2157

CALIFORNIA LEGISLATURE 2023–24 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 5, 2023 EIGHTY-FOURTH SESSION DAY ONE HUNDRED EIGHTIETH 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 Monday, June 5, 2023

The Assembly met at 1 p.m.

Hon. Christopher M. Ward, 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 Zbur moved a quorum call of the Assembly. Motion carried. Time, 1 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 1:16 p.m., Speaker pro Tempore Ward declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—77:

Addis	Essayli	Lowenthal	Rubio
Aguiar-Curry	Flora	Maienschein	Sanchez
Alanis	Fong, M.	Mathis	Santiago
Alvarez	Fong, V.	McCarty	Schiavo
Arambula	Friedman	McKinnor	Soria
Bains	Gabriel	Muratsuchi	Ta
Bauer-Kahan	Gallagher	Nguyen	Ting
Bennett	Garcia	Ortega	Valencia
Berman	Gipson	Pacheco	Villapudua
Boerner	Grayson	Papan	Waldron
Bonta	Haney	Patterson, Jim	Wallis
Calderon	Hart	Patterson, Joe	Ward
Carrillo, J.	Holden	Pellerin	Weber
Carrillo, W.	Hoover	Petrie-Norris	Wicks
Cervantes	Irwin	Quirk-Silva	Wood
Chen	Jackson	Ramos	Zbur
Connolly	Jones-Sawyer	Reyes	Mr. Speaker
Dahle	Kalra	Rivas, L.	_
Davies	Lackey	Rivas, R.	
Dixon	Low	Rodriguez	

PRAYER

Upon invitation of Speaker pro Tempore Ward, the following prayer was offered by Guest Chaplain Pastor Dan Koeshall, Senior Pastor at the Metropolitan Community Church of San Diego:

Will you please join me in prayer? *Loving God*, Thank You for the abundant freedoms we celebrate as Californians! What a joy to call California home! Today, I pray for Your blessings as we celebrate Pride Month, a time when the LGBTQ+ community, allies, and supporters come together to celebrate the progress made towards full equality, while acknowledging the work that still needs to be done.

As we have seen an increase in hate crimes towards members of the LGBTQ+ community, may we take the opportunity to lead and set an example on how to foster a sense of civility and justice and to protect the most marginalized among us, regardless of who they are or who they love.

Oh God, in today's world, we need civility more than ever. Help us to create opportunities for dialogue, understanding, and mutual respect, even in the face of disagreement. Loving God, may we all be inspired to act with courage, empathy, and respect as we strive to bring about a more inclusive and loving world this Pride Month.

I pray this in Your many names—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Ward, Assembly Member Zbur 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:

Because of illness: Assembly Members Lee and Wilson.

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

COMMUNICATIONS

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

June 5, 2023

Sue Parker

Chief Clerk of the Assembly State Capitol, Room 319 Sacramento, California

Dear Ms. Parker: Please be advised that I have appointed Assembly Member Tina McKinnor to replace Assembly Member Alex Lee on the Assembly Elections Committee for the Wednesday, June 7th, hearing only.

Sincerely,

ANTHONY RENDON Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Utilities and Energy, on Wednesday, June 14, 2023, at 1:30 p.m., in Room 437:

Governmental Organization, on Wednesday, June 14, 2023, at 3:30 p.m., at 1021 O Street, Room 1100;

Water, Parks, and Wildlife, on Tuesday, July 11, 2023, at 9 a.m., in Room 447.

REQUEST FOR PHOTOGRAPHER

Speaker pro Tempore Ward was granted unanimous consent that photographers be permitted on the Floor of the Assembly.

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

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

Senate Bill No. 28 from the Committee on Education to the Committee on Higher Education, and to be returned to the Committee on Education;

Senate Bill No. 568 from the Committee on Natural Resources to the Committee on Environmental Safety and Toxic Materials, and to be returned to the Committee on Natural Resources;

Senate Bill No. 745 from the Committee on Housing and Community Development to the Committee on Environmental Safety and Toxic Materials, and to be returned to the Committee on Housing and Community Development.

SPECIAL RECOGNITION

The Members of the Assembly joined Speaker pro Tempore Ward in extending best wishes to Assembly Member Low upon the occasion of his birthday.

At 1:24 p.m., Acting Speaker of the Assembly, Corey Jackson, 60th District, presiding

CONSIDERATION OF DAILY FILE THIRD READING OF ASSEMBLY BILLS

HOUSE RESOLUTION NO. 33 (Ward)—Relative to Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

Resolution read.

Request for Use of Visual Aids

Assembly Member Jones-Sawyer was granted unanimous consent to use visual aids on the Floor.

Members Made Coauthors of House Resolution No. 33

Upon request of Assembly Member Ward, the following Members were permitted to be listed as additional coauthors of House Resolution No. 33.

Additional Coauthors

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

Aguiar-Curry, Alvarez, Addis, Alanis, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Juan Carrillo, Wendy Carrillo, Connolly, Mike Fong, Friedman, Gabriel, Garcia, Gipson, Haney, Hart, Holden, Irwin, Jones-Sawyer, Kalra, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Santiago, Schiavo, Soria, Ting, Valencia, Villapudua, Waldron, Wallis, Weber, Wicks, and Wood.

Request for Unanimous Consent

Assembly Member Ward was granted unanimous consent to take up House Resolution No. 33, as revised, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 33, as Revised

HOUSE RESOLUTION NO. 33—Relative to Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

Resolution read, as revised, and adopted.

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

Assembly Member Ward was granted unanimous consent that Assembly Rule 118(a) be suspended granting the privileges of the Floor and permitting guests in the Chamber, on the Floor, and at the Rostrum for the ceremony today in observance of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

RECESS FOR LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER PRIDE MONTH CEREMONY

By unanimous consent, at 1:59 p.m., Acting Speaker Jackson declared the Assembly recessed to permit the introduction of special guests in celebration of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

HONORED GUESTS WELCOMED

Acting Speaker Jackson welcomed the distinguished honorees, guests, Assembly Members, and Senators present on the Floor and in the Chamber today, in celebration of LGBTQ+ Pride Month and for the presentation of the California Legislative Lesbian, Gay, Bisexual, and Transgender Caucus, 2023 Pride Awards.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Acting Speaker Jackson appointed Assembly Members Cervantes, Haney, Low, Ward, Zbur, and Jackson and Senators Eggman and Wiener as a Joint Committee on Escort to escort the honorees to the Rostrum.

Assembly Member Ward, Vice Chair of the California Legislative LGBT Caucus, was joined by Speaker Rendon, Majority Leader Reyes, Minority Floor Leader Flora, and Senator Eggman, Chair of the California Legislative LGBT Caucus, at the front of the Chamber for the presentation of awards to acknowledge the extraordinary accomplishments of today's honorees in their respective fields of endeavor, and for their outstanding leadership and efforts to promote full equality and justice for Lesbian, Gay, Bisexual, Transgender, and Queer Californians.

PRESENTATION OF CALIFORNIA LEGISLATIVE LESBIAN, GAY, BISEXUAL, AND TRANSGENDER CAUCUS, 2023 PRIDE AWARDS

The following honorees were introduced and escorted to the front of the Chamber for the presentation of awards, whereupon they were greeted by Assembly Member Ward, Vice Chair of the California Legislative LGBT Caucus, who was joined by Speaker Rendon, Majority Leader Reyes, Minority Floor Leader Flora, and Senator Eggman, Chair of the California Legislative LGBT Caucus, and were each presented with a Members' Resolution:

Sue Reynolds, escorted by Assembly Member Ward;

Adán Chávez, escorted by Assembly Member Jackson;

Phil Collum, escorted by Assembly Member Cervantes;

Janessa Goldbeck, escorted by Assembly Member Low;

Heklina,

honored posthumously, represented in photograph carried by Assembly Member Haney and Senator Wiener;

Tony Hoang, escorted by Assembly Member Zbur;

Marty Kludjian and John Schinkel, escorted by Assembly Member Low;

Kevin Al Pérez, escorted by Assembly Member Cervantes;

Sister Roma, Sister of Perpetual Indulgence, escorted by Assembly Member Haney and Senator Wiener;

Adam Spickler, escorted by Assembly Member Low;

Amber Whittington, escorted by Assembly Member Cervantes;

Valentina, escorted by Assembly Member Zbur;

Eugene Lee Yang, escorted by Assembly Member Low;

Rosemary Casals, escorted by Assembly Member Cervantes; and

Allen Eggman and Harry Lit, escorted by Assembly Member Zbur and Senator Eggman.

The following honoree was unable to attend today's ceremony and was acknowledged by the Body:

Billie Jean King

At 2:20 p.m., Assistant Speaker pro Tempore of the Assembly, Stephanie Nguyen, 10th District, presiding

At 2:22 p.m., Acting Speaker of the Assembly, Corey Jackson, 60th District, presiding

SPECIAL RECOGNITION

Acting Speaker Jackson acknowledged and welcomed friends, family, and other guests of honorees seated in the rear of the Chamber and Gallery. On behalf of Assembly Member Ward, Vice Chair, Senator Eggman, Chair, and members of the California Legislative LGBT Caucus, Acting Speaker Jackson thanked today's honorees, guests, Assembly Members, and Senators for their participation and attention in the Assembly's observance of LGBTQ+ Pride Month.

RECONVENED

At 2:23 p.m., the Assembly reconvened.

Assistant Speaker pro Tempore of the Assembly, Stephanie Nguyen, 10th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY CONCURRENT RESOLUTION NO. 50 (Luz Rivas)—Relative to California Nonprofits Day.

Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 50

Upon request of Assembly Member Luz Rivas, the following Members were permitted to be listed as additional coauthors of Assembly Concurrent Resolution No. 50.

Additional Coauthors

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

Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Low, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Robert Rivas, Rodriguez, Blanca Rubio, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wood, and Zbur.

Request for Unanimous Consent

Assembly Member Luz Rivas was granted unanimous consent to take up Assembly Concurrent Resolution No. 50, as revised, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 50, as Revised ASSEMBLY CONCURRENT RESOLUTION NO. 50—Relative to California Nonprofits Day.

Resolution read, as revised, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

HOUSE RESOLUTION NO. 39 (Gabriel)—Relative to National Gun Violence Awareness Day.

Resolution presented by Assembly Member Wicks.

Resolution read.

Debate and Decorum

The Assistant Speaker pro Tempore advised Assembly Members Flora and Berman that the Body does not engage in back and forth dialogues during debate.

Members Made Coauthors of House Resolution No. 39

Upon request of Assembly Member Wicks, the following Members were permitted to be listed as additional coauthors of House Resolution No. 39.

Additional Coauthors

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

Addis, Aguiar-Curry, Alanis, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Low, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wood, and Zbur.

Request for Unanimous Consent

Assembly Member Wicks was granted unanimous consent to take up House Resolution No. 39, as revised, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 39, as Revised

HOUSE RESOLUTION NO. 39—Relative to National Gun Violence Awareness Day.

Resolution read, as revised, and adopted.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:51 p.m., without objection, Assistant Speaker pro Tempore Nguyen declared the quorum call of the Assembly dispensed with.

ADJOURN IN MEMORY

Assembly Members Petrie-Norris and Dixon were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Allan Bernstein of Tustin.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assistant Speaker pro Tempore Nguyen announced that the following committees would meet today, as noted:

Transportation, at 2:30 p.m., at 1021 O Street, Room 1100;

The Special Committee on Legislative Ethics, at 4 p.m., at 1021 O Street, Room 4400.

ANNOUNCEMENTS

Assistant Speaker pro Tempore Nguyen announced the following session schedule:

Tuesday, June 6, 2023, Check-in Session, 7 a.m.-3 p.m.;

Wednesday, June 7, 2023, Check-in Session, 7 a.m.-3 p.m.;

Thursday, June 8, 2023, Floor Session, 9 a.m.

MOTION TO ADJOURN

At 2:56 p.m., Assembly Member Garcia moved that the Assembly do now adjourn.

Assembly Member Waldron seconded the motion.

Motion carried.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 12—Dixon, Alanis, and Joe Patterson (Coauthors: Chen, Megan Dahle, Davies, Essayli, Flora, Vince Fong, Gallagher, Hoover, Lackey, Mathis, Jim Patterson, Petrie-Norris, Sanchez, Ta, Waldron, and Wallis) (Coauthors: Senators Alvarado-Gil, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto, and Wilk). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 33 to Article I thereof, relating to controlled substances.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 92—Schiavo. Relative to Los Angeles County Sheriff's Deputy Hagop "Jake" Kuredjian Memorial Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 93—Dixon. Relative to the Marian Bergeson Memorial Bridge.

AUTHOR'S AMENDMENTSCommittee on Public Safety

June 5, 2023

Mr. Speaker: The Chair of your Committee on Public Safety reports: Senate Bill No. 250

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

JONES-SAWYER, Chair

SENATE BILL NO. 250—An act to amend Section 11376.5 of, and to add Section 11376.6 to, the Health and Safety Code, relating to controlled substances.

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

June 5, 2023

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

Assembly Constitutional Amendment No. 5

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

MAIENSCHEIN, Chair

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relating to rights.

Resolution read second time.

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

Committee on Arts, Entertainment, Sports, and Tourism

June 5, 2023

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, and Tourism reports:

Senate Bill No. 486

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

QUIRK-SILVA, Chair

SENATE BILL NO. 486—An act to add Section 33353.8 to the Education Code, relating to interscholastic athletics.

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 Elections

June 5, 2023

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

Senate Bill No. 386

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

BRYAN, Chair

SENATE BILL NO. 386—An act to amend Sections 9031, 9115, 9309, and 11225 of, to add Section 10224.5 to, and to repeal Section 13205 of, the Elections Code, relating to elections.

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 Natural Resources

June 5, 2023

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 286

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

LUZ RIVAS, Chair

SENATE BILL NO. 286—An act to add Sections 30616 and 30616.5 to, and to add Article 7.5 (commencing with Section 30266) to Chapter 3 of Division 20 of, the Public Resources Code, relating to public resources.

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.

June 5, 2023

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 273

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

LUZ RIVAS, Chair

SENATE BILL NO. 273—An act to amend Sections 1, 2, 4, 5, 7, 12, and 14 of Chapter 489 of the Statutes of 2001, relating to tidelands and submerged lands.

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 Banking and Finance

June 5, 2023

Mr. Speaker: The Chair of your Committee on Banking and Finance reports: Senate Bill No. 666

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

GRAYSON, Chair

SENATE BILL NO. 666—An act to add Title 1.90 (commencing with Section 1799.300) to Part 4 of Division 3 of the Civil Code, relating to small business.

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 Housing and Community Development

June 5, 2023

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

Senate Bill No. 547

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

WICKS, Chair

SENATE BILL NO. 547—An act to amend Section 4051 of the Food and Agricultural Code, relating to district agricultural associations.

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, June 2, 2023

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

Assembly Concurrent Resolution No. 14

Assembly Concurrent Resolution No. 25

Assembly Concurrent Resolution No. 29

Assembly Concurrent Resolution No. 36

Assembly Concurrent Resolution No. 59

And reports the same correctly enrolled, and presented to the Secretary of State on the 2nd day of June 2023, at 2 p.m.

SUE PARKER. Chief Clerk

INTRODUCTION OF GUESTS

Assembly Member Gabriel, of the 46th Assembly District, introduced El Camino Real Charter High School's Academic Decathlon team.

Assembly Member Soria, of the 27th Assembly District, introduced Robot "World Champions," Madera Unified Madtown Robotics team.

In conjunction with Assembly Concurrent Resolution No. 50, relative to California Nonprofits Day, Assembly Member Luz Rivas, of the 43rd Assembly District, introduced John Drebinger, Senior Advocate with the California Council of Community Behavioral Health Agencies.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Garcia, the Assembly adjourned until 7 a.m., Tuesday, June 6, 2023, out of respect to the memory of Dr. Allan Bernstein on motion of Assembly Members Petrie-Norris and Dixon.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 5, 2023

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

ACA RN

5 2316334

SB RN

250 2316388

273 2316411

286 2316398

386 2316358

486 2315671

547 2314948

666 2316257

Daily Total: 8