CALIFORNIA LEGISLATURE 2019–20 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, May 26, 2020

ONE HUNDRED EIGHTY-FIRST SESSION DAY FIVE HUNDRED FORTY-FIRST 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, May 26, 2020

The Assembly met at 1 p.m.

Hon. Kevin Mullin, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Sue Parker at the Desk.

Assistant Clerk David A. Bowman reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Ting moved a quorum call of the Assembly. Motion carried. Time, 1:13 p.m.

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

Quorum Present

At 1:20 p.m., Speaker pro Tempore Mullin declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—75:

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

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Member Sydney Kamlager, of the 54th Assembly District:

Lord, All around us throughout the world, we are being reminded of the depth of our communion as a human family.

For all who experience fear or anxiety,

We pray for peace of mind and spirit.

For those who are particularly vulnerable,

We pray for safety and protection.

For all who have contracted coronavirus.

We pray for care and healing.

For all who have died from coronavirus,

We pray they are in Your eternal embrace.

For affected families who are facing difficult decisions between food on the table or public safety,

We pray for policies that recognize their plight.

For those who do not have adequate health insurance,

We pray that no family will face financial burdens alone.

For those who are afraid to access care due to immigration status,

We pray for recognition of the dignity of all.

For our brothers and sisters around the world,

We pray for shared solidarity.

For public officials and decisionmakers,

We pray for wisdom and guidance.

We pray for open hearts and listening ears to understand the challenges faced by those who fear they are rarely seen or heard. Give us the resolve to work with others to make a new reality, so that those who face injustices feel the impact of our solidarity and communion.

Father, during this time may You be a sign of hope, comfort, and love to all.

Grant peace.

Grant comfort.

Grant healing.

Be with us, Lord.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Cooley 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 Calderon, seconded by Assembly Member Waldron.

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Members Diep and Maienschein.

On medical leave: Assembly Members Quirk and Wicks.

SPECIAL COMMITTEE MEETINGS

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

Local Government, on Monday, June 1, 2020, at 11 a.m., in Room 4202;

Revenue and Taxation, to convene jointly with Local Government, on Thursday, June 4, 2020, at 1:30 p.m., in the Assembly Chamber;

Health, to convene jointly with Select Committee on Aging and Long-Term Care, on Tuesday, June 9, 2020, at 10 a.m., in the Assembly Chamber.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 26, 2020

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

Assembly Bill No. 2895 Assembly Bill No. 3308

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 26, 2020

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 2345
Assembly Bill No. 2553
Assembly Bill No. 2580
Assembly Bill No. 2746

Assembly Bill No. 2746

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bills re-referred to committee.

REFERRAL OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

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Assembly Constitutional
Amendment No. Committee
25 _____Rls.
Senate
Bill No. Committee
417 _____Appr.
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ASSEMBLY RULE 78 SUSPENDED BY UNANIMOUS CONSENT

Assembly Member Calderon was granted unanimous consent that Assembly Rule 78 be suspended for the purpose of withdrawing Senate Bill No. 625 from the inactive file, and be re-referred to the Committee on Local Government.

ASSEMBLY RULE 56 SUSPENDED BY UNANIMOUS CONSENT

Assembly Member Calderon was granted unanimous consent that Assembly Rule 56 be suspended to permit the Committee on Appropriations to notice hearing of Senate Bill No. 625, pending re-referral to the committee.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE ASSEMBLY RULE 96(b) SUSPENDED

Assembly Member Calderon was granted unanimous consent that Assembly Rule 96(b) be suspended to permit Assembly Bill No. 2014 to be withdrawn from the Committee on Judiciary, and be placed on the second reading file.

RE-REFERENCE OF BILLS PURSUANT TO ASSEMBLY RULE 96(a)

Pursuant to Assembly Rule 96(a), Assembly Member Calderon was granted unanimous consent that the following bill be re-referred as noted:

Senate Bill No. 292 from the Committee on Appropriations to the Committee on Governmental Organization.

REQUEST TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following request was submitted:

Assembly Chamber, May 26, 2020

Mr. Speaker: I request permission to introduce a resolution providing that Assembly Constitutional Amendment No. 25 may be considered and acted upon within 30 days after introduction and prior to being in print for 30 days.

KEVIN MULLIN

Recommendation of Rules Committee

May 26, 2020

Mr. Speaker: Your Committee on Rules recommends:

That the request by Assembly Member Mullin for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a) of the Constitution and suspending Joint Rule 55 as they pertain to Assembly Constitutional Amendment No. 25 be granted.

KEN COOLEY, Chair

Resolution to Dispense with Article IV, Section 8(a) of the Constitution and Suspend Joint Rule 55

Resolved, That, pursuant to Article IV, Section 8(a) of the Constitution, Assembly Constitutional Amendment No. 25 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed since introduction and that Joint Rule 55 be suspended to permit such hearing and action prior to being in print for 30 days.

Resolution read, and adopted by the following vote:

AYES-74

Aguiar-Curry Arambula	Cunningham Dahle	Jones-Sawyer Kalra	Quirk-Silva Ramos
Bauer-Kahan	Daly	Kamlager	Reves
Berman	Eggman	Kiley	Rivas, L.
Bigelow	Flora	Lackey	Rivas, R.
Bloom	Fong	Levine	Rodriguez
Boerner Horvath	Frazier	Limón	Rubio
Bonta	Friedman	Low	Salas
Burke	Gabriel	Mathis	Santiago
Calderon	Gallagher	Mayes	Smith
Carrillo	Garcia, C.	McCarty	Stone
Cervantes	Garcia, E.	Medina	Ting
Chau	Gipson	Mullin	Voepel
Chen	Gloria	Muratsuchi	Waldron
Chiu	Gonzalez	Nazarian	Weber
Choi	Gray	Obernolte	Wood
Chu	Grayson	O'Donnell	Mr. Speaker
Cooley	Holden	Patterson	1
Cooper	Irwin	Petrie-Norris	

NOES-None

CONSIDERATION OF DAILY FILE ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 2895 and 3308, ordered to the third reading file.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2134—An act to amend Section 8344.5 of the Health and Safety Code, relating to crematories.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 2253—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.

Bill read second time, and ordered to Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 26, 2020

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

Assembly Bill No. 2134 Assembly Bill No. 2253

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above bills ordered to the Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED) CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 2008 (Cunningham)—An act to add Section 6074.5 to the Business and Professions Code, relating to the State Bar of California.

Bill read third time, passed, and ordered transmitted to the Senate.

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

HOUSE RESOLUTION NO. 88 (Flora)—Relative to National Surveyors Week. Resolution read and adopted.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 139 (Arambula)—Relative to the Esther Padilla Memorial Highway.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 147 (Lackey)—Relative to the Jeffrey "Jef" Dye Memorial Highway.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 165 (Ting)—Relative to the Alice Peña Bulos Memorial Highway.

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

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

ASSEMBLY BILL NO. 1859 (Santiago)—An act to amend Section 45277.5 of the Education Code, relating to school district employees.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2397 (Committee on Insurance)—An act to amend Section 3700 of the Labor Code, and to amend Sections 402, 2058, 2070, 2604, 2614, 2655.1, and 4902 of the Unemployment Insurance Code, relating to employment.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2398 (Committee on Insurance)—An act to amend Sections 1063.1, 1063.5, and 1063.14 of the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2399 (Committee on Insurance)—An act to amend Sections 3302 and 3307 of the Unemployment Insurance Code, relating to paid family leave.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2402 (Committee on Insurance)—An act to amend Section 10102 of, and to repeal Section 10105 of, the Insurance Code, relating to insurance

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2143 (Mark Stone)—An act to amend Section 1002.5 of the Code of Civil Procedure, relating to civil actions.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2319 (Berman)—An act to amend Section 3068.2 of the Civil Code, relating to liens.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2573 (Obernolte)—An act to amend Section 16061.8 of the Probate Code, relating to trusts.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2723 (Chiu)—An act to amend Section 664.6 of the Code of Civil Procedure, relating to civil actions.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2805 (Eggman)—An act to amend Section 361.5 of the Welfare and Institutions Code, relating to juveniles.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2875 (Obernolte)—An act to amend Section 437c of the Code of Civil Procedure, relating to civil actions.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2107 (Rodriguez)—An act to amend Section 53839 of the Government Code, relating to local government.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2275 (Nazarian)—An act to amend Section 15301.3 of the Government Code, relating to homelessness.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 3172 (Gray)—An act relating to park property.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2096 (Gallagher)—An act to amend Section 19883 of the Business and Professions Code, relating to gambling.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 3165 (Gray)—An act to amend Section 19605.25 of the Business and Professions Code, relating to horse racing.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 3370 (Committee on Elections and Redistricting)—An act to amend Sections 7201.1, 8001, 9144, 15101, and 18104 of the Elections Code, relating to elections.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 3373 (Committee on Revenue and Taxation)—An act to amend Section 1621 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2340 (Bigelow)—An act to amend Section 830.1 of the Penal Code, relating to peace officers.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2741 (Blanca Rubio)—An act to add Section 11166.4 to the Penal Code, relating to child abuse.

Bill read third time, passed, and ordered transmitted to the Senate.

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

Consent Calendar—Senate Resolutions

SENATE CONCURRENT RESOLUTION NO. 67 (Archuleta)—Relative to the Los Angeles County Deputy Sheriff Jack Williams Memorial Highway.

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

(For the vote on the above resolution, see this day's Consent Calendar rollcall.) **SENATE CONCURRENT RESOLUTION NO. 68 (Archuleta)**—Relative to the United States Army Sergeant Thomas R. MacPherson Memorial Interchange.

Resolution read, 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 bills on the Consent Calendar passed by the following vote:

AYES-75

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

NOES—None

UNFINISHED BUSINESS MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 1138, Assembly Constitutional Amendment No. 1, and Senate Bill No. 58 were continued until the next legislative day.

At 1:32 p.m., Speaker of the Assembly, Anthony Rendon, 63rd District, presiding

MOTION FOR COMMITTEE OF THE WHOLE

At 1:33 p.m., Assembly Member Calderon moved that the Assembly resolve itself into a Committee of the Whole for the purpose of consideration of matters relative to the state budget.

Assembly Member Waldron seconded the motion.

Motion carried.

APPOINTMENT OF CHAIR OF COMMITTEE OF THE WHOLE

Speaker Rendon appointed Assembly Member Ting, Chair of the Committee of the Whole.

RECESS

By unanimous consent, at 1:35 p.m., Speaker Rendon declared the Assembly recessed for the purpose of permitting the Assembly to meet as a Committee of the Whole.

IN COMMITTEE OF THE WHOLE

At 1:35 p.m., Assembly Member Ting, Chair of the Committee of the Whole, presiding.

Matters of the state budget considered.

At 6:38 p.m., on motion of Assembly Member Calderon, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

At 6:39 p.m., Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding.

Chief Clerk Sue Parker at the Desk.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Calderon was granted unanimous consent that the testimony from the Committee of the Whole proceedings be printed in a separate appendix to the Journal.

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Wednesday, May 27, 2020, Check-in Session, 7 a.m.-3 p.m.; Thursday, May 28, 2020, Check-in Session, 7 a.m.-3 p.m.

ADJOURN IN MEMORY

Assembly Member Salas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Augusto Guzman Perlado, Jr. of Bakersfield.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard George Tullis of San Rafael.

Assembly Member Salas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raymond Salas of Bakersfield.

VOTE ADDS

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

Assembly Constitutional Amendment No. 25, Invoke Constitution, Article IV, Section 8(a) and Suspend Joint Rule 55: Cervantes, Chu, Limón, and Salas—Aye.

Consent Calendar: Cervantes, Chu, Limón, and McCarty—Aye.

MOTION TO ADJOURN

At 6:39 p.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Obernolte seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6:39 p.m., Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS Committee on Appropriations

May 26, 2020

Mr. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 417

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

GONZALEZ, Chair

SENATE BILL NO. 417—An act relating to the California Victim Compensation Board, making an appropriation therefor, 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.

Committee on Local Government

May 26, 2020

Mr. Speaker: The Chair of your Committee on Local Government reports: Senate Bill No. 625

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

AGUIAR-CURRY, Chair

SENATE BILL NO. 625—An act to add Section 5384.3 to the Public Utilities Code, and to amend Section 23229 of, and to add Section 23229.2 to, the Vehicle Code, relating to party buses.

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 6:39 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 7 a.m., Wednesday, May 27, 2020, out of respect to the memory of Augusto Guzman Perlado, Jr. on motion of Assembly Member Salas; out of respect to the memory of Richard George Tullis on motion of Assembly Member Levine; and out of respect to the memory of Raymond Salas on motion of Assembly Member Salas.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MAY 26, 2020

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

SB RN

417 2012303

625 2012305

Daily Total: 2

Cumulative Total: 6907