

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Monday, December 5, 2016**

**FIRST SESSION DAY**

**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.

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

(Corrected 5-16-17)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, December 5, 2016

Pursuant to the provisions of the Constitution of the State of California, at the hour of 12 o'clock meridian, the 2017–18 Regular Session of the Legislature was called to order by E. Dotson Wilson, Chief Clerk of the Assembly for the 2015–16 Regular Session.

In conformity with the law, the following officers were also present: Maria Liranzo, Assistant Minute Clerk, and Rich Desmond, Interim Chief Sergeant at Arms for the 2015–16 Regular Session.

Reading Clerk Kathleen M. Lewis reading.

### ROLLCALL

The Chief Clerk directed the Reading Clerk to call the roll of the Assembly Members-elect. The roll was called and the following answered to their names:

Acosta	Chu	Grayson	Obernolte
Aguiar-Curry	Cooley	Harper	O'Donnell
Allen	Cooper	Holden	Patterson
Arambula	Cunningham	Irwin	Quirk
Baker	Dababneh	Jones-Sawyer	Quirk-Silva
Berman	Dahle	Kalra	Rendon
Bigelow	Daly	Kiley	Reyes
Bloom	Eggman	Lackey	Ridley-Thomas
Bocanegra	Flora	Levine	Rodriguez
Bonta	Fong	Limón	Rubio
Brough	Frazier	Low	Salas
Burke	Friedman	Maienschein	Santiago
Caballero	Gallagher	Mathis	Steinorth
Calderon	Garcia, C.	Mayes	Stone
Cervantes	Garcia, E.	McCarty	Thurmond
Chau	Gipson	Medina	Ting
Chávez	Gloria	Melendez	Voepel
Chen	Gomez	Mullin	Waldron
Chiu	Gonzalez	Muratsuchi	Weber
Choi	Gray	Nazarian	Wood

Quorum of Assembly Members-elect present—80.

**PRAYER**

Upon invitation of the Chief Clerk, the following prayer was offered by Guest Chaplain Reverend Bob Oshita, Rinban Emeritus of the Buddhist Church of Sacramento, a Jodo Shinshu Buddhist Temple:

Honored Members of the California State Assembly, it is an honor to join with you this very special day. In opening our gathering today, let us close our eyes in a moment of reflection.

As we enter the month of December, we enter the heart of the Autumn-Winter Holiday Season. This is a very special family time of year. From Thanksgiving, to Christmas, to welcoming in the New Year, families will often come together again and again.

Not long ago, a teenaged boy said to me after losing his grandmother, "I attended our annual holiday family gatherings as if they were obligations—maybe even a chore. But after losing Grandma, I know that our family gatherings will never be the same."

I said to him, "You honor your grandmother with your tears, for they are your tears of love; and she has earned them. And now you, at your young age, you know what we all will learn again and again in life. It is this: If there is someone that has shown us kindness, let us thank them now. If there is someone we love, let us hold them close now. And let us not take for granted even one opportunity to be with those whose lives give meaning to our own—for we are here today because of them."

Today, as we open this new term of the California State Assembly, let us remember that we are here today because of the loving support and sacrifices of so many others. And during this very special family time of year, let us not take for granted the people whose lives, whose efforts and sacrifices, allow us to be here today.

—Namo Amida Butsu, with kindness and gratitude beyond words.

**PLEDGE OF ALLEGIANCE**

Upon request of the Chief Clerk, Assembly Member-elect of the 34th District, Hon. Vince Fong, led the Assembly in the pledge of allegiance to the Flag.

**REQUEST FOR PHOTOGRAPHER**

Upon request of Assembly Member-elect Anthony Rendon, and in the absence of objection, photographers and guests were permitted on the Floor of the Assembly and in the Assembly Gallery.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Upon request of Assembly Member-elect Anthony Rendon, and in the absence of objection, Assembly Rule 118 was suspended granting the privileges of the Floor and permitting guests at the desks of Members-elect, in the Assembly Chamber, on the Assembly Floor, and at the Rostrum for the swearing in of Assembly Members-elect at today's Organizational Session of the 2017–18 Regular Session of the Legislature.

**CERTIFICATE OF ELECTION FROM SECRETARY OF STATE**

The following certificate of duly elected Members of the Assembly for the 2017–18 Regular Session of the Legislature of the State of California was deemed read, and ordered printed in the Journal:

**CERTIFICATE OF ELECTION**

State of California

Office of the Secretary of State

I, ALEX PADILLA, Secretary of State of the State of California, hereby certify:

That according to the semi-official results provided to my office by county elections officials as of December 2, 2016, the persons whose names are hereinafter set forth appear to have received the plurality of votes in their respective State Assembly districts at the November 8, 2016, General Election.

That opposite their respective names are the State Assembly districts from which they have as of this date appear to have received a plurality of the votes and the names of the county or counties comprising or forming a portion of said districts, with the name of any county entirely within or comprising the district shown in capital letters.

<i>Member-elect</i>	<i>District</i>	<i>County or Counties</i>
Brian Dahle .....	First .....	Butte, LASSEN, MODOC, NEVADA, Placer, PLUMAS, SHASTA, SIERRA, SISKIYOU
Jim Wood .....	Second .....	DEL NORTE, HUMBOLDT, MENDOCINO, Sonoma, TRINITY
James Gallagher .....	Third .....	Butte, Colusa, GLENN, SUTTER, TEHAMA, YUBA
Cecilia M. Aguiar-Curry .....	Fourth .....	Colusa, LAKE, NAPA, Solano, Sonoma, Yolo
Frank Bigelow .....	Fifth .....	ALPINE, AMADOR, CALAVERAS, El Dorado, MADERA, MARIPOSA, MONO, Placer, TUOLUMNE
Kevin Kiley .....	Sixth .....	El Dorado, Placer, Sacramento
Kevin McCarty .....	Seventh .....	Sacramento, Yolo
Ken Cooley .....	Eighth .....	Sacramento
Jim Cooper .....	Ninth .....	Sacramento, San Joaquin
Marc Levine .....	Tenth .....	MARIN, Sonoma
Jim Frazier .....	Eleventh .....	Contra Costa, Sacramento, Solano
Heath Flora .....	Twelfth .....	San Joaquin, Stanislaus
Susan Talamantes Eggman .....	Thirteenth .....	San Joaquin
Tim Grayson .....	Fourteenth .....	Contra Costa, Solano
Tony Thurmond .....	Fifteenth .....	Alameda, Contra Costa
Catharine Baker .....	Sixteenth .....	Alameda, Contra Costa
David Chiu .....	Seventeenth .....	San Francisco
Rob Bonta .....	Eighteenth .....	Alameda
Phil Ting .....	Nineteenth .....	San Francisco, San Mateo
Bill Quirk .....	Twentieth .....	Alameda
Adam Gray .....	Twenty-First .....	MERCED, Stanislaus
Kevin Mullin .....	Twenty-Second .....	San Mateo
Jim Patterson .....	Twenty-Third .....	Fresno, Tulare
Marc Berman .....	Twenty-Fourth .....	San Mateo, Santa Clara
Kansen Chu .....	Twenty-Fifth .....	Alameda, Santa Clara
Devon Mathis .....	Twenty-Sixth .....	INYO, Kern, Tulare
Ash Kalra .....	Twenty-Seventh .....	Santa Clara
Evan Low .....	Twenty-Eighth .....	Santa Clara
Mark Stone .....	Twenty-Ninth .....	Monterey, Santa Clara, Santa Cruz
Anna Caballero .....	Thirtieth .....	Monterey, SAN BENITO, Santa Clara, Santa Cruz
Joaquin Arambula .....	Thirty-First .....	Fresno

Rudy Salas .....	Thirty-Second .....	Kern, KINGS
Jay Obernolte .....	Thirty-Third .....	San Bernardino
Vince Fong .....	Thirty-Fourth .....	Kern
Jordan Cunningham .....	Thirty-Fifth .....	San Luis Obispo, Santa Barbara
Tom Lackey .....	Thirty-Sixth .....	Kern, Los Angeles, San Bernardino
S. Monique Limón .....	Thirty-Seventh .....	San Luis Obispo, Santa Barbara, Ventura
Dante Acosta .....	Thirty-Eighth .....	Los Angeles, Ventura
Raul Bocanegra .....	Thirty-Ninth .....	Los Angeles
Marc Steinorth .....	Fortieth .....	San Bernardino
Chris Holden .....	Forty-First .....	Los Angeles, San Bernardino
Chad Mayes .....	Forty-Second .....	Riverside, San Bernardino
Laura Friedman .....	Forty-Third .....	Los Angeles
Jacqui Irwin .....	Forty-Fourth .....	Los Angeles, Ventura
Matt Dababneh .....	Forty-Fifth .....	Los Angeles, Ventura
Adrin Nazarian .....	Forty-Sixth .....	Los Angeles
Eloise Gómez Reyes .....	Forty-Seventh .....	San Bernardino
Blanca E. Rubio .....	Forty-Eighth .....	Los Angeles
Ed Chau .....	Forty-Ninth .....	Los Angeles
Richard Bloom .....	Fiftieth .....	Los Angeles
Jimmy Gomez .....	Fifty-First .....	Los Angeles
Freddie Rodriguez .....	Fifty-Second .....	Los Angeles, San Bernardino
Miguel Santiago .....	Fifty-Third .....	Los Angeles
Sebastian Mark Ridley-Thomas .....	Fifty-Fourth .....	Los Angeles
Phillip Chen .....	Fifty-Fifth .....	Los Angeles, Orange, San Bernardino
Eduardo Garcia .....	Fifty-Sixth .....	IMPERIAL, Riverside
Ian C. Calderon .....	Fifty-Seventh .....	Los Angeles
Cristina Garcia .....	Fifty-Eighth .....	Los Angeles
Reggie Jones-Sawyer .....	Fifty-Ninth .....	Los Angeles
Sabrina Cervantes .....	Sixtieth .....	Riverside
Jose Medina .....	Sixty-First .....	Riverside
Autumn Burke .....	Sixty-Second .....	Los Angeles
Anthony Rendon .....	Sixty-Third .....	Los Angeles
Mike Gipson .....	Sixty-Fourth .....	Los Angeles
Sharon Quirk-Silva .....	Sixty-Fifth .....	Orange
Al Muratsuchi .....	Sixty-Sixth .....	Los Angeles
Melissa Melendez .....	Sixty-Seventh .....	Riverside
Steven S. Choi .....	Sixty-Eighth .....	Orange
Tom Daly .....	Sixty-Ninth .....	Orange
Patrick O'Donnell .....	Seventieth .....	Los Angeles
Randy Voepel .....	Seventy-First .....	Riverside, San Diego
Travis Allen .....	Seventy-Second .....	Orange
William (Bill) Brough .....	Seventy-Third .....	Orange
Matthew Harper .....	Seventy-Fourth .....	Orange
Marie Waldron .....	Seventy-Fifth .....	Riverside, San Diego
Rocky J. Chávez .....	Seventy-Sixth .....	San Diego
Brian Maienschein .....	Seventy-Seventh .....	San Diego
Todd Gloria .....	Seventy-Eighth .....	San Diego
Shirley N. Weber .....	Seventy-Ninth .....	San Diego
Lorena Gonzalez .....	Eightieth .....	San Diego

IN WITNESS WHEREOF, I hereunto set my hand  
and affix the Great Seal of the State of California  
this 2nd day of December, 2016.



ALEX PADILLA  
Secretary of State

**ROLLCALL BY COUNTIES**

The Chief Clerk requested that, as the roll of the counties was called, the Assembly Member-elect representing such county or counties should stand at his/her desk, and take and subscribe to the oath of office.

**COUNTIES OF CALIFORNIA**—Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba.

**MEMBERS SWORN IN**

As required by Section 9023 of the Government Code, the Reading Clerk read the roll of counties in alphabetical order, and the following Assembly Members-elect presented their certificates of election, and duly qualified by taking and subscribing to the following oath administered by the Honorable Mariano-Florentino Cuéllar, Associate Justice of the Supreme Court of California:

**OATH**

*for the Office of Member of the Assembly  
State of California*

I do solemnly swear 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.

Dante Acosta, Cecilia M. Aguiar-Curry, Travis Allen, Joaquin Arambula, Catharine Baker, Marc Berman, Frank Bigelow, Richard Bloom, Raul Bocanegra, Rob Bonta, William (Bill) Brough, Autumn Burke, Anna Caballero, Ian C. Calderon, Sabrina Cervantes, Ed Chau, Rocky J. Chávez, Phillip Chen, David Chiu, Steven S. Choi, Kansen Chu, Ken Cooley, Jim Cooper, Jordan Cunningham, Matt Dababneh, Brian Dahle, Tom Daly, Susan Talamantes Eggman, Heath Flora, Vince Fong, Jim Frazier, Laura Friedman, James Gallagher, Cristina Garcia, Eduardo Garcia, Mike Gipson, Todd Gloria, Jimmy Gomez, Lorena Gonzalez, Adam Gray, Tim Grayson, Matthew Harper, Chris Holden, Jacqui Irwin, Reggie Jones-Sawyer, Ash Kalra, Kevin Kiley, Tom Lackey, Marc Levine, S. Monique Limón, Evan Low, Brian Maienschein, Devon Mathis, Chad Mayes, Kevin McCarty, Jose Medina, Melissa Melendez, Kevin Mullin, Al Muratsuchi, Adrin Nazarian, Jay Obernolte, Patrick O'Donnell, Jim Patterson, Bill Quirk, Sharon Quirk-Silva, Anthony Rendon, Eloise Gómez Reyes, Sebastian Ridley-Thomas,

Freddie Rodriguez, Blanca E. Rubio, Rudy Salas, Miguel Santiago, Marc Steinorth, Mark Stone, Tony Thurmond, Phil Ting, Randy Voepel, Marie Waldron, Shirley N. Weber, and Jim Wood.

Subscribed and sworn to before me,  
this 5th day of December  
A.D. 2016

THE HONORABLE MARIANO-FLORENTINO CUÉLLAR  
Associate Justice, California Supreme Court

#### **ANNOUNCEMENTS**

The Chief Clerk announced that the next order of business was the nomination and election of officers of the Assembly for the 2017–18 Regular Session of the Legislature, and declared that nominations for the Office of Speaker of the Assembly were now in order.

#### **NOMINATIONS FOR SPEAKER OF THE ASSEMBLY**

##### **Nominations From the Floor**

Assembly Member Irwin nominated Assembly Member Anthony Rendon for the Office of Speaker of the Assembly for the 2017–18 Regular Session of the Legislature.

##### **Nomination Seconded**

Nomination of Assembly Member Anthony Rendon for the Office of Speaker of the Assembly was seconded by Assembly Members Muratsuchi, Limón, and Weber, whereupon each addressed the assemblage.

##### **Further Nominations From the Floor**

Assembly Member Melendez nominated Assembly Member Chad Mayes for the Office of Speaker of the Assembly for the 2017–18 Regular Session of the Legislature.

##### **Nomination Seconded**

Nomination of Assembly Member Chad Mayes for the Office of Speaker of the Assembly was seconded by Assembly Member Harper, whereupon he addressed the assemblage.

##### **Nominations Closed**

There being no further nominations, the Chief Clerk closed the nominations for the Office of Speaker.

**ELECTION OF SPEAKER OF THE ASSEMBLY**

The roll was called, with the following result:

*For Assembly Member Anthony Rendon:*

AYES: Assembly Members Aguiar-Curry, Arambula, Berman, Bloom, Bocanegra, Bonta, Burke, Caballero, Calderon, Cervantes, Chau, Chiu, Chu, Cooley, Cooper, Dababneh, Daly, Eggman, Frazier, Friedman, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gomez, Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Levine, Limón, Low, McCarty, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Quirk, Quirk-Silva, Rendon, Reyes, Ridley-Thomas, Rodriguez, Rubio, Salas, Santiago, Mark Stone, Thurmond, Ting, Weber, and Wood—55.

*For Assembly Member Chad Mayes:*

AYES: Assembly Members Acosta, Travis Allen, Baker, Bigelow, Brough, Chávez, Chen, Choi, Cunningham, Dahle, Flora, Fong, Gallagher, Harper, Kiley, Lackey, Maienschein, Mathis, Mayes, Melendez, Obernolte, Patterson, Steinorth, Voepel, and Waldron—25.

Whereupon Chief Clerk E. Dotson Wilson announced the vote of the Assembly and declared Assembly Member Rendon the choice of the Assembly for the Office of Speaker for the 2017–18 Regular Session of the Legislature.

**APPOINTMENT OF SELECT COMMITTEE ON ESCORT**

Chief Clerk E. Dotson Wilson appointed Assembly Members Acosta, Aguiar-Curry, Berman, Cervantes, Chen, Flora, Friedman, Gloria, Grayson, Reyes, Rubio, and Kalra, as a Select Committee on Escort to escort Speaker-elect Anthony Rendon and his wife, Annie Lam, to the Rostrum.

**OATH OF OFFICE ADMINISTERED**

Speaker-elect Anthony Rendon appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by the Honorable Mariano-Florentino Cuéllar, Associate Justice of the Supreme Court of California:

OATH

*for the Office of Speaker of the Assembly  
State of California*

I, Anthony Rendon, do solemnly swear 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.

ANTHONY RENDON

Subscribed and sworn to before me,  
this 5th day of December  
A.D. 2016

THE HONORABLE MARIANO-FLORENTINO CUÉLLAR  
Associate Justice, California Supreme Court



**Speaker Presiding**

At 12:44 p.m., the Honorable Anthony Rendon, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

**ADDRESS BY SPEAKER RENDON**

Speaker Anthony Rendon then addressed the Members of the Assembly.

**SPEAKER'S ADDRESS PRINTED IN JOURNAL**

Without objection, the following text of the Organizational Session Address by Speaker Anthony Rendon was printed in the Journal:

Members, thank you for putting your faith in me. This is an honor I am proud to accept, and will work diligently to earn.

Honored guests, friends, and family—ordinarily, this is a day when Speakers offer pleasantries and plans for the year ahead. But this is no ordinary time, and I would be remiss in my responsibility to this House, to the people I represent, and to my conscience, if I did not acknowledge that.

Members, 75 years ago this week, the United States was drawn into the Second World War. That war was an existential threat against this nation's people and its principles. We have faced other threats these last 75 years: the Cold War and nuclear proliferation, the turmoil of the 1960s, the betrayal of Watergate, and now climate change.

These past 75 years have also seen us make important progress in civil rights, environmental protection, public health, and social justice. At this moment, I believe our nation is facing another major existential threat—and a threat to the progress that we have attained. Californians may accept the lawfulness of the November election, but millions of us do not accept the sentiment delivered by this election. And it is up to us to pass policies that would firewall Californians—and what we believe—from the cynical, short-sighted, and reactionary agenda that is rising in the wake of the election. White nationalists and anti-Semites have no business working in the White House; and the Justice Department of the United States has no business working to dismantle the voting rights, civil rights, equal rights, and reproductive rights of the American people.

In August of 1988, President Reagan apologized to Japanese-Americans for their internment by saying, "Here we admit a wrong; here we reaffirm our commitment to equal justice under the law." Yet, rather than echoing that commitment to equal justice, the next administration has talked about those internment camps as a justification for offensive new policies.

In a speech she made in 1940, with an eye toward the looming war, Eleanor Roosevelt said this: "We cannot tell from day-to-day what may come. This is no ordinary time. No time for weighing anything except what we can do best for the country as a whole, and that responsibility rests on each and every one of us as individuals." That is the responsibility we each accepted when we swore to support and defend the Constitution of the United States and the Constitution of California against all enemies—foreign and domestic.

Californians should be wary of the national calls for unity and healing. Unity must be separated from complicity, and we must be defiant whenever justice, fairness, and righteousness require it.

Californians do not need healing. We need to fight. We need to fight to protect our people and their rights. We need to fight to protect our economy and its growth.

The Assembly and Senate will work side-by-side to enshrine into law existing protections for all Californians. We will be saying loud and clear: If you are a woman, your rights are in force here in California. If you need health care coverage, we will do all we can so you can find it here in California. If you are Muslim or LGBT, or anyone whose rights and safety are increasingly under fire, you are equal here in California. And with HR 4, today we are saying: If you are an immigrant you are welcome here in California. In short, California will be saying, in the defiant words of Winston Churchill: "Today we may say aloud before an awestruck world: We are still masters of our fate. We are still captains of our souls."

Others speak of their identity. But we too have an identity in California. An identity of inclusion. And we will do whatever we can to protect that identity.

Of course, the potential threats from the new administration are not the only struggle we face as Californians. There are home-grown challenges, as well. A transportation system that is over-crowded and crumbling. Housing costs so high families can't make ends meet, employers can't recruit, and cops and teachers can't live where they work. We tried to address these issues in the last session. We made some progress, but we did not succeed. And that is a mark on what was otherwise a tremendous session.

Members, we have no choice but to solve the housing and transportation crises in the term ahead of us. These crises affect each and every one of our districts. If we don't step up and solve them, our economy will decline, and the people we represent will suffer. This house has solved tough challenges before. That's why California is in the strong economic shape it is.

Members, we just said goodbye to the Assembly Class of 2010. When they were sworn-in, they faced having to close a 26-billion-dollar budget deficit. A deficit that would have been much lower were it not for the first act taken by an inexperienced, celebrity Governor seven years before.

Thanks to smart decisions and tough choices by voters, the Legislature, and an experienced Governor, we have turned the state around. We increased funding for public schools and community colleges by roughly 50 percent over the past five years; and we increased funding for our other higher education institutions as well, though we must continue to do more. We have—as the Legislative Analyst projects—strong, multi-billion-dollar structural balances into the future. We have a debt ratio on track to drop below 5 percent, and a robust Rainy Day Fund that takes us off the cycle of "boom and bust" budgeting. And we have—as the Legislative Analyst's Office also notes—the ability to withstand a recession like the 2001 downturn, without the need for service cuts or middle-class tax increases.

While the budget has mainly been driven by Democrats since voters restored that ability, there are areas where the Assembly has achieved bipartisan success as well. Looking out at the faces before me, I am optimistic we can do the same again—especially on housing and transportation, which have historically been bipartisan issues.

Finally, I would like to note that today, we welcome new Members, returning Members, and newly returning Members. Farmers and teachers. Veterans and first responders. Prosecutors and public defenders. Scientists and small business owners. All of us sent here to represent our districts. To make laws. And—equally important—to perform the oversight that ensures laws are carried out in the best interests of the people of California. It is increasingly apparent that those interests will not be a concern for the next President—for the bullies, bigots, and billionaires he has chosen for his Cabinet—or for the majority in Congress that is already salivating at the prospect of ending Medicare. It is up to us to look after the interests of the people of California. Whether you actively worked to oppose the next President, or stayed silent hoping he would go away, it is now up to all of us to preserve California and protect its people.

Members, this is no ordinary time, and it will require an extraordinary effort from each of us. We are here to do the people’s business, and we can’t allow it to just be business as usual.

#### **INTRODUCTION OF CONSTITUTIONAL OFFICERS AND SPECIAL GUESTS**

Speaker Rendon thanked the Honorable Mariano-Florentino Cuéllar, Associate Justice of the Supreme Court of California, for administering the oaths of office during today’s proceedings.

Speaker Rendon introduced the Honorable Xavier Becerra, United States Representative for the 34th Congressional District of California.

Speaker Rendon introduced California Constitutional officers, Hon. Gavin Newsom, Lieutenant Governor; Hon. Alex Padilla, Secretary of State; Hon. Dave Jones, Insurance Commissioner; Hon. Fiona Ma, Board of Equalization, District 2; Hon. Diane Harkey, Board of Equalization, District 4; Hon. Cruz M. Bustamante, 62nd Speaker of the Assembly; Hon. Fabian Núñez, 66th Speaker of the Assembly; and Hon. John A. Pérez, 68th Speaker of the Assembly.

Speaker Rendon welcomed representatives of other countries and governments, former Members of the Legislature, distinguished public officials, and special guests who have joined us today.

#### **SPEAKER PRO TEMPORE APPOINTED**

Speaker Rendon announced that he had appointed Assembly Member Kevin Mullin to serve as Speaker pro Tempore of the Assembly.

#### **APPOINTMENT OF SELECT COMMITTEE**

Speaker Rendon appointed Assembly Members Baker, Bocanegra, Caballero, Eggman, Quirk-Silva, Thurmond, Ting, and Waldron as a Select Committee on Escort to escort Speaker pro Tempore-elect Kevin Mullin to the Rostrum.

**OATH OF OFFICE ADMINISTERED**

Speaker pro Tempore-elect Kevin Mullin appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by the Honorable Mariano-Florentino Cuéllar, Associate Justice of the Supreme Court of California:

**OATH**

*for the Office of Speaker pro Tempore of the Assembly  
State of California*

I, Kevin Mullin, do solemnly swear 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.

KEVIN MULLIN

Subscribed and sworn to before me,  
this 5th day of December  
A.D. 2016

THE HONORABLE MARIANO-FLORENTINO CUÉLLAR  
Associate Justice, California Supreme Court

**RESOLUTIONS**

The following resolution was offered:

**House Resolution No. 1**

By Assembly Member Cooley.

*Relative to the Standing Rules of the Assembly  
for the 2017–18 Regular Session.*

*Resolved by the Assembly of the State of California, That the following Rules be, and the same are hereby, adopted as the Standing Rules of the Assembly for the 2017–18 Regular Session; and be it further*

*Resolved, That these rules shall govern the operations of the Assembly.*

**STANDING RULES OF THE ASSEMBLY****2017–18 REGULAR SESSION****I. LEGISLATIVE ORGANIZATION****Assembly General Officers**

1. (a) The general officers of the Assembly are the following:
  - (1) Speaker
  - (2) Speaker pro Tempore  
Assistant Speaker pro Tempore  
Majority Leader  
Republican Leader
  - (3) Chief Clerk  
Sergeant at Arms  
Chaplain
- (b) Except for the officers listed in paragraph (2) of subdivision (a), each officer listed in subdivision (a) shall be elected by a majority vote of the duly elected and qualified Members.

(c) The Chief Clerk, subject to the approval of the Committee on Rules, shall determine the names and titles that shall appear on the front page of all publications.

#### **Hours of Meeting**

2. The Speaker, or, in his or her absence, the Speaker pro Tempore, shall determine the time for convening the session, unless otherwise ordered by a majority vote of the Members present and voting.

#### **Speaker to Call Assembly to Order**

3. The Speaker, or, in his or her absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order.

#### **Rollcall and Quorum**

4. Before proceeding with the business of the Assembly, both of the following shall be completed:

(1) The roll of the Members shall be called, and the names of those present shall be entered in the Journal. Forty-one Members constitute a quorum.

(2) The presiding officer shall announce the names of all Members who will be absent from that day's session and the reason for their absence.

#### **Organization of Assembly**

5. For the purposes of the organization of any regular session of the Assembly pursuant to Section 9023 of the Government Code, the person who was the Speaker when the previous regular session adjourned sine die, if he or she is reelected to the Assembly, shall be deemed to be the senior member elect.

## **II. RULES**

#### **Adoption of Standing Rules**

6. The adoption of the Standing Rules requires an affirmative recorded vote of a majority of the duly elected and qualified Members. When once adopted, the Standing Rules shall remain in effect unless suspended or amended as provided in these rules.

#### **Suspension of Rules**

7. Unless specified otherwise in these rules, any Standing Rule of the Assembly not requiring more than a majority vote, except Rule 8, may be suspended temporarily by a vote of a majority of the Members of the Assembly. A rule requiring a two-thirds vote may be temporarily suspended by a two-thirds vote of the Members of the Assembly. A temporary suspension applies only to the matter under immediate consideration, and in no case may it extend beyond an adjournment.

#### **Amending Standing Rules**

8. A standing rule of the Assembly may not be amended except by a resolution adopted by an affirmative recorded vote of a majority of the duly elected and qualified Members.

#### **Mason's Manual**

10. In all cases not provided for by the California Constitution, by the Assembly Rules, by the Joint Rules of the Senate and Assembly, or by statute, the authority is the latest edition of Mason's Manual.

### III. ORGANIZATION OF COMMITTEES

#### Standing Committees

11. Thirty-two standing committees of the Assembly are hereby created, upon the several subjects, and titled respectively, as follows:

Accountability and Administrative Review  
Aging and Long-Term Care  
Agriculture  
Appropriations  
Arts, Entertainment, Sports, Tourism, and Internet Media  
Banking and Finance  
Budget  
Business and Professions  
Communications and Conveyance  
Education  
Elections and Redistricting  
Environmental Safety and Toxic Materials  
Governmental Organization  
Health  
Higher Education  
Housing and Community Development  
Human Services  
Insurance  
Jobs, Economic Development, and the Economy  
Judiciary  
Labor and Employment  
Local Government  
Natural Resources  
Privacy and Consumer Protection  
Public Employees, Retirement, and Social Security  
Public Safety  
Revenue and Taxation  
Rules  
Transportation  
Utilities and Energy  
Veterans Affairs  
Water, Parks, and Wildlife

#### Open Meetings

11.3. (a) Except as otherwise provided in this rule, all meetings of the Assembly or a committee thereof shall be open and public, and all persons shall be permitted to attend the meetings. As used in this rule, "meeting" means a gathering of a quorum of the Members of the Assembly or a committee in one place for the purpose of discussing legislative or other official matters within the jurisdiction of the Assembly or committee. As used in this rule, "committee" includes a standing committee, joint committee, conference committee, subcommittee, select committee, special committee, research committee, or any similar body.

(b) Any meeting that is required to be open and public pursuant to this rule, including any closed session held pursuant to subdivision (c), may be held only after full and timely notice to the public as provided by the Joint Rules of the Assembly and Senate.

(c) The Assembly or a committee thereof may hold a closed session solely for any of the following purposes:

(1) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Assembly.

(2) To consider matters affecting the safety and security of Members of the Legislature or its employees, or the safety and security of any buildings and grounds used by the Legislature.

(3) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated litigation, or whether to initiate litigation, when discussion in open session would not protect the interests of the Assembly or committee regarding the litigation.

(d) A caucus of the Members of the Assembly that is composed of members of the same political party may meet in closed session.

(e) A closed session may be held pursuant to paragraph (3) of subdivision (c) under any of the following circumstances:

(1) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator, to which the Assembly or a committee, Member, or employee thereof is a party, has been initiated formally.

(2) Based on existing facts and circumstances, a point has been reached where, in the opinion of the Assembly or a committee thereof, on the advice of its legal counsel, litigation against the Assembly or a committee, Member, or employee thereof is reasonably anticipated.

(3) Based on existing facts and circumstances, the Assembly or a committee thereof has decided to initiate, or is deciding whether to initiate, litigation.

(4) To confer with, or receive advice from, its legal counsel and negotiator prior to the purchase, sale, exchange, or lease of real property by or for the Assembly or a committee thereof regarding the price and terms of payment for the purchase, sale, exchange, or lease.

(f) Prior to holding a closed session pursuant to paragraph (3) of subdivision (c), the presiding officer of the Assembly or the chairperson of the committee, as appropriate, shall state publicly which paragraph of subdivision (e) is applicable. If the closed session is held pursuant to paragraph (1) of subdivision (e), the presiding officer or chairperson shall state the title of or otherwise specifically identify the litigation to be discussed, unless the presiding officer or chairperson states that to do so would jeopardize the ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize the ability of the Assembly or the committee to conclude existing settlement negotiations to its advantage. If the closed session is held pursuant to paragraph (4) of subdivision (e), the notice of the closed session shall identify the real property that the negotiations may concern and the person with whom the negotiations may take place.

(g) The legal counsel for the Assembly or the committee shall prepare and submit to the Assembly or the committee a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is held pursuant to paragraph (1) of subdivision (e), the memorandum shall include the title of or other identification of the litigation. If the closed session is held pursuant to paragraph (2), (3), or (4) of subdivision (e), the memorandum shall set forth the existing facts



and circumstances on which the closed session is based. The legal counsel shall submit the memorandum to the Assembly or the committee prior to the closed session, if feasible, or, in any case, not later than one week after the closed session. The memorandum is exempt from disclosure under the Legislative Open Records Act contained in Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code.

(h) For purposes of paragraph (3) of subdivision (c), "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(i) For purposes of this rule, all expressions of the lawyer-client privilege other than those provided in this rule are hereby abrogated. This rule is the exclusive expression of the lawyer-client privilege for the purposes of conducting closed-session meetings pursuant to this rule.

(j) Disclosure of a memorandum required under this rule shall not be deemed a waiver of the lawyer-client privilege provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

#### **Conference Committee Meetings**

11.4. A Member may not participate in a meeting of a conference committee considering any bill that is not open to the public.

#### **Assembly Investigating Committees**

11.5. (a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to conduct oversight hearings and to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative.

(b) Each of the Assembly investigating committees consists of the members of the standing committee on the same subject as most recently constituted. The chairperson and vice chairperson is the chairperson and vice chairperson of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(c) Each committee and any subcommittee, and its members, have and may exercise all the rights, duties, and powers conferred upon investigating committees and their members by law and by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, a committee may not commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this rule, to be paid from the Assembly



Operating Fund and disbursed, after certification by the Chairperson of the Committee on Rules or his or her authorized representative, upon warrants drawn by the Controller upon the State Treasury.

#### **Membership of Standing Committees**

12. The Speaker shall determine the size, and appoint the membership and the chairperson and vice chairperson, of all standing committees and subcommittees. In appointing Members to serve on committees, the Speaker shall consider the preferences of the Members.

#### **Committee on Rules**

13. There is a Committee on Rules, which acts as the executive committee of the Assembly. No regular member of the Committee on Rules may simultaneously serve as a chairperson of any standing committee. All meetings of the Committee on Rules that are required to be open and public shall be held in a room of appropriate size, and audiovisual recordings of those meetings shall be created and maintained.

#### **Organization of Party Caucuses**

13.1. Within two days after the general election held in November of each even-numbered year, the caucus of the political party having the greatest number of Members in the Assembly, and the caucus of the political party having the second greatest number of Members, each shall meet for the purpose of selecting their officers for the next regular session. The rules and procedures of each caucus shall be determined by that caucus, but may not be inconsistent with these rules.

#### **Powers of the Committee on Rules**

14. (a) The Committee on Rules has the following powers:

(1) To refer each bill and resolution to a committee, as provided by these rules.

(2) To appoint all employees of the Assembly not otherwise provided for by statute. It has authority to terminate, to discipline, to establish, and to modify the terms and conditions of employment of, or to suspend, with or without pay, any employee of the Assembly.

(3) To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish these purposes.

(4) To adopt additional policies or requirements regarding the use of cameras and other recording equipment at committee hearings or Assembly floor sessions.

(5) To contract with other agencies, public or private, as it deems necessary for the rendition and affording of those services, facilities, studies, and reports to the committee that will best assist it to carry out the purposes for which it is created.

(6) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of these rules and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(7) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(8) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of these rules.

(9) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(10) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof, clerical, secretarial, and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for the committees and each of the members thereof, to make and carry on the studies and investigations required by or of them by the resolutions creating the committees, and for these purposes to employ additional stenographic and secretarial assistants as may be necessary, assign, reassign, and discharge these assistants and prescribe amounts, times, and methods of payment of their compensation. The committee shall allocate annually an amount for the operation of each investigating committee, which shall constitute the annual budget of the committee.

(b) During the times as the Assembly is not in session, the committee is authorized and directed to incur and pay expenses of the Assembly not otherwise provided for that the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

(c) The committee shall allocate sufficient moneys from the Assembly Operating Fund to support the Assembly's share of joint operations.

(d) The Chairperson of the Committee on Rules shall appoint a Chief Administrative Officer of the Assembly, subject to the ratification of the Committee on Rules, who has duties relating to the administrative, fiscal, and business affairs of the Assembly that the committee shall prescribe. The Chairperson of the Committee on Rules or a majority of the membership of the Committee on Rules may terminate the services of the Chief Administrative Officer at any time. Notwithstanding the foregoing, the Speaker may appoint a temporary chief administrative officer for up to 90 days following the beginning of the session.

(e) The Committee on Rules shall provide for the publication of a compilation of the photographs of accredited press representatives.

(f) The Committee on Rules may delegate powers to the Speaker by a majority vote of the membership of the committee.

(g) The Committee on Rules may adopt additional rules, procedures, policies, or guidelines by a majority vote of the membership of the committee to implement Sections 7 and 8 of Article IV of the California Constitution.

**Subcommittee on Harassment, Discrimination, and  
Retaliation Prevention and Response**

14.5. (a) The Subcommittee on Harassment, Discrimination, and Retaliation Prevention and Response is created as a subcommittee of the Committee on Rules. The subcommittee is composed of a total of six members, with the following four members appointed by the Chairperson of the Committee on Rules: two members of the Committee on Rules from the political party having the greatest number

of Members in the Assembly and two members of the Committee on Rules from the political party having the second greatest number of Members. The two members from the political party having the second greatest number of Members shall be appointed from a list of nominees that the vice chairperson of the committee provides to the chairperson. The co-chairpersons of the Assembly Legislative Ethics Committee also shall be members of the subcommittee. The Chairperson of the Committee on Rules shall designate one of the members of the subcommittee to serve as chairperson of the subcommittee.

(b) The subcommittee shall periodically review procedures for the handling of complaints of harassment, discrimination, and retaliation lodged against a Member of the Assembly or an Assembly employee and submit any recommendations to the Committee on Rules for consideration.

(c) Following the submission of the recommendations pursuant to subdivision (b), the chairperson of the subcommittee may cause the subcommittee to convene to review and recommend further changes in procedures as subsequent events may require.

#### **Committee on Rules**

15. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session, and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the Committee on Rules and its members.

#### **Operating Fund Report**

15.5. The Committee on Rules shall annually prepare a report to the public of expenditures as required by Section 9131 of the Government Code.

#### **Independent Audit of Operating Funds**

15.6. The Committee on Rules shall contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Operating Fund. The organization performing the audit shall be selected by a majority of the membership of the Committee on Rules. The contract for the audit shall be awarded through a competitive bidding procedure. The audit shall be prepared in a manner and form to be determined by the organization performing the audit, and shall be consistent with generally accepted accounting principles.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

#### **Performance Audit**

15.7. In addition to the annual financial audit required by Rule 15.6, the Committee on Rules shall contract for an audit of the administrative operations of the Assembly. The administrative departments to be audited shall be determined by the Committee on Rules. An organization performing an audit pursuant to this rule shall be selected

by a majority of the membership of the Committee on Rules. A contract for an audit shall be awarded through a competitive bidding procedure. Audits shall be prepared in a manner and form to be determined by the organization performing the audit, and shall be consistent with generally accepted accounting principles.

All findings and recommendations reported by an auditing firm shall be made available to Members and to the public.

#### **Rules Committee Resolutions**

16. The Committee on Rules, acting unanimously by appropriate resolution, on behalf of and in the name of the Assembly, may extend congratulations, commendations, sympathy, or regret to any person, group, or organization, and may authorize the presentation of suitably prepared copies of these resolutions to the persons concerned and to their relatives.

#### **Assembly Operating Fund**

17. The Committee on Rules is the committee identified in Section 9127 of the Government Code. The balance of all money in the Assembly Operating Fund, including money now or hereafter appropriated, except the sums that are made available specifically for the expense of designated committees or for other purposes, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or concurrent resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint committee by the Assembly, upon the expiration of that committee, and shall be expended as provided in these rules.

#### **Expenditures**

18. A Member or committee may not incur any expense except as authorized pursuant to these rules or the Joint Rules of the Senate and Assembly, or as authorized by the Assembly or the Committee on Rules.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, officers, and employees of the Assembly that are not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly. These rules and regulations shall incorporate a provision whereby construction, alteration, improvement, repair, or maintenance of real or personal property, and the purchase of supplies and equipment, shall be governed by competitive bidding. Further, the rules and regulations shall provide for the payment of expenditures, as authorized by these rules and regulations, from the Assembly Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

A Member may not be reimbursed for travel outside the State of California without prior approval of the Speaker or the Committee on Rules.

#### **Rules and Regulations Governing Committees**

20. All claims for expenses incurred by investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before the claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an investigating committee, shall be approved by the Committee on Rules or its authorized representative before the expenses are incurred, unless the expenditure is specifically exempted from this requirement by the resolution authorizing it.

No warrant may be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee, and rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly investigating committees or other Assembly committees.

These rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage may be allowed only to the operator of, and not to passengers in, a private vehicle. Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

#### **Fees for Witnesses**

21. Each witness summoned to appear before the Assembly or any of its committees shall be reimbursed at a rate set by the Committee on Rules.

#### **Assembly General Research Committee**

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules, and each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. Each subcommittee shall be known and designated as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups, and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums that are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties

imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and the people from time to time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

#### **Assembly Legislative Ethics Committee**

22.5. (a) The Assembly Legislative Ethics Committee is hereby created. The committee shall consist of six Members of the Assembly, appointed by the Speaker. Notwithstanding any other rule of the Assembly, three members of the committee shall be from the political party having the greatest number of Members in the Assembly and three members shall be from the political party having the second greatest number of Members. Any temporary or permanent vacancy on the committee shall be filled within 10 days by a member from the same political party. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second greatest number of Members in the Assembly shall be made from a list of nominees that the Republican Leader provides to the Speaker. The Speaker shall designate one member of the committee from the political party having the greatest number of Members in the Assembly and one member of the committee from the political party having the second greatest number of Members to serve as co-chairpersons of the committee. The Speaker shall designate one of the co-chairpersons to serve as the presiding officer at any meeting or hearing conducted by the committee.

If a verified complaint is filed against a member of the committee, the Speaker shall temporarily replace the member with a Member from the same political party, who shall serve until the complaint is dismissed or the Assembly takes final action on the complaint, whichever occurs first.

(b) The provisions of this rule, and of Rule 11.5 related to investigating committees, apply to the committee and govern its proceedings.



Prior to the issuance of any subpoena by the committee with respect to any matter before the committee, it shall, by a resolution adopted by the committee pursuant to a vote in accordance with subdivision (n), define the nature and scope of its investigation in the matter before it.

(c) Funds for the support of the committee shall be provided from the Assembly Operating Fund in the same manner that those funds are made available to other committees of the Assembly.

(d) (1) The committee has the power, pursuant to this rule and Article 3 (commencing with Section 8940) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, to investigate and make findings and recommendations concerning violations by Members of the Assembly of any provision of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code or of any other provision of law or legislative rule that governs the official conduct of Members of the Assembly, hereafter collectively referred to as “standards of conduct.”

(2) The committee may, on its own action pursuant to a vote in accordance with subdivision (n), initiate an investigation of a Member of the Assembly.

(e) Any person may file with the committee a verified complaint in writing, which shall state the name of the Member of the Assembly alleged to have violated any standard of conduct, and which shall set forth the particulars thereof with sufficient clarity and detail to enable the committee to make a determination. The person filing the complaint thereafter shall be designated the complainant.

If a verified complaint is filed with the committee, the committee promptly shall send a copy of the complaint to the Member of the Assembly alleged to have committed the violation complained of, who thereafter shall be designated the respondent.

A complaint may not be filed with the committee after the expiration of 12 months from the date the alleged violation is discovered or three years from the date of the alleged violation, whichever occurs first.

(f) (1) Within 30 days of receipt of a verified complaint, the co-chairpersons of the committee shall make an initial determination as to whether the alleged conduct of the Member of the Assembly against whom the verified complaint has been filed falls within the jurisdiction of the committee. If the co-chairpersons agree that the alleged conduct does not fall within the jurisdiction of the committee, the committee shall notify the complainant and respondent of the determination and the complaint shall be dismissed. If one or both of the co-chairpersons determine that the alleged conduct falls within the jurisdiction of the committee, the complaint shall be deemed to fall within the committee’s jurisdiction and shall be subject to the applicable procedures set forth in paragraphs (2) to (6), inclusive.

(2) If the verified complaint is deemed to fall within the jurisdiction of the committee pursuant to paragraph (1), the committee shall determine whether the verified complaint alleges facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct.

(3) (i) If the committee determines that the verified complaint does not allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, it shall dismiss the complaint and so notify the complainant and respondent.

(ii) If the committee determines that the verified complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, the committee promptly shall investigate the alleged violation and if, after this preliminary investigation, the committee finds that reasonable cause exists for believing the allegations of the complaint, it shall fix a time for a hearing in the matter, which shall be not more than 30 days after that finding. The committee may, however, seek an extension of this period, not to exceed an additional 30 days, which may be granted by a majority vote of the Committee on Rules. If, after preliminary investigation, the committee does not find that reasonable cause exists for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event, the committee shall notify the complainant and the respondent of its determination.

(4) The committee shall make its determination under paragraph (2) or (3), pursuant to a vote in accordance with subdivision (n), not later than 120 days after first receiving a complaint that satisfies subdivision (e). The committee may, however, seek an extension, not to exceed 30 days, which may be granted by a majority vote of the membership of the Committee on Rules. If the committee has requested a law enforcement agency to investigate the complaint or if the committee knows the complaint is being investigated by a law enforcement agency, the time limits set forth in this subdivision shall be tolled until the investigation is completed.

(5) The committee's determination under paragraph (2) or (3) shall be stated in writing, with reasons given therefor, and shall be provided to the Assembly, and, in any case concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall be provided to the appropriate law enforcement agency. This written determination is a public record and is open to public inspection.

(6) Any deliberations of the committee from the time of receipt of a complaint until it decides to dismiss the complaint or to set a hearing shall not be open to the public unless the respondent requests a public meeting.

(g) After the complaint has been filed, the respondent shall be entitled to examine and make copies of all evidence in the possession of the committee relating to the complaint.

(h) If a hearing is held pursuant to subdivision (f), the committee, before the hearing has commenced, shall issue subpoenas and subpoenas duces tecum at the request of any party in accordance with Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code. All of the provisions of that chapter, except Section 9410 of the Government Code, shall apply to the committee and the witnesses before it.

(i) At any hearing held by the committee:

(1) Oral evidence shall be taken on oath or affirmation.

(2) Each party shall have these rights: to be represented by legal counsel; to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.

(3) The hearing shall be open to the public.

(j) Any official or other person whose name is mentioned at any investigation or hearing of the committee, and who believes that testimony has been given that adversely affects him or her, shall have



the right to testify or, at the discretion of the committee, to testify under oath relating solely to the material relevant to the testimony regarding which he or she complains.

(k) The committee shall have 15 days following the hearing within which to deliberate and reach its final determination on the matter as follows:

(1) If the committee finds that the respondent has not violated any standard of conduct, it shall order the action dismissed, shall notify the respondent and complainant thereof, and, in cases concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall transmit a copy of the complaint and the fact of dismissal to the appropriate law enforcement agency. The complaint and the fact of dismissal transmitted pursuant to this paragraph are public records and open to public inspection.

(2) If the committee finds that the respondent has violated any standard of conduct, it shall state its findings of fact and submit a report thereon to the Assembly. This report shall be accompanied by a house resolution, authored by the committee, which shall be introduced at the Chief Clerk's desk and then referred by the Committee on Rules to the Ethics Committee. The house resolution shall include a statement of the committee's findings and the committee's recommendation for disciplinary action. Within seven days, the committee shall adopt the final form of the house resolution and report it to the Assembly for placement on the Daily File. The committee also shall send a copy of those findings and report to the complainant and respondent, and, in cases concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall report thereon to the appropriate law enforcement agency. The report submitted pursuant to this paragraph is a public record and open to public inspection.

After the receipt of a copy of the committee's final report and house resolution, the Assembly expeditiously shall take appropriate action with respect to the respondent.

(l) The filing of a complaint with the committee pursuant to this rule suspends the running of the statute of limitations applicable to any violation of any standard of conduct alleged in the substance of that complaint while the complaint is pending.

(m) The committee shall maintain a record of its investigations, inquiries, and proceedings. All records, complaints, documents, and reports filed with or submitted to or made by the committee, and all records and transcripts of any investigations, inquiries, or hearings of the committee under this rule shall be deemed confidential and shall not be open to inspection, without the express permission of the committee, by any person other than a member of the committee, or an employee of the committee or other state employee designated to assist the committee, except as otherwise specifically provided in this rule. The committee may, by adoption of a resolution, authorize the release to the Attorney General or a district attorney of the appropriate county of any information, records, complaints, documents, reports, and transcripts in its possession that are material to any matter pending before the Attorney General or that district attorney. All matters presented at a public hearing of the committee and all reports of the committee stating a final finding of fact pursuant to subdivision (k) shall be public records

and open to public inspection. Any employee of the committee who divulges any matter that is deemed to be confidential by this subdivision shall be subject to discipline by the Committee on Rules.

(n) The committee may take any action authorized by this rule only upon the vote of not less than two members from the registered political party having the greatest number of Members in the Assembly and two members from the registered political party having the second greatest number of Members. Any vacancy on the committee does not reduce the votes required to take action.

(o) The committee may render advisory opinions to Members of the Assembly with respect to the standards of conduct and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion. Any committee advisory opinion shall be prepared by committee members or staff and shall be adopted by the committee pursuant to subdivision (n).

(p) The committee shall conduct, at least semiannually, an orientation course on the relevant statutes and regulations governing official conduct. The curriculum and presentation of the course shall be established by the Committee on Rules. At least once each biennial session, each Member of the Assembly and each employee of the Assembly shall attend one of these courses.

(q) Pursuant to Section 8956 of the Government Code, the committee shall do each of the following:

(1) Conduct, at least semiannually, an orientation course on the relevant ethical issues and laws relating to lobbying.

(2) Impose fees on lobbyists for attending the course specified in paragraph (1) at an amount that will permit the participation of lobbyists to the fullest extent possible.

#### **Printing of Committee Reports**

23. All requests for the printing of reports of Assembly committees shall be referred to the Committee on Rules. The Committee on Rules shall determine the number of copies needed, whether the report shall be printed in the Journal, and whether the report shall be distributed electronically. The Committee on Rules shall authorize the distribution of reports electronically whenever possible.

#### **Assembly Employees**

24. Every employee who works for a committee of the Assembly or a subcommittee of a committee, for a Member of the Assembly, for the Chief Clerk's office, or for the Sergeant at Arms, is an employee of the Assembly. All employees of the Assembly serve at the pleasure of the Assembly and the terms and conditions of their employment may be modified, or their employment may be terminated at will, at any time and without notice, by the Committee on Rules.

Every applicant for employment by the Assembly shall prepare a formal application for employment on forms prescribed by the Committee on Rules. The application shall include a statement of his or her present employment, his or her employment during the preceding two years, and other pertinent information that the Committee on Rules may require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the

faithful performance of his or her duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

Every employee shall complete the Assembly ethics course in the first six months of his or her employment. Thereafter, every employee shall take the course in the first six months of every legislative session.

Every employee shall, within the first six months of every legislative session, take a course on sexual harassment prevention. The content of the course shall be determined by the Committee on Rules and shall include the Assembly's policy on sexual harassment prevention and response.

An employee may not engage in any outside business activity or outside employment that is inconsistent, incompatible, or in conflict with his or her functions or responsibilities as an employee of the Assembly. Any employee who engages in any outside business activity or employment that is in any way related to his or her functions or responsibilities as an employee shall promptly notify the Committee on Rules of that business activity or employment.

#### **Public Legislative Meetings**

25. (a) Accredited press representatives and the public shall not be excluded from any public legislative meeting or hearing and shall not be prohibited from taking photographs of, televising, or recording the committee or house hearings.

(b) The Committee on Rules shall adopt reasonable rules regarding access to public legislative meeting and hearing spaces, including the placement and use of equipment for recording or broadcasting, to minimize disruption of the proceedings. The rules shall grant priority to accredited press representatives in allocating access to public legislative meetings and hearings.

### **IV. ASSEMBLY FUNCTIONS**

#### **A. Duties of Assembly Officers**

##### **Duties of the Speaker**

26. (a) The Speaker possesses the powers and shall perform the duties prescribed as follows:

(1) To preserve order and decorum; he or she may speak to points of order in preference to the other Members, rising from his or her chair for that purpose.

(2) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, the Speaker shall have the right to assign the reason for his or her decision.

(3) To name any Member to perform the duties of the Speaker, except that any substitution may not extend beyond adjournment.

(4) To have general direction over the Assembly chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(5) To allocate funds, staffing, and other resources for the effective operation of the Assembly.

(6) To appoint the membership of all standing and special committees, including the Committee on Rules, and their respective chairpersons and vice chairpersons. The Speaker has approval power over the appointment of subcommittees of standing and special committees, except as otherwise provided in Rule 14.5. The Committee

on Rules consists of the Chairperson, Vice Chairperson, and other Members who shall be appointed by the Speaker in accordance with the process for appointing the membership of standing committees pursuant to this rule. Two alternate members of the Committee on Rules shall be appointed in accordance with the process for appointing members to the Committee on Rules. Members and alternates so appointed shall remain in office until their successors are selected as provided for in these rules. The Speaker may designate any member in lieu of or in addition to the alternate member to fill a temporary vacancy. An alternate member may serve when a committee member is absent.

(7) To establish a schedule of meetings of standing committees or subcommittees and to approve special meetings at a time different from the scheduled time.

(8) To have general control and direction over the Journals, papers, and bills of the Assembly and to establish a procedure in accordance with Rule 118 for admitting employees of the Legislature to the Assembly Chambers, including the Lobby in the rear of the chambers and any hallway or area of the floor that is adjacent to the desks occupied by the assistants to the Chief Clerk.

(9) To act as Chairperson of the Committee of the Whole.

(10) To order the Lobby and Gallery cleared whenever he or she deems it necessary.

(11) To authenticate by his or her signature, when necessary or required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(b) The Speaker is an ex officio member of all Assembly and joint committees with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of those committees, the Speaker shall not be counted as a member.

(c) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council pursuant to Section 6 of Article VI of the California Constitution.

#### **Funerals and Other Ceremonies and Events**

27. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The Members so designated shall receive their expenses as provided in Joint Rule 35.

#### **Selection of Officers**

28. (a) The Speaker shall appoint all nonelected officers of the Assembly except the Republican Leader.

(b) The Republican Leader shall be selected by the Assembly Republican Caucus.

#### **Duties of the Speaker pro Tempore**

29. The Speaker pro Tempore shall perform those duties assigned by the Speaker, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

**Duties of the Assistant Speaker pro Tempore**

29.5. The Assistant Speaker pro Tempore shall perform those duties assigned by the Speaker or Speaker pro Tempore, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

**Majority Leader**

30. It is the duty of the Majority Leader to make those appropriate motions, points of order, or other arrangements that may be necessary to expedite the proceedings of the Assembly, and he or she is responsible for the presentation of all matters that relate to the order of business, and to the promotion of harmony among the membership.

**Caucus Chairpersons**

31. The chairperson of the caucus of the political party having the greatest number of Members in the Assembly, and the chairperson of the caucus of the political party having the second greatest number of Members in the Assembly, shall perform those duties that are prescribed by their respective party caucuses.

**Chief Clerk**

32. The Chief Clerk of the Assembly has the following duties, powers, and responsibilities:

(a) To keep the bills, papers, and records of the proceedings and actions of the Assembly and to have charge of the publication and distribution of those publications related thereto.

(b) To supervise Assembly employees who are engaged in duties related to subdivision (a).

(c) To act as Parliamentarian of the Assembly and to advise the officers of the Assembly and the Committee on Rules on parliamentary procedure and the Rules of the Assembly when called upon to do so.

(d) To prepare all bills, resolutions, histories, journals, and related publications for printing.

(e) To refuse to permit any bills, papers, or records to be removed from his or her office or out of his or her custody, except upon duly signed receipts from persons authorized.

(f) To perform other duties that are prescribed by law or the Committee on Rules.

(g) To make technical changes in measures and amendments pending before the Assembly. The Chief Clerk shall notify the Speaker and the author of the measure of any such change.

(h) To compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; before they pass out of the possession of the Assembly, to see that each engrossed bill is a true copy of the original, with those amendments that may have been made thereto; and to see that all engrossed bills are reported back in the order in which they were ordered engrossed.

(i) To assist the Committee on Rules, upon its request, in recommending the reference of bills to the appropriate standing committee.

The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during his or her absence.

**Sergeant at Arms**

33. The Sergeant at Arms has the following duties, powers, and responsibilities:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all process issued by authority of the Assembly and directed by the Speaker; the Sergeant at Arms shall receive actual expenses for himself or herself, or for an assistant, incurred in executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with these rules.

(c) To have general supervision over the Assistant Sergeants at Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To execute all commands of the Speaker.

(e) To perform all other duties pertaining to his or her office as prescribed by law or Assembly rule.

The Deputy Chief Sergeant at Arms shall have the powers and perform the duties of the Sergeant at Arms during his or her absence.

**Filling Interim Vacancies—Assembly Elected Officers**

34. In the event a vacancy in any office, except Speaker, elected by the membership of the Assembly occurs during joint recesses, the Committee on Rules shall fill the office until the session reconvenes. If a vacancy occurs in the office of the Speaker during a joint recess, the Committee on Rules shall notify the membership within 15 days from the time the vacancy occurs and shall call a caucus of the membership of the Assembly for the purpose of filling the vacancy. This caucus shall be held at the State Capitol within 30 days from the time the vacancy occurs. Notice of the caucus shall be in writing and shall be mailed not less than 10 days prior to the meeting of the caucus. If the Committee on Rules fails to act within 15 days from the time the vacancy in the office of Speaker occurs, the Chief Clerk of the Assembly shall act in its place, following the procedure set forth in this rule. Any person selected to fill any vacancy pursuant to this rule holds the office until the session reconvenes.

An affirmative recorded vote of a majority of the duly elected and qualified Members is required for the selection by the Assembly caucus of a person to fill a vacancy pursuant to this rule. The procedure for selecting the Speaker at the caucus is the same as the procedure required for the election of the Speaker at a session.

**B. Printing****Authority for Printing**

35. The State Printer may not charge any printing or other work to the Assembly other than as provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly. All invoices for printing furnished to the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of the printing. When necessary, the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

### **Ordering of Printing**

36. The Chief Clerk is authorized to order, and is responsible for ordering, the printing of bills, resolutions, journals, daily files, histories, and related documents.

The Chief Clerk of the Assembly, or the Chief Administrative Officer of the Assembly, shall order other printing as directed or authorized by the Committee on Rules, and the written order for that printing shall be countersigned by the Speaker or a person designated by the Speaker. The Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly shall also order other printing as directed or authorized by resolution or motion of the Assembly.

### **Printing Assembly History and Legislative Handbook**

37. During the session, the Chief Clerk shall cause to be printed and placed upon each Member's desk, prior to convening on Monday of each week, a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of each Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

The Chief Clerk of the Assembly shall, as soon as practicable, in each even-numbered year, commence to compile a legislative manual or handbook, pursuant to Section 9740 of the Government Code.

### **Transmittal of Assembly Joint Resolutions**

37.5. Whenever the Chief Clerk is directed to transmit copies of an Assembly Joint Resolution to Members of the Legislature or Members of Congress, the Chief Clerk may do one or both of the following:

(a) Transmit the copies to the designated Members by electronic means.

(b) Transmit one physical copy to the appropriate administrative or legislative officer of the designated body.

## **V. LEGISLATIVE PROCEDURE**

### **Order of Business**

40. (a) The order of business of the Assembly shall be as follows:

1. Rollcall
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Messages From the Governor
8. Messages From the Senate
9. Motions and Resolutions
10. Business on the Daily File
11. Announcements
12. Adjournment

(b) With the exception of Special Orders of Business, the Speaker may determine that a different order of business will result in a more expeditious processing of the business of the Assembly by ordering resolutions honoring an individual or an organization, introductions,



and adjournments in memory of individuals to be taken up in a different order than that listed in subdivision (a).

#### **Pledging of Allegiance to the Flag**

41. At each session, following the prayer by the Chaplain, the Members of the Assembly and its officers and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America. The Speaker shall invite guests present in the Assembly Chamber to join in the pledge of allegiance to the Flag of the United States of America.

#### **Reading and Correcting Journals**

42. (a) The reading of the Journal of the previous day may be dispensed with, on motion, by a majority vote of the Members present and voting.

(b) All journals of the Assembly shall be corrected by the Minute Clerk and delivered to the Chief Clerk.

(c) A motion to correct any day's Journal or to print a letter in the Journal shall always be in order and shall require a majority vote of the Members present and voting.

#### **Presentation of Petitions**

43. Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or referred to a committee as the Speaker shall determine. Receipt of that presentation and its disposition shall be noted in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer the petition to committee.

#### **Messages From the Governor**

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

#### **Messages From the Senate**

45. (a) Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Committee on Rules may refer each bill to a committee, unless upon a motion the Assembly, by an affirmative recorded vote of 41 or more Members, refers it to some other committee. The action to refer a bill is not debatable. The reference shall be entered in the Journal. Assembly bills that have been passed without amendment by the Senate shall be ordered to enrollment.

An Assembly bill amended by the Senate shall be placed upon the unfinished business file but shall not be eligible to be acted upon until it is on the unfinished business file for one calendar day, except that when the Assembly bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly, it may be acted upon immediately.



(b) An Assembly bill amended by the Senate shall be considered and voted upon in accordance with Rule 77.

#### **Presentation of Guests or Memorials in the Assembly**

45.5. These rules do not prohibit the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests. A request that a session of the Assembly adjourn in memory of a person shall be made in writing. The request shall be read by the presiding officer immediately prior to adjournment.

#### **A. Bills and Resolutions**

##### **Bills Defined**

46. (a) The word “bill,” as used in these rules, includes a constitutional amendment, a concurrent resolution, and a joint resolution, except as otherwise specifically provided.

(b) A concurrent resolution and a joint resolution, other than a resolution ratifying proposed amendments to the United States Constitution and a resolution calling for a constitutional convention, shall be treated in all respects as a bill except as follows:

- (1) It shall be given only one formal reading.
- (2) It shall not be deemed a bill within the meaning of subdivision (a) and paragraphs (1) and (2) of subdivision (b) of Section 8 of Article IV of the California Constitution.

(c) “Final form,” as used in these rules, means the following:

- (1) For an Assembly bill, the form of the bill presented on the Senate floor for a vote upon final passage.
- (2) For a Senate bill, the form of the bill presented on the Assembly floor for a vote upon final passage.

##### **Introduction and Reference of Bills**

47. (a) Each bill shall be signed by each Member who is an author or coauthor of the bill before it is introduced. If any bill is introduced that does not contain the signature of its author or coauthor, the bill, on motion of the Member whose name appears thereon without that signature, shall be stricken from the file by an affirmative recorded vote of 41 or more Members.

(b) After the introduction of preprinted bills, and subject to the provisions of the Joint Rules of the Senate and Assembly, any Member desiring to introduce a bill, constitutional amendment, or concurrent or joint resolution may at any time during a session send the same to the Chief Clerk’s desk.

(c) When received at the Chief Clerk’s desk each bill shall, under the proper order of business, be numbered, read the first time, printed, and referred to a standing committee, and a copy thereof shall be placed upon the desk of each Member before final passage.

All bills and constitutional amendments introduced before the standing committees of the Assembly are appointed shall be referred to committee, the references to take effect when the committees are appointed.

(d) The Committee on Budget may introduce a bill germane to any subject within the jurisdiction of the committee in the same manner as any Member. Any other standing committee may introduce a total of five bills in each year of a biennial session that are germane to any subject within the proper consideration of the committee.

(e) No committee, except the Committee on Budget, may introduce or author a House Resolution, Concurrent Resolution, or Joint Resolution.

(f) A committee bill may not be introduced unless it contains the signatures of a majority of all of the members, including the chairperson, of the committee. If all of the members of a committee sign the bill, at the option of the committee chairperson the committee members' names need not appear as authors in the heading of the printed bill.

(g) Subdivision (d) or (e) of this rule may be suspended with respect to a particular bill or resolution by approval of the Committee on Rules.

#### **Bills Authored by a Former Member**

47.1. Whenever the author of a bill in the Assembly is no longer a Member of the Legislature, upon a request of a committee or current Member of the house in which the bill was introduced, the Assembly Committee on Rules may authorize that committee or Member to be the author of that bill. Absent that authorization, an action may not be taken by a committee or the Assembly with respect to a bill authored by a former Member.

#### **Limitation on the Introduction of Bills**

49. (a) A Member may introduce not more than 50 bills in the regular session. As used in this rule, "bill" includes a constitutional amendment, but does not include a concurrent or joint resolution.

(b) This rule may be suspended with respect to a particular bill by approval of the Committee on Rules.

#### **Reference of Bills to Committee**

51. Except as otherwise provided in this rule, the Committee on Rules may refer each bill to a committee by a majority vote of the membership of the committee, unless upon a motion the Assembly, by an affirmative recorded vote of 41 or more Members, refers it to some other committee. A motion to refer a bill is not debatable, except as to the propriety of the motion, and it may not open the main question to debate.

The Committee on Rules may require that, if a bill is reported out of the committee to which it has been referred, it shall be re-referred to another committee that shares jurisdiction of the subject matter of the bill.

#### **Spot Bills**

51.5. A bill that upon introduction makes no substantive change in or addition to existing law, and would not otherwise affect the ongoing operations of state or local government, except a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, may not be referred to a committee by the Committee on Rules. If the author subsequently proposes to the Committee on Rules to make substantive changes in the bill as introduced, the Committee on Rules may refer the bill to a committee, together with the proposed changes for consideration as author's amendments. A vote on passage of the bill may not be taken, however, until the bill with its amendments, if adopted, has been in print for at least 15 days.

**Delivery of Bills to State Printer**

52. After introduction and first reading, all bills shall be delivered to the State Printer.

**Resolutions**

53. All resolutions shall be numbered and may be referred to the appropriate committee by the Committee on Rules.

Each resolution shall be signed by each Member who is an author or coauthor of the resolution before it is introduced.

**Resolutions by Member**

54. A concurrent resolution or a house resolution may be introduced relating to a present or former state or federal elected official or a member of his or her immediate family. Other resolutions for the purpose of commendation or congratulation of any person, group, or organization, or for the purpose of expressing sympathy, regret, or sorrow on the death of any person, shall be prepared as a Rules Committee Resolution and presented to the committee for appropriate action.

The Committee on Rules may approve exceptions to this rule for house resolutions. The Chief Clerk may not accept for introduction any house resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

**B. Standing Committee Functions****Standing Committee Rules**

55. Subject to the Joint Rules of the Senate and Assembly, the Rules of the Assembly shall govern the conduct of all committee and subcommittee meetings.

**Meetings of Standing Committees and Subcommittees**

56. All standing committees and subcommittees shall meet at the hour and place provided by the schedule established by the Speaker, unless permission for a different hearing time is granted by the Speaker. A committee or subcommittee may not meet during any session of the Assembly, nor may any Member of the Assembly attend a conference committee meeting on any bill during any session of the Assembly without first obtaining permission from the Assembly.

When an unscheduled meeting of a standing committee or subcommittee has been so ordered, the meeting shall convene in an area that is readily accessible to the public and the Assembly shall take care that every effort is made to inform the public that a meeting has been called. An unscheduled meeting of a committee or subcommittee may not be held in the Assembly Chamber.

No bill may be set for hearing, nor may any notice thereof be published by any Assembly committee or subcommittee, until the bill has been referred to the committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and re-referred to the committee or subcommittee.

The several standing committees and subcommittees and their chairpersons may adopt a procedure under which bills are scheduled for hearing on the basis of like subject matter groupings.

**Setting and Hearing Bills in Committee**

56.1. All bills referred to a standing committee pursuant to Rule 51 shall be set and heard, if requested by the author, as specified by the Joint Rules. If the analysis of an author's amendment that is subsequently adopted pursuant to Rule 68 discloses that the amendment makes a substantial substantive change to the original bill as referred by the Committee on Rules, the bill as amended shall either be set and heard by the committee having jurisdiction of the bill as amended or re-referred to the Committee on Rules pursuant to the Assembly Rules.

**Committee Analyses**

56.5. Except as otherwise provided in this rule, each standing committee and subcommittee shall prepare an analysis of every bill it has set for hearing, which shall be available to the public in the office of the committee or subcommittee one working day prior to the date on which the hearing is to be held. In the case of a special meeting, or a meeting of the Committee on Appropriations or the Committee on Budget, or their subcommittees, the analysis shall be available to the public at the beginning of the hearing. No question concerning a committee's compliance with this rule with regard to any bill shall be in order following a vote on passage of the bill in that committee. As used in this rule, a "working day" is any day on which a house file is published.

A copy of each committee analysis shall be transmitted by the committee secretary to the Assembly Floor Analysis Unit at the same time it is made available to the public.

**Committee Consultants: Floor Analyses**

56.6. Except as otherwise provided in this rule, the consultants of a standing committee or subcommittee are responsible for monitoring bills assigned to their respective committee or subcommittee throughout the entire legislative process. Except for resolutions and bills on the Consent Calendar, a consultant of the appropriate standing committee shall prepare, in a timely fashion, an analysis of every bill on third reading or the unfinished business file, and of any amendment to a bill that is on the Assembly floor, as directed by the Assembly Floor Analysis Unit.

The committee consultant who prepares the analysis shall transmit a copy of the completed analysis to the Assembly Floor Analysis Unit. The Assembly Floor Analysis Unit is responsible for final editing for grammar and format of all floor analyses.

**Consent Calendar**

56.7. If the chairperson of a committee or subcommittee, in advance of a hearing, proposes to recommend any bills for consideration on the Consent Calendar without hearing testimony on those bills in committee, a list of those bills shall be made available to the public at the same time as the committee analysis required under Rule 56.5.

**Committee Quorum**

57. Except as otherwise provided in this rule, a majority of the membership of any standing committee constitutes a quorum for the transaction of its business, including the decision to recommend the adoption of any amendments to any bill. A majority of the membership

of the committee, or a subcommittee thereof, is required to report a bill out of the committee or subcommittee, respectively. Any vacancy on a standing committee shall not reduce the votes required to take action on a bill in that committee.

Whenever a member is disqualified pursuant to Joint Rule 44 or the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code) from voting or taking any other action related to the passage, defeat, or amendment of a bill in committee, that disqualification shall be treated the same as a vacancy. The member shall advise the chairperson of a disqualification, and the chairperson shall announce which members are so disqualified at the commencement of the hearing on the bill.

#### **Reconsideration**

57.1. After a committee has voted on a bill, reconsideration may be granted only one time. Pursuant to subdivision (a) of Joint Rule 62, reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration may not be taken without the same notice required to set a bill for hearing unless that vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. An action taken by a committee may not be reconsidered except by a majority vote of the membership of the committee.

#### **Bills Reported Back to Assembly**

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith; the chairperson of each committee is charged with the observance of this rule. The chairperson of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

#### **Appropriations Suspense File**

58.2. (a) The Committee on Appropriations may maintain a suspense file, to which bills may be referred by vote of a majority of the members of the committee present and voting, pending further consideration by the committee. A bill may be taken off the suspense file and heard, upon two days' notice published in the file, by a vote of a majority of the members of the committee present and voting. A bill removed from the suspense file for the purpose of amendment only, pursuant to Rule 68, shall be re-referred to the committee and shall be placed on the suspense file pending further consideration by the committee.

(b) Notwithstanding any other rule, procedure, or practice, a committee of the Assembly other than the Committee on Appropriations shall not establish or maintain a suspense file.

#### **Voting in Committee**

58.5. When a standing committee or subcommittee takes action on a bill, including reconsideration, the vote may be by rollcall vote only. All rollcall votes taken in a standing committee or subcommittee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The record of a rollcall vote shall show, for each proposal voted upon: all votes for and against, all members absent, and all members not voting. The chairperson of each standing committee or

subcommittee shall promptly transmit a copy of the record of the rollcall votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a monthly basis.

The committee secretary of each standing committee or subcommittee shall promptly transmit a copy of the record of the rollcall votes to the Assembly Floor Analysis Unit.

A member may submit a written explanation of his or her vote, absence, or failure to vote on any bill or resolution, and that explanation shall be printed in the appendix to the Journal in the appropriate place, provided that no explanation may exceed 50 words in length.

At the request of the author or any member of the committee, the committee shall hold the roll open on any bill until the adjournment of the committee meeting. At no time may a bill be passed out by a committee without a quorum being present.

This rule does not apply to any of the following:

- (a) Adoption of author's amendments to a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) Return of bills to the house where the bills have not been voted on by the committee.
- (d) Votes of subcommittees of the Committee on Budget when considering the Budget Bill.
- (e) Votes of the Committee on Rules when referring bills to committees.

#### **Subject Matter of Bill Recommended for Interim Study**

59. Whenever it is the decision of a standing committee that a bill referred to that committee shall not be given a do-pass recommendation, but that the subject matter of the bill should be referred for study, that standing committee shall retain the bill in its possession and report its recommendation to the Assembly that the subject matter of the bill be referred to the Committee on Rules for that committee's assignment of the subject matter to an appropriate committee.

Nothing in this rule shall be construed to prohibit a committee from subsequently reporting the bill to the Assembly with a do-pass or do-pass as amended recommendation or from reporting it out of committee without further action on the final day of the session.

#### **Committee Chairperson as Author**

60. A chairperson of a standing committee may not preside at a committee hearing to consider a bill of which he or she is the sole author or the lead author, except that the Chairperson of the Committee on Budget may preside at the hearing of the Budget Bill by the Committee on Budget.

#### **Reports of Committees**

61. Specially prepared reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the Members present and voting.

When a report of a joint legislative committee is delivered to the Assembly Desk, the Speaker shall refer it to a standing committee for review and appropriate action.

### **Constitutional Amendments**

62.5. All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter and, upon being reported out of that committee, shall be re-referred to the committee having constitutional amendments within its jurisdiction.

### **C. Passage of Bills**

#### **Daily File**

63. There shall be printed an Assembly Daily File for each legislative day. The following listing shall constitute the order of business on the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration, provided that Rule 58 has been complied with in the order of their listing. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File.

#### **Copies of Bills for Action on Floor**

64. A bill may not be considered or acted upon on the floor of the Assembly unless and until a copy of the bill as introduced, and a copy of each amended form of the bill, has been distributed to the desk of each Member in hard copy or in portable document format (PDF) via computer and, as applicable, the requirements of paragraph (2) of subdivision (b) of Section 8 of Article IV of the California Constitution have been complied with.

#### **Second Reading of Bills**

66. All bills shall be read by title the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day, and may not be read a second time until the next legislative day under that order of business. As used in this rule, "bill" does not include a joint or concurrent resolution, but does include a constitutional amendment.

#### **Bills Requiring General Fund Appropriation**

66.6. Until the Budget Bill has been enacted, the Assembly may not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the Budget Bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature.



**Committee Amendments and Coauthors**

67. (a) Committee amendments reported with bills shall be considered upon their second reading, and the amendments may be adopted by majority vote of the Members present and voting. Assembly and Senate bills amended on second reading by committee amendment shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Committee amendments reported with bills shall be prepared, or approved as to form, by the Legislative Counsel. Five copies of the committee amendments to Assembly bills and five copies of the committee amendments to Senate bills shall be delivered to the Chief Clerk's desk.

The Chief Clerk shall cause to be transmitted to the Assembly Floor Analysis Unit a copy of each committee report and committee amendment, unless the committee report or committee amendment is relative to a joint, concurrent, or house resolution.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a rollcall, shall not preclude subsequent consideration in committee, or on the third reading by the Assembly, of the bill, those amendments, or any part thereof.

(b) Notwithstanding any other rule, the revision of a bill only to add coauthors shall not be considered an amendment of the bill. A request to add coauthors may be submitted to the Assembly with the approval of the committee chairperson, the lead author of the bill, and each proposed coauthor on a form provided by the Chief Clerk. The form may be submitted to the Chief Clerk with the submission of the committee report. Upon submission of the form, the heading of the bill shall be revised to reflect the additional coauthor or coauthors. Any Member added as a coauthor to a bill may subsequently request in writing that his or her name be removed.

**Author's Amendments**

68. Upon request of the author of a bill, the chairperson of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Notwithstanding any other rule, a bill to be amended pursuant to this rule may not be placed on the second reading file for the adoption of those amendments.

**Rules Committee Author's Amendments**

68.1 (a) If a proposed amendment to a bill on the floor is submitted pursuant to Rule 69, the chairperson of the Committee on Rules may, upon request of the author of the bill, re-refer the bill and proposed floor amendments to the Committee on Rules for further action.

(b) Upon re-referral, the chairperson of the Committee on Rules may cause the amendments submitted by the author to be adopted and the bill to be reprinted as amended and ordered returned to either the second or third reading file.

**Vote on Passage of Bill as Amended**

68.5. Except as otherwise provided in this rule, a vote on passage of any bill in a standing committee or subcommittee shall be taken only



when the bill is in print, including any previously adopted amendments to the bill. A vote on passage of an amended bill, when the amended form of the bill is not in print, may be taken only if the sole effect of the amendment is to add coauthors to the bill or if the committee determines that the effect of the amendment upon the bill can be readily understood by all of the members and audience present at the hearing. In that circumstance, any member may require that the amendments be in writing at the time of their adoption.

#### **Bill Analysis Prior to Third Reading**

68.6. A bill, concurrent resolution, or joint resolution may not be considered on third reading unless and until an analysis of the measure has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

#### **Analysis of Conference Committee Amendments**

68.7. A report of a conference committee on any bill, other than the Budget Bill, that recommends the substantive amendment of a bill may not be considered unless and until an analysis of the proposed amendment has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

#### **Printing of Conference Committee Reports**

68.8. A conference report may not be heard by the Assembly until it has been in print for 72 hours prior to being taken up by the house.

#### **Conference Committee: Substantial Policy Change**

68.9. (a) A conference committee on any bill, other than the Budget Bill or a bill that is making statutory changes to implement the Budget Bill, may not approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Assembly within the current legislative session. For purposes of this rule, the most recent action of a policy committee with regard to a substantial policy change is deemed the only action taken when the policy committee has taken inconsistent actions with respect to a substantial policy change.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term "heard" means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session; or that an amendment, which was drafted and given a request number or approved as to form by the Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

#### **Amendments From the Floor and Coauthors**

69. (a) Any Member may move to amend a bill during its second or third reading, and that motion to amend may be adopted by a majority vote of the Members present and voting.

Amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any number of words, or amendments previously printed in the Journal, are not in order unless and until a copy of the proposed amendments has been placed upon the desks of the Members.

Notwithstanding any other rule, a bill that has been revised on the Assembly Floor at the request of the lead author and on forms provided by the Chief Clerk only to add coauthors to the bill shall not be considered an amendment and a copy of the bill is not required to be placed upon the desks of the Members if both the Speaker and the Republican Leader, or a majority vote of the house, approve the request. The heading of the bill shall be revised to reflect the addition of the coauthor or coauthors.

Amendments offered from the floor during a bill's second or third reading shall be prepared, or approved as to form, by the Legislative Counsel.

Before debate five copies of the proposed amendment to Assembly bills, and five copies of the proposed amendments to Senate bills, shall be delivered to the Chief Clerk's desk. One copy of the proposed amendment shall be transmitted by the Chief Clerk to the Assembly Floor Analysis Unit. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he or she may determine to be necessary.

(b) (1) Amendments from the floor during a bill's second or third reading that would make a substantive change in the bill shall be submitted to the Chief Clerk's desk by 5:00 p.m. or the time of adjournment, whichever is later, the business day before the start of session on the legislative day at which they are to be considered.

(2) Upon receipt of the proposed amendments by the Chief Clerk, an analysis shall be prepared by the committee of origin in conjunction with the Assembly Floor Analysis Unit, and a copy of that analysis shall be distributed to each Member's desk prior to the beginning of debate on adoption of the proposed amendments, unless otherwise ordered by the Speaker.

(c) Paragraph (1) of subdivision (b) does not apply to (1) amendments to a bill taken up without reference to file, (2) amendments to a bill to add or delete an urgency clause, (3) amendments to a bill that are identical to other amendments submitted to the Chief Clerk's desk in accordance with the requirements of this rule, (4) amendments to the Budget Bill or to a bill that is making statutory changes necessary to implement the Budget Bill, or (5) amendments to a bill to make the bill contingent upon the enactment of another bill, or to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

(d) Any bill amended on the second or third reading file shall be ordered reprinted and returned to the third reading file, and may not be acted on by the Assembly until the bill, as amended, has been on the Daily File for one calendar day, and, with regard to an amended Senate bill, may not be voted upon for final passage until the bill complies with Rule 76. This subdivision does not apply to a bill that is amended to add or delete an urgency clause or to a bill that is amended to make statutory changes to implement the Budget Bill.

(e) A motion to amend a bill on the second or third reading file, other than committee amendments reported pursuant to Rule 57, is not in order on (1) the last two legislative days preceding the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution or (2) the last seven days preceding the scheduled commencement of the interim study recess or the scheduled

commencement of the final recess as specified by the Joint Rules of the Senate and Assembly. This subdivision may be suspended temporarily by two-thirds vote of the Members present and voting. This subdivision does not apply to amendments to a bill pursuant to Joint Rule 23.5, amendments to a bill to add or delete an urgency clause, or amendments to a bill to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

#### **Consideration of Political Reform Act Bills**

69.1. Pursuant to Section 81012 of the Government Code, any bill that would amend the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code) may not be passed until, 12 days prior to being considered for passage, the bill in its final form has been delivered by the Chief Clerk to the Fair Political Practices Commission for distribution to the news media and to every person who has requested the commission to send a copy of any such bill to him or her.

#### **Consideration of Bills Amending the California Stem Cell Research and Cures Act**

69.2. Pursuant to Section 8 of the California Stem Cell Research and Cures Act (Proposition 71 of the November 2, 2004, statewide general election), the following requirements apply to a bill that would amend the provisions of that act:

(a) The bill may not be passed until, 14 days prior to the date of passage, copies of the bill in its final form are made available by the Chief Clerk to the public and the news media.

(b) Passage of the bill requires the affirmative votes of 56 Members.

#### **Electronic Distribution of Bills, Conference Reports, Amendments, and Analyses**

69.5. Any requirement that bills, conference reports, amendments, or an analysis be placed on the desks of the Members is satisfied by electronic distribution of the same information in portable document format (PDF) via computer to the desk of the Members through the Assembly Floor System, unless otherwise ordered by the Speaker.

#### **Consideration of Bills Re-referred to Committee**

70. Whenever a bill that has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and may not be transferred therefrom to the third reading file until the following day.

#### **Uncontested Bills**

71. A bill may not be placed on the Assembly Consent Calendar unless it has met the requirements of Joint Rule 22.1 with respect to each Assembly standing committee to which the bill has been referred.

#### **Consideration of Concurrent and Joint Resolutions**

73. A concurrent or joint resolution may be amended by a majority vote of the Members present and voting. The ayes and noes may not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute or the California Constitution.

**Adoption of Resolutions**

74. Any resolution upon which a rollcall vote is demanded requires an affirmative recorded vote of 41 or more Members for adoption.

The adoption of any resolution authorizing the expenditure of money requires an affirmative recorded vote of 41 or more Members.

**Printing of Resolutions**

75. When any previously printed house resolution is before the Assembly for adoption, it may be printed in the Journal only if amendments to it have been adopted, in which case it shall be printed as amended. In the absence of those amendments, house resolutions before the Assembly for adoption shall be referred to by day and page of the Journal as printed upon introduction. For the purposes of this rule, the adding of a coauthor shall not be deemed an amendment.

**Internet Publication Prior to Final Passage of Senate Bill**

76. (a) A Senate bill shall not be voted upon by the Assembly for final passage unless the bill has been published on the Internet in its final form for at least 72 hours prior to that vote.

(b) The requirement of subdivision (a) may be waived for a bill if the Governor has submitted to the Legislature a written statement that dispensing with the notice period for that bill is necessary to address a state of emergency, as described in paragraph (2) of subdivision (b) of Section 8 of Article IV of the California Constitution.

(c) As used in this rule, "bill" does not include a joint or concurrent resolution or a constitutional amendment.

**Concurrence in Senate Amendments**

77. (a) Concurrence in any Senate amendment to an Assembly bill requires the same affirmative recorded vote as the vote required by the California Constitution for the passage of the bill. A vote on concurrence may not be taken until the bill has been on the unfinished business file for one calendar day, except that when the bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly, it may be acted upon immediately. The vote on concurrence shall be deemed the vote upon final passage of the bill.

(b) Senate amendments to Assembly bills shall not be concurred in until both of the following have occurred:

(1) An analysis of the bill has been distributed by the Assembly Floor Analysis Unit and a copy placed upon the desks of the Members, unless otherwise ordered by the Speaker. As used in this paragraph, "bill" includes a constitutional amendment, but does not include a joint or concurrent resolution.

(2) The bill has been published on the Internet in its final form for at least 72 hours prior to that vote. This requirement may be waived for a bill if the Governor has submitted to the Legislature a written statement that dispensing with this notice period for that bill is necessary to address a state of emergency, as described in paragraph (2) of subdivision (b) of Section 8 of Article IV of the California Constitution. As used in this paragraph, "bill" does not include a joint or concurrent resolution or a constitutional amendment.

**Digest of Bills Amended in Senate**

77.1. Whenever the Senate amends and passes an Assembly bill, the Legislative Counsel shall, within one day after the bill is passed by the Senate, prepare and transmit to the Chief Clerk and the Speaker a brief digest summarizing the effect of the Senate amendment. Upon receipt from the Legislative Counsel, the Chief Clerk shall cause the digest to be printed in the Daily File immediately following any reference in the file to the bill covered by the digest.

**Substantially Amended Bills**

77.2. If the analysis of an amendment adopted on the floor discloses that the amendment makes a substantial substantive change to a bill as passed by the last committee of reference, the bill, as amended, may be referred by the Speaker to the appropriate committee.

A bill that was previously reported from a policy or fiscal committee of reference in compliance with Joint Rule 61 is not subject to the deadlines in Joint Rule 61 if the bill is subsequently referred to a policy or fiscal committee pursuant to this rule.

If the digest to an Assembly Bill that has been returned to the Assembly by the Senate for concurrence in Senate amendments discloses that the Senate has made a substantial substantive change in the bill as first passed by the Assembly, the bill may be referred by the Speaker to the appropriate committee.

**Inactive File**

78. Whenever a bill has been passed twice on the third reading file on two successive legislative days, it shall be placed forthwith upon a special file to be known as the inactive file. A bill also may be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by request of the author. Notice of the request to return the bill to the third reading file shall be published one day in advance in the Assembly File. The bill, when returned to the third reading file, shall then be placed at the foot of the third reading file.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or the unfinished business file, respectively, in the next published Daily File.

**Engrossing and Enrolling Bills**

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills that come to his or her hands for that purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

After final passage by both houses, any Assembly bill not amended by the Senate shall be ordered by the Speaker forthwith to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Chief Clerk shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

## **VI. PARLIAMENTARY PROCEDURE**

### **A. Motions and Questions**

#### **Precedence of Motions During Debate**

80. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

- First—To adjourn;
- Second—To recess to a time certain;
- Third—To lay on the table;
- Fourth—For the previous question;
- Fifth—To set as a special order;
- Sixth—To postpone indefinitely;
- Seventh—To refer to or to re-refer;
- Eighth—To amend.

#### **Questions of Order Decided Without Debate**

81. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

#### **Appeal From Decision of the Speaker**

82. Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the floor. An appeal is not in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken. Upon the appeal being seconded, the Speaker may give his or her reasons for the decision, and the Member making the appeal may give his or her reasons for the appeal, and the Speaker forthwith shall put one of the following questions to the Assembly:

- (1) "Shall the decision of the Speaker be sustained?"
- (2) "Shall the decision of the Speaker be overruled?"

An appeal may not be amended and yields only to a motion to recess or adjourn, or to lay on the table, or a question of personal privilege. If an appeal is laid on the table, that action shall have no effect on the pending question.

An appeal may not be debated when relating to indecorum, the transgression of rules, or the priority of business. A majority vote of the Members present and voting decides any appeal. In the event of a tie vote, the appeal is lost.

#### **Speaker Explains Order of Business**

83. The Speaker may, on his or her own motion or the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation may not consume more than two minutes.

**To Adjourn**

84. A motion to adjourn is not debatable and may not be amended, and is always in order, except: (a) when another Member has the floor; (b) when the Assembly is voting; or (c) during a call of the Assembly. The name of any Member moving an adjournment, and the hour at which the motion was made and adjournment taken, shall be entered in the Journal. A motion to adjourn shall be adopted by a majority vote of the Members present and voting.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. That statement may not occupy more than two minutes and is not debatable.

An affirmative recorded vote of a majority of the duly elected and qualified Members is required to adjourn any session of the Assembly sine die.

**To Recess to a Time Certain**

85. A motion to recess to a time certain is treated the same as a motion to adjourn, except that the motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

**To Lay on the Table**

86. A motion to lay on the table is not debatable and may not be amended.

A motion to table a bill, constitutional amendment, or concurrent or joint resolution is adopted by an affirmative recorded vote of 41 or more Members.

Any motion to lay on the table, if carried by 41 or more votes, carries with it the main question and everything that adheres to it, except that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, or concurrent, joint, or house resolution.

A motion to lay an amendment on the table is adopted by a majority vote of the Members present and voting.

A motion to lay on the table may not be applied with respect to reconsideration.

**The Previous Question**

87. The previous question shall be put only when demanded by five Members, and its effect, when sustained by a majority vote of the Members present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending, except that the proponent of the matter pending shall be allowed not more than five minutes to close the debate.

**Motion to Set Special Order**

88. A motion to set any matter before the Assembly as a special order of business is adopted by an affirmative recorded vote of 54 or more members. The motion is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.



**Motion to Postpone to a Time Certain**

89. A motion to postpone to a time certain is deemed and treated as a motion to set as a special order.

**Motion to Postpone Indefinitely**

90. The making of a motion to postpone indefinitely any bill, motion, or amendment opens the main question to debate. If the motion to postpone indefinitely prevails by an affirmative recorded vote of 41 or more Members, the main question may not be acted upon again during the session.

**Motion to Amend**

91. A motion to amend may itself be amended, but an “amendment to an amendment” may not be amended. A motion to substitute is deemed to be a motion to amend and is considered the same as an amendment.

Only one substitute is in order when an amendment is pending. A motion to amend or to substitute is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the Members present and voting.

A motion to amend that is decided in the negative is not again in order on the same day, or at the same stage of proceeding. The fact that a motion to amend by striking out certain words is decided in the negative does not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words, except that in no case may a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule and Rule 69, a motion to amend is in order during the second or third reading of any bill.

**Amendment to Be Germane**

92. An amendment to any bill, other than a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, whether reported by a committee or offered by a Member, is not in order when the amendment relates to a different subject than, is intended to accomplish a different purpose than, or requires a title essentially different than, the original bill.

A motion or proposition on a subject different from that under consideration may not be admitted as an amendment.

An amendment is not in order that changes the original number of any bill.

A Member may not be added or deleted as an author or coauthor of a bill or resolution without his or her consent.

**Consideration of Motions**

93. A motion, whether oral or written, may not be adopted until it is seconded and distinctly stated to the Assembly by the Speaker.

**Motions in Writing**

94. Upon request of the Speaker, all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before being acted upon.

**Withdrawal of Motions**

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the Assembly.

**Motion to Withdraw or Re-refer Bills**

96. (a) A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee, may be made during the regular order of business. A motion to re-refer may be debated only as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

(b) A bill or resolution may not be withdrawn from committee and placed upon the file, unless a motion to withdraw has been heard by, and has been approved by a majority vote of, the Committee on Rules. This subdivision does not apply to a bill in a fiscal committee that has been amended so as not to require its reference to a fiscal committee, as indicated by the Legislative Counsel's Digest.

(c) A motion to continue a motion to withdraw a bill or resolution from committee requires a majority of those members present and voting. A motion to withdraw a motion to withdraw is not in order.

**Re-reference of Measures on File**

97. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion is debatable only as to the propriety of that reference and shall require an affirmative recorded vote of 41 or more Members.

**Bills Stricken From File**

98. A motion to strike from the file any bill or resolution requires an affirmative recorded vote of 41 or more Members. That bill or resolution may not be acted upon again during the session.

**Motion to Rescind Action or Expunge Record**

99. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by the affirmative recorded vote sufficient to take that action originally, except that an action may not be rescinded and the record expunged by a vote less than an affirmative recorded vote of 41 or more Members. A motion to rescind the action and expunge the record may not be made twice on the same proposition.

A motion to rescind is not in order on any matter upon which a vote to reconsider has previously been taken in the Assembly.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged may not appear in any form whatsoever, except that the record of the proceedings on the motion to rescind and expunge shall appear in the Journal as and when printed.

**Reconsideration of Vote**

100. (a) A motion to reconsider a vote on the next legislative day shall be made on the same day the vote to be reconsidered was taken. A motion to reconsider may not be adopted unless it receives an affirmative recorded vote of 41 or more Members. A motion to reconsider may be voted on without a second.

A motion to reconsider a vote shall be made by a Member voting on the question, and takes precedence over all motions, except a motion to adjourn. Upon that motion being made, the matter to be reconsidered forthwith shall be placed upon the unfinished business file, and further action may not be taken prior to the next legislative day. When a motion

to reconsider has once been made, the motion is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status it had prior to the vote being reconsidered.

(b) (1) Interim Study Recess:

No motion to reconsider the vote whereby amendments are concurred in on Assembly bills, the vote whereby a Senate bill is passed and returned to the Senate, or the vote whereby a conference committee report is adopted is in order on the last two legislative days preceding the interim study recess.

A motion to reconsider the vote whereby amendments are refused concurrence on Assembly bills, the vote whereby Senate bills are refused passage, or the vote whereby a conference committee report is refused adoption is in order on the last legislative day preceding the interim study recess. The motion may be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include a joint or concurrent resolution.

(2) January 31—Even-numbered Year:

A motion to reconsider the vote whereby an Assembly bill is passed to the Senate is not in order on the last two legislative days preceding January 31 of the even-numbered year.

A motion to reconsider the vote whereby an Assembly bill is refused passage on its third reading is in order on the last legislative day preceding January 31 of the even-numbered year. The motion must be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(3) Spring or Summer Recess:

A motion to reconsider the vote whereby a bill is passed is not in order on the last two legislative days preceding the Spring or Summer Recess as established by the Joint Rules of the Senate and Assembly.

(4) Deadline for Passage by House:

A motion to reconsider the vote whereby an Assembly bill is passed to the Senate is not in order on the last two legislative days preceding the last day for the Assembly to pass a bill introduced in the Assembly, as set forth in the Joint Rules of the Senate and the Assembly.

As used in this paragraph, "bill" does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(5) Final Recess:

A motion to reconsider the vote whereby a bill is passed is not in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated is in order on the day of the final recess. The motion must be taken up before the end of that legislative day.

(c) Any Member voting on any matter may move to take up on the same day the motion, previously made by another Member, to reconsider the vote on that matter. A motion to take up on the same day a motion to reconsider the vote on a bill requires an affirmative recorded vote of at least 41 Members. A motion to take up on the same day a motion to reconsider the vote on any motion, amendment, Assembly resolution, or proposition other than a bill requires an affirmative vote of a majority vote of the Members present and voting. The motion to take up the reconsideration on the same day takes precedence over the

motion to reconsider and, upon demand of any Member, the motion to take up the reconsideration on the same day shall be put to an immediate vote. If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider is the next order of business before the Assembly.

(d) A second motion to reconsider the same question is not in order, nor is a motion to reconsider reconsideration in order.

(e) A motion to continue a motion to reconsider requires a majority vote of those Members present and voting.

#### **Call of Assembly**

101. After the roll has been called, and prior to the announcement of the vote, any Member may move a call of the Assembly. The Members present may order a call of the Assembly by a majority vote of the Members present and voting, and the Speaker shall immediately order the Sergeant at Arms to lock all doors and direct the Chief Clerk to prepare a list of absentees as disclosed by the last rollcall. The list of absentees shall be furnished to the Sergeant at Arms, whereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and a person may not be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Each Member who is found to be absent, and for whom a leave of absence has not been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms, his or her assistants, or any person designated by the Sergeant at Arms, including members of the California Highway Patrol, and sheriffs or their deputies, and brought to the Assembly Chamber.

A recess or adjournment may not be taken during a call of the Assembly. Additional business may be conducted and calls placed regardless of the number of calls in effect. A call of the Assembly may be dispensed with at any time upon a majority vote of the Members present, that action to become effective upon the completion of the rollcall and the announcement of the vote upon the matter for which the call was ordered, unless, prior to the announcement of the vote, the call is continued by a majority vote of the Members present.

#### **Division of Question**

102. Any Member may call for a division of the question, and the Speaker shall order the question divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition would remain for the decision of the Assembly. This rule does not apply to an individual bill or resolution.

### **B. Voting**

#### **Members Voting**

104. Every Member in the Assembly Chamber when a rollcall is required shall record his or her vote openly and without debate, unless the Assembly excuses that member by a majority vote of the Members present and voting.

A Member may not operate the voting switch of any other Member, except that a Member presiding at the time of a rollcall, who is not the Speaker or the Speaker pro Tempore, may direct another Member on the floor to operate the voting switch of the presiding Member, and any Member so presiding, including the Speaker and the Speaker pro

Tempore, may also operate the voting switches at the rostrum of the Speaker and the Speaker pro Tempore, at their direction.

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal, together with a statement that he or she was present and did so refuse to vote. Any Member who refuses so to vote may, if he or she so desires, and immediately after the announcement of the vote, submit a written explanation of the failure to vote and that explanation shall be printed in the Journal, provided that no explanation may exceed 50 words in length.

In addition to the entry of his or her name in the Journal, any Member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, at the discretion of the Speaker or upon demand of any Member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any Member designated by the Speaker. Censure of a Member as provided by this rule does not constitute a bar to proceedings for his or her expulsion from the Assembly pursuant to Section 5 of Article IV of the California Constitution.

A Member may submit a written explanation of his or her vote on any bill or house resolution, and that explanation shall be printed in the Journal immediately following the vote, provided that no explanation may exceed 50 words in length.

A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to add his or her vote to any previously announced vote that had been taken during his or her absence, so long as the outcome of the vote is not thereby changed. The Chief Clerk shall record any vote additions or vote changes in the order signed by the Members at the Chief Clerk's desk.

#### **Ayes and Noes**

105. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, when an affirmative recorded vote of 41 Members or any vote above that number is required, when demanded by three Members, or when ordered by the Speaker. The names of the Members so voting shall be entered in the Journal.

#### **Voting and Vote Changes**

106. When once begun, voting may not be interrupted, except that, before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the presiding officer shall instruct the Chief Clerk to record verbal votes from Members not at their desks. Any Member may move a call of the Assembly after the completion of the roll. A Member, prior to adjournment on the same legislative day, and in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, so long as the outcome of the vote is not thereby changed. The Chief Clerk may record any vote change only after the Member making the change has announced it to the Assembly.

#### **Tie Vote**

107. In case of an equal division, or tie vote, the question shall be lost.

## VII. MEMBERS' DECORUM AND PRIVILEGES

### Order in Speaking to Questions

108. When a Member desires to address the Assembly, the Member shall rise from his or her seat and respectfully address himself or herself to "Mr. Speaker" or "Madame Speaker." Upon being recognized, the Member may speak, confining himself or herself to the question under consideration. When two or more Members rise at the same time, the Speaker shall designate the Member who is entitled to the floor.

A Member may not speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question has the right to open and close the debate thereon. A Member may not be allowed to speak more than five minutes to open and five minutes to close the debate on any question, including amendments, and no Member other than the author or the mover of the question may be allowed to speak more than five minutes thereon. A Member may not yield to any other Member the time for which he or she is entitled to speak on any matter.

### Rules of Decorum

108.1. (a) In accordance with Rule 10, Members of the Assembly shall conduct themselves in accordance with the rules of decorum specified in Sections 120 to 126, inclusive, of Mason's Manual of Legislative Procedure.

(b) Notwithstanding subdivision (a), the Committee on Rules may adopt additional rules of decorum by majority vote of the membership of the committee.

### Motions

109. When a Member desires to make a motion, the Member shall obtain recognition as provided in Rule 108. Upon being recognized, the Member shall open by stating his or her motion, except in the case of a nomination, and in any other case may not speak to the merits of the motion at that time, but shall confine his or her remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debated, the Member who made it shall then be entitled to recognition to open the debate on the motion.

When a Member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, the Member may not be permitted to conclude his or her debate by making any motion or by demanding the previous question.

### Leave of Absence

110. A Member may not absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. A Member may not obtain that leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. A Member who obtains a leave of absence for personal business, or is excused for nonattendance for personal business, thereby waives his or her per diem allowance for attendance upon any session of the Legislature for which he or she secures that leave of absence or excuse. A Member may not obtain a leave of absence for legislative business or be excused for nonattendance for legislative

business unless the Member has filed with the Speaker a statement of the legislative business for which he or she seeks that leave of absence or excuse. That statement shall be printed in the Journal.

If a Member is not recorded on the attendance roll within 30 minutes after the scheduled start of the session, the Member shall stand up before the Assembly and explain the reason he or she is late before he or she is recorded on the rollcall for any vote. If a Member does not explain his or her reason for being late, any other Member may raise a point of order under this rule, whereupon the tardy Member's vote may not be recorded until an explanation is made.

#### **Personal Privilege**

111. Any Member may rise to explain a matter of personal privilege. A matter of personal privilege is a matter involving the Member's integrity, dignity, or honor. Upon rising to explain such a matter, the Member forthwith shall be recognized by the Speaker, but may not discuss a question in that explanation. Matters of personal privilege yield only to a motion to recess or adjourn.

#### **Objection to Reading of Any Paper**

112. Any Member, upon recognition by the Speaker, may object to the reading of any paper before the Assembly. When that objection is made, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement by the Speaker of the substance of the objection.

#### **Members at Chief Clerk's Desk**

113. A Member or other person may not be allowed at the Chief Clerk's desk while the ayes and noes are being recorded or the votes counted.

#### **Members Called to Order for Transgressing Rules**

114. If any Member transgresses the Rules of the Assembly, the Speaker shall, or any Member may, call the offending Member to order. The Member so called to order immediately shall take his or her seat, until the Speaker, without debate, has determined whether the Member is in order. That decision by the Speaker shall be subject to an appeal to the Assembly.

If any Member is called to order for offensive words spoken in debate, the person calling him or her to order shall state to the Assembly the words to which exception is taken. No Member may be held to answer, or be subject to censure by the Assembly, for language used in debate if other business has been transacted by the Assembly prior to exception being taken to the words spoken.

### **VIII. MISCELLANEOUS**

#### **Committee of the Whole**

115. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the Members present and voting. While sitting as that committee, persons other than Members may address the committee. The Speaker of the Assembly, or any Member named by the Speaker, shall preside as Chairperson of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order and shall be decided



without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairperson, but may not be entered in the Journal except upon motion and a majority vote of the Members present and voting.

#### **Use of Assembly Chamber**

116. The Assembly Chamber may not be used for any public or private business, other than legislative matters, except upon approval of the Speaker or the Chairperson of the Committee on Rules.

#### **Use of Assembly Facilities: Smoking**

117. The smoking of tobacco products is prohibited within any building, or portion of a building, occupied or used by Assembly Members or employees if the building or portion of the building is under the jurisdiction or control of the Assembly. This smoking prohibition shall apply to any outdoor area within five feet of an entrance or exit to any building or portion of a building subject to this rule. This smoking prohibition shall apply to the Assembly Chamber, Assembly hearing rooms, and Assembly offices, and to hallways, stairways, and bathrooms within any building or portion of a building subject to this rule.

#### **Telephones and Electronic Communications**

117.5. While on the floor of the Assembly during any session of the Assembly, or while serving on a committee during any hearing of that committee, a Member may not do either of the following:

- (a) Use a cellular telephone to make or receive calls.
- (b) Send electronic communications to, or receive electronic communications from, any lobbyist.

#### **Meeting of the Assembly: Firearms**

117.7. A person, except a peace officer acting within the scope of his or her employment, may not carry or possess a firearm on the floor of the Assembly during any session of the Assembly or in a committee hearing room during any meeting of a committee or subcommittee.

#### **Persons Admitted to Floor of the Assembly**

118. (a) A person other than Members of the Legislature, officers, employees of the Legislature, accredited members of the press, and guests may not be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member may be admitted only upon presentation of a guest card of the Member countersigned by the Speaker. A guest card is valid only on the legislative day for which it is issued.

Persons admitted to the Assembly Chamber, other than Members, may not be permitted to stand in the Lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

Guests may be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber, and may not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative may be permitted to sit at the press desks. A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except a Member of the Legislature, may engage in influencing the passage or defeat of legislation in the Assembly Chamber.

A person other than a Member of the Legislature, the Sergeant at Arms or his or her assistants, the Chief Clerk or his or her assistants, or the Legislative Counsel or his or her representatives may not be permitted in the area of the floor of the chamber which is occupied by the desks of the Members.

(b) A lobbyist, as defined by Section 82039 of the Government Code, may not, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

#### **Floor Attire**

118.1. Notwithstanding any other provision of these Rules, Members of the Legislature, officers or employees of the Legislature, accredited members of the press, or any other persons may be restricted from admission to the floor of the Assembly during any session if they are inappropriately attired. The Committee on Rules may, as necessary, adopt policies to implement this rule.

#### **Qualifications and Elections of Members**

119. An affirmative vote of 41 or more Members shall be required to determine the qualifications and election of any Member pursuant to Section 5 of Article IV of the California Constitution. A motion to disqualify a Member is not in order at the convening of a legislative session until a Speaker has been elected in accordance with Section 9023 of the Government Code.

#### **Compensation and Expenses of Member Convicted of Felony**

120. If a Member of the Assembly is convicted of a felony by a superior court, his or her right to further compensation or expenses is thereupon suspended, and his or her membership on any committee is thereupon suspended. If the conviction becomes final, the right of the Member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the state. If the conviction is reversed by an appellate court or a motion for a new trial is granted, and the Member is thereafter found not guilty or the charges against him or her are dismissed, the amounts of the withheld compensation or expenses shall be paid to the Member and the suspension of his or her committee membership shall terminate.

Whenever a Member is convicted of a felony in the superior court, the Committee on Rules shall give written notice thereof to the Controller, directing him or her to discontinue any further payments to the Member unless and until the Committee on Rules notifies the Controller that the Member has been found not guilty or that the charges against him or her are dismissed. The Controller may not draw any warrant payable to that Member except as provided in this rule.

#### **The Seal of the Assembly**

121. The Seal of the Assembly may be used only by or on behalf of a Member of the Assembly, or when specifically authorized by the Committee on Rules.

#### **Agency Reports: Electronic Copies**

122. Pursuant to Section 9795 of the Government Code, any report required or requested by law to be submitted by a state or local agency to the Members, or to the Legislature generally, shall be submitted as an electronic copy to the Chief Clerk.

**CONSIDERATION OF HOUSE RESOLUTION NO. 1**

On motion of Assembly Member Cooley, House Resolution No. 1 was taken up.

**HOUSE RESOLUTION NO. 1**—Relative to the Standing Rules of the Assembly for the 2017–18 Regular Session.

Resolution read.

**Motion to Postpone to a Time Certain  
by Assembly Member Travis Allen**

Assembly Member Travis Allen moved that consideration of House Resolution No. 1 be postponed until Wednesday, January 4, 2017.

Assembly Member Gallagher seconded the motion.

**Motion to Lay Motion on the Table  
by Assembly Member Calderon**

Assembly Member Calderon moved that the motion offered by Assembly Member Travis Allen, be laid upon the table.

Assembly Member Cristina Garcia seconded the motion.

Motion carried by the following vote:

**AYES—55**

Aguiar-Curry	Cooper	Holden	Quirk-Silva
Arambula	Dababneh	Irwin	Reyes
Berman	Daly	Jones-Sawyer	Ridley-Thomas
Bloom	Eggman	Kalra	Rodriguez
Bocanegra	Frazier	Levine	Rubio
Bonta	Friedman	Limón	Salas
Burke	Garcia, C.	Low	Santiago
Caballero	Garcia, E.	McCarty	Stone
Calderon	Gipson	Medina	Thurmond
Cervantes	Gloria	Mullin	Ting
Chau	Gomez	Muratsuchi	Weber
Chiu	Gonzalez	Nazarian	Wood
Chu	Gray	O'Donnell	Mr. Speaker
Cooley	Grayson	Quirk	

**NOES—25**

Acosta	Choi	Kiley	Patterson
Allen	Cunningham	Lackey	Steinorth
Baker	Dahle	Maienschein	Voepel
Bigelow	Flora	Mathis	Waldron
Brough	Fong	Mayes	
Chávez	Gallagher	Melendez	
Chen	Harper	Obermolte	

**Further Consideration of House Resolution No. 1**

**HOUSE RESOLUTION NO. 1**—Relative to the Standing Rules of the Assembly for the 2017–18 Regular Session.

Resolution read and adopted by the following vote:

**AYES—55**

Aguiar-Curry	Cooper	Holden	Quirk-Silva
Arambula	Dababneh	Irwin	Reyes
Berman	Daly	Jones-Sawyer	Ridley-Thomas
Bloom	Eggman	Kalra	Rodriguez
Bocanegra	Frazier	Levine	Rubio
Bonta	Friedman	Limón	Salas
Burke	Garcia, C.	Low	Santiago
Caballero	Garcia, E.	McCarty	Stone
Calderon	Gipson	Medina	Thurmond
Cervantes	Gloria	Mullin	Ting
Chau	Gomez	Muratsuchi	Weber
Chiu	Gonzalez	Nazarian	Wood
Chu	Gray	O'Donnell	Mr. Speaker
Cooley	Grayson	Quirk	

**NOES—25**

Acosta	Choi	Kiley	Patterson
Allen	Cunningham	Lackey	Steinorth
Baker	Dahle	Maienschein	Voepel
Bigelow	Flora	Mathis	Waldron
Brough	Fong	Mayes	
Chávez	Gallagher	Melendez	
Chen	Harper	Oberholte	

House Resolution No. 1 ordered engrossed immediately.

**RESOLUTIONS**

The following resolution was offered:

**House Resolution No. 2**

By Speaker Rendon.

*Relative to the Election of Officers of the Assembly for the 2017–18 Regular Session.*

*Resolved by the Assembly of the State of California, That the following named persons constitute Officers of the Assembly for the 2017–18 Regular Session:*

E. Dotson Wilson, Chief Clerk; Reverend Bob Oshita, Chaplain; and Reverend Patti Oshita, Alternate Chaplain.

**CONSIDERATION OF HOUSE RESOLUTION NO. 2**

On motion of Assembly Member Calderon, House Resolution No. 2 was taken up.

**HOUSE RESOLUTION NO. 2**—Relative to the election of officers of the Assembly for the 2017–18 Regular Session.

Resolution read and adopted by the following vote:

**AYES—79**

Acosta	Chu	Harper	O'Donnell
Aguiar-Curry	Cooley	Holden	Patterson
Allen	Cooper	Irwin	Quirk
Arambula	Cunningham	Jones-Sawyer	Quirk-Silva
Baker	Dababneh	Kalra	Reyes
Berman	Dahle	Kiley	Ridley-Thomas
Bigelow	Daly	Lackey	Rodriguez
Bloom	Eggman	Levine	Rubio
Bocanegra	Flora	Limón	Salas
Bonta	Fong	Low	Santiago
Brough	Frazier	Maienschein	Steinorth
Burke	Friedman	Mathis	Stone
Caballero	Garcia, C.	Mayes	Thurmond
Calderon	Garcia, E.	McCarty	Ting
Cervantes	Gipson	Medina	Voepel
Chau	Gloria	Melendez	Waldron
Chávez	Gomez	Mullin	Weber
Chen	Gonzalez	Muratsuchi	Wood
Chiu	Gray	Nazarian	Mr. Speaker
Choi	Grayson	Obernolte	

**NOES—None**

Whereupon Speaker Rendon declared the following officers elected as the choice of the Assembly for the 2017–18 Regular Session of the Legislature:

E. Dotson Wilson, Chief Clerk; Reverend Bob Oshita, Chaplain; and Reverend Patti Oshita, Alternate Chaplain.

**OATH OF OFFICE ADMINISTERED**

Chief Clerk-elect E. Dotson Wilson, Chaplain-elect Reverend Bob Oshita, and Alternate Chaplain-elect Reverend Patti Oshita, appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by the Honorable Mariano-Florentino Cuéllar, Associate Justice of the Supreme Court of California:

**OATH**

I do solemnly swear 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.

**RESOLUTIONS**

The following resolution was offered:

**House Resolution No. 3**

By Speaker Rendon.

*Relative to the Organization of the Assembly  
for the 2017–18 Regular Session*

*Resolved by the Assembly of the State of California, That, during the organizational recess, no bill shall be placed on the Desk for introduction except by a person designated by the author in writing. The designation shall be filed with the Chief Clerk; and be it further*

*Resolved, That the Chief Clerk or the Sergeant at Arms is authorized to receive from the Controller all warrants for the payment of Members, officers, and attachés of the Assembly; and be it further*

*Resolved, That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.*

**CONSIDERATION OF HOUSE RESOLUTION NO. 3**

On motion of Assembly Member Calderon, House Resolution No. 3 was taken up.

**HOUSE RESOLUTION NO. 3**—Relative to the organization of the Assembly for the 2017–18 Regular Session.

Resolution read.

**UNANIMOUS CONSENT GRANTED**

Speaker Rendon was granted unanimous consent to substitute the rollcall vote taken on House Resolution No. 2 for House Resolution No. 3, after the measure was read.

Resolution read and adopted by the following substitute vote:

**AYES—79**

Acosta	Chu	Harper	O'Donnell
Aguiar-Curry	Cooley	Holden	Patterson
Allen	Cooper	Irwin	Quirk
Arambula	Cunningham	Jones-Sawyer	Quirk-Silva
Baker	Dababneh	Kalra	Reyes
Berman	Dahle	Kiley	Ridley-Thomas
Bigelow	Daly	Lackey	Rodriguez
Bloom	Eggman	Levine	Rubio
Bocanegra	Flora	Limón	Salas
Bonta	Fong	Low	Santiago
Brough	Frazier	Maienschein	Steinorth
Burke	Friedman	Mathis	Stone
Caballero	Garcia, C.	Mayes	Thurmond
Calderon	Garcia, E.	McCarty	Ting
Cervantes	Gipson	Medina	Voepel
Chau	Gloria	Melendez	Waldron
Chávez	Gomez	Mullin	Weber
Chen	Gonzalez	Muratsuchi	Wood
Chiu	Gray	Nazarian	Mr. Speaker
Choi	Grayson	Obernolte	

**NOES—None**

**COMMUNICATIONS**

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

December 5, 2016

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

Dear Dotson: Please be advised that I have appointed the following Democratic Leadership for the 2017–18 Regular Session:

Speaker pro Tempore	Hon. Kevin Mullin
Majority Leader	Hon. Ian Calderon
Democratic Caucus Chair	Hon. Mike Gipson
Rules Committee Chair	Hon. Ken Cooley

Sincerely,

ANTHONY RENDON  
Speaker of the Assembly

**At 1:14 p.m., Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding**

**MESSAGES FROM THE SENATE**

Senate Chamber, December 5, 2016

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

Senate Concurrent Resolution No. 1

DANIEL ALVAREZ, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the selection of the Legislative Counsel of California.



**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1**

On motion of Assembly Member Calderon, and without objection, Senate Concurrent Resolution No. 1 was taken up without reference to file.

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the selection of the Legislative Counsel of California.

Resolution presented by Assembly Member Calderon.

Resolution read and adopted by the following vote:

**AYES—79**

Acosta	Chu	Harper	O'Donnell
Aguilar-Curry	Cooley	Holden	Patterson
Allen	Cooper	Irwin	Quirk
Arambula	Cunningham	Jones-Sawyer	Quirk-Silva
Baker	Dababneh	Kalra	Reyes
Berman	Dahle	Kiley	Ridley-Thomas
Bigelow	Daly	Lackey	Rodriguez
Bloom	Eggman	Levine	Rubio
Bocanegra	Flora	Limón	Salas
Bonta	Fong	Low	Santiago
Brough	Frazier	Maienschein	Steinorth
Burke	Friedman	Mathis	Stone
Caballero	Garcia, C.	Mayes	Thurmond
Calderon	Garcia, E.	McCarty	Ting
Cervantes	Gipson	Medina	Voepel
Chau	Gloria	Melendez	Waldron
Chávez	Gomez	Mullin	Weber
Chen	Gonzalez	Muratsuchi	Wood
Chiu	Gray	Nazarian	Mr. Speaker
Choi	Grayson	Obernolte	

**NOES—None**

Resolution ordered transmitted to the Senate.

**OATH OF OFFICE**

The following oath of office was taken and subscribed to by Diane Boyer-Vine for the Office of Legislative Counsel of California in the California State Senate earlier this day:

**OATH**

*for the Office of the Legislative Counsel  
State of California*

I, Diane Boyer-Vine, do solemnly swear 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.

DIANE BOYER-VINE

Subscribed and sworn to before me,  
this 5th day of December  
A.D. 2016

THE HONORABLE AARON SILVA  
Chief Deputy Legislative Counsel

**RESOLUTIONS**

The following resolution was offered:

**HOUSE RESOLUTION NO. 4—Rendon (Coauthors: Bonta, Eggman, Cristina García, Gonzalez, Holden, and Levine).** Relative to immigration.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Calderon requested unanimous consent that Assembly Rule 63 be suspended to permit consideration of House Resolution No. 4, without reference to file.

Assembly Member Waldron withheld unanimous consent.

**Motion to Suspend the Rules**

Assembly Member Calderon moved that Assembly Rule 63 be suspended to permit consideration of House Resolution No. 4, without reference to file.

Assembly Member Cooper seconded the motion.

Motion to suspend the Rules carried by the following vote:

**AYES—55**

Aguiar-Curry	Cooper	Holden	Quirk-Silva
Arambula	Dababneh	Irwin	Reyes
Berman	Daly	Jones-Sawyer	Ridley-Thomas
Bloom	Eggman	Kalra	Rodriguez
Bocanegra	Frazier	Levine	Rubio
Bonta	Friedman	Limón	Salas
Burke	Garcia, C.	Low	Santiago
Caballero	Garcia, E.	McCarty	Stone
Calderon	Gipson	Medina	Thurmond
Cervantes	Gloria	Mullin	Ting
Chau	Gomez	Muratsuchi	Weber
Chiu	Gonzalez	Nazarian	Wood
Chu	Gray	O'Donnell	Mr. Speaker
Cooley	Grayson	Quirk	

**NOES—25**

Acosta	Choi	Kiley	Patterson
Allen	Cunningham	Lackey	Steinorth
Baker	Dahle	Maienschein	Voepel
Bigelow	Flora	Mathis	Waldron
Brough	Fong	Mayes	
Chávez	Gallagher	Melendez	
Chen	Harper	Obermolte	

**CONSIDERATION OF HOUSE RESOLUTION NO. 4**

On motion of Speaker Rendon, House Resolution No. 4 was taken up without reference to file.

**HOUSE RESOLUTION NO. 4**—Relative to immigration.

Resolution read.

**Members Made Coauthors of  
House Resolution No. 4**

The following Members were permitted to be listed as additional coauthors of House Resolution No. 4.

**Additional Coauthors**

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

Aguiar-Curry, Arambula, Berman, Bloom, Bocanegra, Burke, Caballero, Calderon, Cervantes, Chau, Chiu, Chu, Cooley, Cooper, Dababneh, Daly, Frazier, Friedman, Eduardo Garcia, Gipson, Gloria, Gomez, Gray, Grayson, Irwin, Jones-Sawyer, Kalra, Limón, Low, McCarty, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Quirk, Quirk-Silva, Reyes, Ridley-Thomas, Rodriguez, Rubio, Salas, Santiago, Mark Stone, Thurmond, Ting, Weber, and Wood.

**Request for Unanimous Consent**

Speaker Rendon was granted unanimous consent to take up House Resolution No. 4, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of House Resolution No. 4, as Amended**

**HOUSE RESOLUTION NO. 4**—Relative to immigration.

Resolution read, as amended, and adopted by the following vote:

**AYES—57**

Aguiar-Curry	Cooper	Irwin	Reyes
Arambula	Dababneh	Jones-Sawyer	Ridley-Thomas
Baker	Daly	Kalra	Rodriguez
Berman	Eggman	Levine	Rubio
Bloom	Frazier	Limón	Salas
Bocanegra	Friedman	Low	Santiago
Bonta	Garcia, C.	Maienschein	Stone
Burke	Garcia, E.	McCarty	Thurmond
Caballero	Gipson	Medina	Ting
Calderon	Gloria	Mullin	Weber
Cervantes	Gomez	Muratsuchi	Wood
Chau	Gonzalez	Nazarian	Mr. Speaker
Chiu	Gray	O'Donnell	
Chu	Grayson	Quirk	
Cooley	Holden	Quirk-Silva	

**NOES—14**

Allen	Choi	Harper	Obernolte
Bigelow	Flora	Kiley	Patterson
Brough	Fong	Mathis	
Chen	Gallagher	Melendez	

**ANNOUNCEMENTS**

Speaker pro Tempore Mullin announced the following session schedule:

Organizational Recess begins upon adjournment of Floor Session today. The Legislature will reconvene Wednesday, January 4, 2017, at 1 p.m.;

Thursday, January 5, 2017, Floor Session, 9 a.m.

**APPOINTMENT OF SELECT COMMITTEE**

Speaker Rendon appointed Assembly Members Holden, Bonta, Caballero, and Dahle as a Select Committee to proceed to the Chamber of the Senate and to the Office of the Governor, to inform each that the Assembly has organized for the 2017–18 Regular Session of the Legislature and is ready to proceed with regular business.

**ADJOURN IN MEMORY**

Assembly Member Calderon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the Honorable Tom Hayden, former California State Assembly Member from 1982 to 1992 and California State Senator from 1992 to 2000, resident of Santa Monica.

(Assembly Rule 45.5 suspended.)

**MOMENT OF SILENCE OBSERVED**

The Assembly observed a moment of silence to honor those who were injured and those who were killed in the tragic fire that occurred this weekend at the Oakland “Ghost Ship” warehouse.

**ADJOURN IN MEMORY**

Assembly Member Bocanegra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Gigger, Jr. of Los Angeles, and Isidro Martinez of Pacoima.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marion Bordi, Ray Ming, and Mary Shihadeh of South San Francisco.

Assembly Member Eggman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marion Emma Canepa of Stockton.

Assembly Member Holden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lucile Johnson of Boston, Massachusetts.

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record his vote on the following item:

**Senate Concurrent Resolution No. 1:** Bigelow—Aye.

**MOTION TO ADJOURN**

At 1:56 p.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Mayes seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 1:56 p.m., Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

December 5, 2016

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

Dear Dotson: I am authorizing the Assembly Desk to remain open until 3 p.m., on Friday, December 9, 2016, to allow bills introduced this week to also be read a first time.

Sincerely,

ANTHONY RENDON  
 Speaker of the Assembly

December 5, 2016

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

RE: Appointment of Patrick O' Donnell to State Allocation Board

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Patrick O' Donnell to the State Allocation Board. This is a pleasure appointment starting December 5, 2016. Assembly Member O' Donnell will be replacing Susan Bonilla.

Sincerely,

ANTHONY RENDON  
 Speaker of the Assembly

December 5, 2016

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

RE: Reappointment of Thomas E. Rankin to  
 State Compensation Insurance Fund, Board of Directors

Dear Mr. Wilson: Please be advised that I have reappointed Mr. Thomas E. Rankin to the State Compensation Insurance Fund, Board of Directors. This is a term appointment starting January 1, 2017, and the expiration date is January 1, 2022.

Sincerely,

ANTHONY RENDON  
 Speaker of the Assembly

December 5, 2016

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

RE: Appointment of Ian Calderon to California Film Commission

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Ian Calderon to the California Film Commission. This is a term appointment starting December 5, 2016, and the expiration date is December 5, 2020. Assembly Member Calderon will be replacing Mike Gatto.

Sincerely,

ANTHONY RENDON  
Speaker of the Assembly

---

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

**PER DIEM**

December 5, 2016

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

Dear Mr. Wilson: Please be advised that I am accepting per diem and will be donating the proceeds towards charitable causes in my district.

Sincerely,

KEVIN MCCARTY, Assembly Member  
Seventh District

**PER DIEM WAIVED**

December 2, 2016

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

Dear Mr. Wilson: I'm writing to inform you that I will be waiving per diem for the 2017–18 Session. Thank you for your consideration of my request.

Sincerely,

JIM COOPER, Assembly Member  
Ninth District

December 5, 2016

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

Dear Mr. Wilson: I am writing to decline per diem payments during the 2017–18 Legislative Session. Should you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

CECILIA AGUIAR-CURRY, Assembly Member  
Fourth District

December 5, 2016

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

Dear Mr. Wilson: This letter is to notify you that I would like to waive per diem for the entirety of the 2017–18 Legislative Session. Please contact my Chief of Staff, Nanette Farag at (916) 319-2016 should you have any questions.

Warm Regards,

CATHARINE B. BAKER, Assembly Member  
Sixteenth District

December 5, 2016

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

Dear Mr. Wilson: I am writing to advise that I will be waiving per diem for the 2017–18 Session as allowed by the California State Assembly. Should you have any questions, please feel free to contact me via my Chief of Staff, Cindy Gonzalez, at (916) 319-2008.

Sincerely,

KEN COOLEY, Assembly Member  
Eighth District

December 5, 2016

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

Dear Mr. Wilson: This letter is to notify you that I would like to waive per diem for the entirety of the 2017–2018 Legislative Session. Please contact my Chief of Staff, William Kolkey, at (916) 319-2006 should you have any questions.

Sincerely,

KEVIN KILEY, Assembly Member  
Sixth District



**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1—Frazier (Coauthors: Low, Mullin, and Santiago).** An act to amend Sections 13975, 14500, 14526.5, and 16965 of, to add Sections 14033, 14526.7, and 16321 to, to add Part 5.1 (commencing with Section 14460) to Division 3 of Title 2 of, and to repeal Section 14534.1 of, the Government Code, to amend Section 39719 of the Health and Safety Code, to amend Section 21080.37 of, and to add Division 13.6 (commencing with Section 21200) to, the Public Resources Code, to amend Section 99312.1 of, and to add Section 99314.9 to, the Public Utilities Code, to amend Sections 6051.8, 6201.8, 7360, 8352.4, 8352.5, 8352.6, and 60050 of the Revenue and Taxation Code, to amend Sections 183.1, 2192, 2192.1, and 2192.2 of, to add Sections 820.1, 2103.1, and 2192.4 to, and to add Chapter 2 (commencing with Section 2030) to Division 3 of, the Streets and Highways Code, and to add Sections 9250.3, 9250.6, and 9400.5 to the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2—Obernolte (Principal coauthor: Salas) (Coauthors: Cooper and Lackey).** An act to amend Section 422.55 of the Penal Code, relating to hate crimes.

**ASSEMBLY BILL NO. 3—Bonta (Coauthors: Chiu, Eggman, Cristina Garcia, Levine, and Rendon) (Coauthors: Senators Allen, De León, and Hueso).** An act to add Chapter 5.7 (commencing with Section 13500) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to immigration, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 4—Waldron.** An act to add Section 2199 to the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 5—Gonzalez and Kalra (Coauthors: Chu and Mark Stone).** An act to add Section 559 to the Labor Code, relating to employers.

**ASSEMBLY BILL NO. 6—Lackey.** An act to amend Section 23612 of the Vehicle Code, relating to driving under the influence.

**ASSEMBLY BILL NO. 7—Gipson.** An act to amend Section 26350 of the Penal Code, relating to firearms.

**ASSEMBLY BILL NO. 8—Bloom.** An act to amend Section 4803 of the Fish and Game Code, relating to mountain lions.

**ASSEMBLY BILL NO. 9—Cristina Garcia.** An act to add Section 6363.10 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 10—Cristina Garcia.** An act to add Sections 33319.1 and 66026.5 to the Education Code, and to add Section 50410 to the Health and Safety Code, relating to feminine hygiene products.

**ASSEMBLY BILL NO. 11—McCarty.** An act relating to child care.

**ASSEMBLY BILL NO. 12—Cooley.** An act to add and repeal Chapter 3.6 (commencing with Section 11366) of Part 1 of Division 3 of Title 2 of the Government Code, relating to state agency regulations.

**ASSEMBLY BILL NO. 13—Eggman.** An act relating to transportation.

**ASSEMBLY BILL NO. 14—Gomez and Levine (Principal coauthor: Nazarian) (Principal coauthors: Senators Allen and Hill) (Coauthor: Kalra).** An act to amend Sections 82025, 84305, 84310, 84501, 84505, 84506.5, and 84511 of, to add Sections 84504.1, 84504.2, 84504.3, and 85705 to, to repeal Sections 84506, 84507, and 84508 of, and to repeal and add Sections 84502, 84503, 84504, and 84509 of, the Government Code, relating to the Political Reform Act of 1974.

**ASSEMBLY BILL NO. 15—Maienschein (Principal coauthors: Patterson and Waldron) (Principal coauthors: Senators Cannella and Nielsen) (Coauthors: Baker, Bigelow, Brough, Chávez, Choi, Dahle, Gallagher, Lackey, Mayes, Steinorth, and Voepel) (Coauthors: Senators Atkins, Bates, Gaines, Nguyen, and Wilk).** An act relating to Medi-Cal.

**ASSEMBLY BILL NO. 16—Cooper (Principal coauthor: Senator De León).** An act to amend Section 296 of the Penal Code, relating to DNA evidence.

**ASSEMBLY BILL NO. 17—Holden.** An act to add Chapter 2 (commencing with Section 99100) to Part 11 of Division 10 of the Public Utilities Code, relating to transportation.

**ASSEMBLY BILL NO. 18—Eduardo Garcia.** An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a clean water, climate, and coastal protection and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 19—Santiago.** An act to amend Section 76300 of the Education Code, relating to postsecondary education.

**ASSEMBLY BILL NO. 20—Kalra.** An act to add Section 7513.72 to the Government Code, relating to public employee retirement systems.

**ASSEMBLY BILL NO. 21—Kalra.** An act to add Article 11 (commencing with Section 66093) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 22—Bonta.** An act relating to state employees.

**ASSEMBLY BILL NO. 23—Ridley-Thomas.** An act to add Article 4.5 (commencing with Section 232) to Chapter 2 of Part 1 of Division 1 of Title 1 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 24—Eggman (Coauthor: Cristina Garcia) (Coauthor: Senator Dodd).** An act to add Article 7 (commencing with Section 51470) to Chapter 3 of Part 28 of Division 4 of Title 2 of the Education Code, relating to instructional programs.

**ASSEMBLY BILL NO. 25—Nazarian.** An act relating to tour buses.

**ASSEMBLY BILL NO. 26—Caballero.** An act to amend Section 8247 of the Education Code, relating to child care and development.

**ASSEMBLY BILL NO. 27—Melendez and Gonzalez.** An act to amend Section 667.5 of the Penal Code, relating to sex offenses.

**ASSEMBLY BILL NO. 28—Frazier (Principal coauthor: Salas) (Principal coauthor: Senator Galgiani).** An act to add Section 820.1 to the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 29—Nazarian.** An act relating to pharmacy benefit managers.

**ASSEMBLY BILL NO. 30—Caballero.** An act to add Section 65458 to the Government Code, relating to housing.

**ASSEMBLY BILL NO. 31—Rodriguez.** An act to add Section 8547.14 to the Government Code, relating to whistleblowers.

**ASSEMBLY BILL NO. 32—Rodriguez.** An act to amend Section 8543.2 of the Government Code, relating to the California State Auditor.

**ASSEMBLY BILL NO. 33—Quirk.** An act relating to greenhouse gases.

**ASSEMBLY BILL NO. 34—Nazarian.** An act relating to student financial aid.

**ASSEMBLY BILL NO. 35—Quirk.** An act relating to energy.

**ASSEMBLY BILL NO. 36—Nazarian.** An act to amend Section 2827.10 of the Public Utilities Code, relating to electricity.

**ASSEMBLY BILL NO. 37—O'Donnell.** An act to amend Section 60605.13 of the Education Code, relating to pupil instruction.

**ASSEMBLY BILL NO. 38—Mark Stone.** An act relating to student loan servicers.

**ASSEMBLY BILL NO. 39—Bocanegra.** An act relating to hate crimes.

**ASSEMBLY BILL NO. 40—Santiago.** An act to amend Sections 11165.1 and 11165.2 of the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 41—Chiu.** An act to add Section 680.1 to the Penal Code, relating to DNA evidence.

**ASSEMBLY BILL NO. 42—Bonta, Bloom, Chiu, Quirk, and Mark Stone (Principal coauthors: Senators Hertzberg, Allen, Mitchell, and Wiener).** An act relating to bail.

**ASSEMBLY BILL NO. 43—Thurmond.** An act to add Part 28 (commencing with Section 53001) to Division 2 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

**ASSEMBLY BILL NO. 44—Reyes (Coauthors: Aguiar-Curry, Cooley, Gipson, Holden, Limón, Medina, Rodriguez, Rubio, and Mark Stone) (Coauthor: Senator Leyva).** An act to amend Section 4656 of, and to add Section 4610.7 to, the Labor Code, relating to workers' compensation.

**ASSEMBLY BILL NO. 45—Thurmond.** An act to add Chapter 12 (commencing with Section 51520) to Part 3 of Division 31 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

**ASSEMBLY BILL NO. 46—Cooper.** An act to amend Section 1197.5 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 47—Ting.** An act relating to the Budget Act of 2016.

**ASSEMBLY BILL NO. 48—Ting.** An act relating to the Budget Act of 2016.

**ASSEMBLY BILL NO. 49—Ting.** An act relating to the Budget Act of 2016.

**ASSEMBLY BILL NO. 50—Ting.** An act relating to the Budget Act of 2016.

**ASSEMBLY BILL NO. 51—Ting.** An act relating to the Budget Act of 2016.

**ASSEMBLY BILL NO. 52—Cooper.** An act to add Chapter 11 (commencing with Section 3550) to Division 4 of Title 1 of the Government Code, relating to public employees.

**ASSEMBLY BILL NO. 53—Steinorth.** An act to add Sections 17141.5 and 17204.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 54—Steinorth.** An act to add Section 17210 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 55—Thurmond.** An act to amend Section 7872 of the Labor Code, relating to refineries.

The following resolution was introduced and read the first time:

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1—Mullin.** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 10 of Article II thereof, and by amending Section 4 of Article XVIII thereof, relating to ballot measures.

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 1—Muratsuchi.** Relative to a Day of Remembrance.

**ASSEMBLY JOINT RESOLUTION NO. 1—Low (Coauthors: Assembly Members Bonta, Calderon, Chiu, Cristina Garcia, Gonzalez, Kalra, Levine, McCarty, Nazarian, Santiago, and Wood) (Coauthors: Senators Allen and Wieckowski).** Relative to the presidential elections.

**ASSEMBLY JOINT RESOLUTION NO. 2—Levine (Coauthors: Assembly Members Bonta, Eggman, Holden, and Nazarian) (Coauthor: Senator Mendoza).** Relative to Latino Americans and Muslim Americans.

**ASSEMBLY JOINT RESOLUTION NO. 3—Nazarian and Friedman (Principal coauthor: Senator Wilk).** Relative to the Armenian Genocide.

**HOUSE RESOLUTION NO. 5—Burke and Cristina Garcia.** Relative to Planned Parenthood.

---

**SECOND CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, Tuesday, December 6, 2016

At 12 midnight.

Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 56—Holden.** An act relating to housing.

**ASSEMBLY BILL NO. 57—Brough.** An act relating to the National Guard.

**ASSEMBLY BILL NO. 58—Travis Allen.** An act to amend Section 5002.4 of the Public Resources Code, relating to the state park system.

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 2—Mayes.** Relative to the Officer Jose “Gil” Vega and Officer Lesley Zerebny Memorial Highway.

**THIRD CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, Wednesday, December 7, 2016

At 12 midnight.

Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding.

**COMMUNICATIONS**

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

December 7, 2016

*The Honorable Kevin de León  
President pro Tempore  
California State Senate  
State Capitol, Room 205  
Sacramento, California*

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

*The Honorable Jean Fuller  
Minority Leader  
California State Senate  
State Capitol, Room 3063  
Sacramento, California*

*The Honorable Chad Mayes  
Minority Leader  
California State Assembly  
State Capitol, Room 3104  
Sacramento, California*

RE: Tentative Agreement/Memorandum of Understanding (MOU) for the International Union of Operating Engineers (IUOE), Stationary Engineers, Bargaining Unit 13, Locals 39 and 501, AFL-CIO

Dear Senators De León and Fuller, and Assembly Members Rendon and Mayes: The Department of Human Resources (CalHR) reached a new Tentative Agreement/MOU with the IUOE representing Bargaining Unit 13. Upon approval of the Legislature and the Governor, and ratification by the membership, this agreement will be effective July 2, 2016 through June 30, 2019.

As with the other agreements reached this year, this agreement will roll over language from past agreements and make several changes to address the state's retiree health care costs and associated unfunded liabilities. The state and Unit 13 have agreed to begin to phase-in the prefunding of retiree health care benefits with the goal of each contributing 50 percent of the actuarially determined normal cost by July 1, 2019. In addition, Unit 13 members first hired on or after January 1, 2017, will need to work longer to become eligible for retiree health benefits and once vested will receive a lower employer contribution toward retiree health benefits. Finally, Unit 13 members will receive a three percent General Salary Increase (GSI), effective November 1, 2016, a three percent GSI, effective July 1, 2017, and a two percent GSI, effective July 1, 2018.

In accordance with Government Code Sections 3517.5, 19829.5, and Senate Rule 29.4, I am forwarding a copy of this Tentative Agreement, including a legislative and fiscal summary. The Legislative Analyst will

be forwarded a copy for analysis, and the Secretary of the Senate and the Clerk of the Assembly will be forwarded copies to make them noted as available for review in the daily journals.

The above mentioned Tentative Agreement and summaries can also be found by going to the following link: <http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx>.

Respectfully,

**RICHARD GILLIHAN**

Director, California Department of Human Resources

Above Tentative Agreement/Memorandum of Understanding referred to the Committee on Public Employees, Retirement, and Social Security.

#### Receipt of Memoranda of Understanding

I acknowledge receipt this 7th day of December, 2016, of the Memorandum of Understanding for Bargaining Unit 13, represented by the International Union of Operating Engineers (IUOE), Stationary Engineers, effective July 2, 2016, through June 30, 2019), delivered to me personally by Jodi LeFebre.

**BRENDA L. HARRIS**

Executive Secretary to the Chief Clerk of the Assembly

#### **MEMORANDA OF UNDERSTANDING**

Tentative Agreement/Memorandum of Understanding (MOU) with Bargaining Unit 13, dated December 7, 2016, was received in the Senate from the California Department of Human Resources (CalHR) and filed pursuant to Senate Rule 29.4, and is hereby noted in the Assembly Journal. (See Senate Journal for January 4, 2017, page 22.)

#### **INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 59—Thurmond.** An act to amend Section 50843.5 of the Health and Safety Code, relating to housing.

**ASSEMBLY BILL NO. 60—Santiago and Gonzalez.** An act to amend Sections 8263, 8263.1, and 8273.1 of the Education Code, and to amend Section 11323.2 of the Welfare and Institutions Code, relating to child care and development services.

**ASSEMBLY BILL NO. 61—Holden.** An act relating to workers' compensation.

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 3—Choi.** Relative to Korean-American Day.

**FOURTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, Thursday, December 8, 2016

At 12 midnight.  
Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District,  
presiding.

**COMMUNICATIONS**

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

December 8, 2016

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

Dear Mr. Wilson: This letter is to notify you of the following  
Republican Leadership Team for the 2017–18 Legislative Session:

Assemblyman Chad Mayes	Republican Leader
Assemblyman Frank Bigelow	Assistant Republican Leader
Assemblywoman Melissa Melendez	Assistant Republican Leader
Assemblyman Jim Patterson	Assistant Republican Leader
Assemblyman James Gallagher	Republican Caucus Chair
Assemblyman Jay Obernolte	Republican Caucus Vice Chair
Assemblywoman Marie Waldron	2nd Ranking Republican and Republican Floor Leader
Assemblyman Bill Brough	Deputy Republican Floor Leader
Assemblyman Vince Fong	Chief Republican Whip
Assemblyman Phillip Chen	Deputy Republican Whip

If you have any questions regarding this letter, please contact  
Joe Justin at (916) 319-2042. It is an honor working with you in the  
California State Assembly.

Respectfully,

**CHAD MAYES**  
Assembly Republican Leader

**REPORTS**

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

California State Auditor

2016-111  
November 29, 2016

*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 requested by the Joint Legislative  
Audit Committee, the California State Auditor presents this audit report  
concerning the city of Irwindale's (Irwindale) finances and governance  
structure.



This report concludes that Irwindale must exercise more fiscal responsibility over its spending so that it can continue to provide core services to its residents. From fiscal years 2011–12 through 2015–16, the city experienced deficits as high as \$5.3 million. These significant deficits forced the city to rely on its reserves to maintain services. Although the city has made limited efforts to control costs, it continues to overspend because it has not developed a long-term financial plan, adjusted some of the benefits it provides to its residents, or adequately evaluated its use of police overtime. Specifically, Irwindale provides its employees with generous health and retirement benefits, in addition to competitive salaries. Also, Irwindale has spent almost \$1 million annually to provide generous prescription drug and vision benefits to its residents. Further, the city spends, on average, \$525,000 per year on police department overtime.

In addition, Irwindale's Housing Authority (Housing Authority) has made some decisions that undermine its housing programs. Specifically, the Housing Authority has forgiven completely \$9.1 million in loans to low-income residents, and it plans to forgive another \$10.2 million. This practice may leave limited funding available to sustain future housing programs. Finally, the Housing Authority gives an unfair advantage in its housing programs to residents who have lived in the city for 15 years or longer, which limits opportunities for other residents to participate in these programs.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Local Government.

---

**FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, Friday, December 9, 2016

At 12 midnight.

Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 62—Wood.** An act to add Section 104496 to the Health and Safety Code, relating to tobacco products.

**ADJOURNMENT**

At 3 p.m., on Friday, December 9, 2016, pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 1 p.m., Wednesday, January 4, 2017, out of respect to the memory of Hon. Tom Hayden on motion of Assembly Member Calderon; out of respect to the memory of Richard Gigger, Jr. and Isidro Martinez on motion of Assembly Member Bocanegra; out of respect to the memory of Marion Bordi, Ray Ming, and Mary Shihadeh on motion of Assembly Member Mullin; out of respect to the memory of Marion Emma Canepa on motion of Assembly Member Eggman; and out of respect to the memory of Lucile Johnson on motion of Assembly Member Holden.

---

ANTHONY RENDON, Speaker

MARIA LIRANZO, Assistant Minute Clerk

O