembly Concurrent Resolution No. 35

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, February 26, 2019

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

Assembly Bill No. 44

Assembly Bill No. 60

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 26, 2019

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

Assembly Bill No. 71

Assembly Bill No. 142

Assembly Bill No. 176

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 26, 2019

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

House Resolution No. 14

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 11—Obernolte and Ting (Coauthors: Arambula, Bloom, McCarty, Luz Rivas, and Weber) (Coauthors: Senators Mitchell, Nielsen, and Stone). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 7.4 to Article IV thereof, relating to the Office of the Legislative Analyst.

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 10—Reyes (Coauthors: Carrillo, Friedman, Cristina Garcia, Kalra, Limón, and Luz Rivas). Relative to vehicular air pollution.

AUTHOR'S AMENDMENTS**Committee on Housing and Community Development**

February 26, 2019

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 67

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

CHIU, Chair

ASSEMBLY BILL NO. 67—An act to add and repeal Section 8258 of the Welfare and Institutions Code, relating to homelessness.

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 Transportation

February 26, 2019

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

Assembly Bill No. 21

Assembly Bill No. 317

Assembly Bill No. 158

Assembly Bill No. 408

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

FRAZIER, Chair

ASSEMBLY BILL NO. 21—An act to amend Section 12811 of, and to amend and repeal Section 14901.1 of, the Vehicle Code, relating to driver's licenses, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 158—An act to amend Section 21718 of the Vehicle Code, relating to vehicles.

Bill read second time.

ASSEMBLY BILL NO. 317—An act to add Article 4 (commencing with Section 1850) to Chapter 1 of Division 2 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

Bill read second time.

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

Committee on Natural Resources

February 26, 2019

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 293

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

FRIEDMAN, Chair

ASSEMBLY BILL NO. 293—An act to amend Section 38591.1 of the Health and Safety Code, relating to greenhouse gases.

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 Water, Parks, and Wildlife

February 26, 2019

Mr. Speaker: The Chair of your Committee on Water, Parks, and Wildlife reports:

Assembly Bill No. 202

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

EDUARDO GARCIA, Chair

ASSEMBLY BILL NO. 202—An act to amend Section 2089.26 of the Fish and Game Code, relating to endangered species.

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.

REPORTS OF STANDING COMMITTEES**Committee on Education**

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 126

With the recommendation: Do pass.

O'DONNELL, Chair

Above bill ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing: February 25, 2019

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 147

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BURKE, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Human Services

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 175

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

REYES, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 229

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

REYES, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Joint Resolution No. 4

With the recommendation: Be adopted.

JONES-SAWYER, Chair

Above resolution ordered to third reading.

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 189

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

JONES-SAWYER, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 127

With the recommendation: Do pass.

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

JONES-SAWYER, Chair

Above bill ordered to second reading.

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 54

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

JONES-SAWYER, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: February 26, 2019

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 32

Assembly Bill No. 165

Assembly Bill No. 45

Assembly Bill No. 227

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JONES-SAWYER, Chair

Above bills re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 27, 2019.

ANTHONY RENDON, Speaker

TAMMY WEIS, Index Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON FEBRUARY 26, 2019

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

AB	RN
21	1910601
67	1907256
158	1910600
202	1910624
293	1910661
317	1910538
408	1910275

Daily Total:	7
Cumulative Total:	39

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