

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 8, 2015

FIFTH SESSION DAY

THIRTY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of rollcall votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 8, 2015

The Assembly met at 9 a.m.
Hon. Kevin Mullin, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Holden moved a quorum call of the Assembly.
Motion carried. Time, 9 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:04 a.m., Speaker pro Tempore Mullin declared a quorum of the
Assembly present.

The rollcall was completed, and the following answered to their
names—78:

Achadjian	Dababneh	Holden	Olsen
Alejo	Dahle	Irwin	Patterson
Allen	Daly	Jones	Quirk
Baker	Dodd	Jones-Sawyer	Rendon
Bigelow	Eggman	Kim	Rodriguez
Bloom	Frazier	Lackey	Salas
Bonilla	Gaines	Levine	Santiago
Bonta	Gallagher	Linder	Steinorth
Brough	Garcia, C.	Lopez	Stone
Brown	Garcia, E.	Low	Thurmond
Burke	Gatto	Maienschein	Ting
Calderon	Gipson	Mathis	Wagner
Campos	Gomez	Mayes	Waldron
Chang	Gonzalez	McCarty	Weber
Chau	Gordon	Medina	Wilk
Chávez	Gray	Melendez	Williams
Chiu	Grove	Mullin	Wood
Chu	Hadley	Nazarian	Mme. Speaker
Cooley	Harper	Obernolte	
Cooper	Hernández	O'Donnell	

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, If we were to plant an apple seed, we wouldn't just grow one single fruit. That one seed would provide an abundant harvest of apples for years to come! That's what Scripture means when it tells us, "Give, and it will be given to you." (Luke 6:38) Lord, when we obey You in our personal giving, we'll reap so much that we'll have to give it away. Bless us so that we can be a blessing to others, and show us the abundance that results from a giving heart.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Waldron then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Holden, seconded by Assembly Member Olsen.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Perea.

On personal business, and waiving per diem: Assembly Member Ridley-Thomas.

EXPLANATIONS OF ABSENCE

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

December 16, 2014

*The Honorable Toni G. Atkins
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Madame Speaker: I respectfully request permission to be excused from Session on Thursday, January 8, 2015, due to legislative business. Thank you for your consideration of this request. Please contact my office at (916) 319-2031 should any questions arise.

Respectfully submitted,

HENRY T. PEREA, Assembly Member
Thirty-first District

COMMUNICATIONS

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

January 8, 2015

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

Dear Mr. Wilson: Please be advised that the Assembly Committee on Rules met on January 8, 2015, and approved the Assembly Standing Committee Jurisdictions (10-0). The rollcall and committee jurisdictions are enclosed.

Sincerely,

RICHARD S. GORDON, Chair
Assembly Rules Committee

**ASSEMBLY STANDING COMMITTEE
JURISDICTIONS**

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
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 Commerce
Veterans Affairs
Water, Parks and Wildlife

Accountability and Administrative Review

Oversight

Administrative Procedure Act and Office of Administrative Law

Governmental efficiency and cost control

Property acquisition, state and local

Property acquisition law

State governmental organization and reorganization

State printing and binding contracts

State procurement

Aging and Long-Term Care

Area Agencies on Aging

Department of Aging

Long-term care services

Older Americans Act

Older Californians Act

Senior citizens advocacy activities

Senior Legislature

Services for seniors in residential and day settings

State Commission on Aging

Agriculture

Agriculture

Agricultural chemicals, other than pesticides

Agricultural commodities and commissions

Department of Food and Agriculture

Expositions and fairs

Food labeling

Labeling of agricultural commodities

Livestock and poultry

Marketing law

Milk and milk products

Pest management and pesticides

Veterinarians, agricultural issues

Appropriations

Deficiency bills

Fiscal bills

General obligation bond acts

Judgment and settlement bills

Revenue bonds

State mandated claims bills

Arts, Entertainment, Sports, Tourism, and Internet Media

Arts

Athletics, State Athletic Commission

Entertainment

Internet media

Motion picture industry

Museums

Tourism

Banking and Finance

California Pollution Control Financing Authority
Charitable and cooperative corporation law
Consumer finance and credit reporting
Corporate securities law
Financial institutions
Foreign banking
Foreign investments in California financial institutions
Formation of new corporate entities
Franchises, except for arbitration of disputes between
franchisor/franchisee
Industrial development bonds
Insurance finance and lending practices
Real property finance
State investment practices

Budget

Budget bill
Current fiscal year appropriations for new projects
Budget trailer bills which are not referred to a policy committee
Bills which establish state budget policy and procedures

Business and Professions

Creation of new regulatory agencies under the jurisdiction of the
Department of Consumer Affairs
Department of General Services
Licensing of health care professionals
Occupational licensing
Product labeling, except agricultural and medical
Sunsetting of boards and commissions under the jurisdiction of the
Department of Consumer Affairs
Vocational education
Veterinarians, licensing issues

Education

Adult education
Certificated employees of schools and teacher salaries
Charter schools
Leasing of school property
K-12 education
Pupil records
School buses and crossing guards
School facilities and finance

Elections and Redistricting

California Political Reform Act
Campaign finance
Elections
Redistricting

Environmental Safety and Toxic Materials

Department of Pesticide Regulation

Pesticides

Drinking water regulation, toxic contamination of water

Emergency response relating to hazardous materials

Hazardous waste regulation and remediation

Pesticides: processed food and public health

Proposition 65

Regulation of consumer products containing toxic substances under the Sherman Food, Drug and Cosmetics Law

Toxic air contaminants and indoor air quality

Toxic substances and hazardous materials, except for workplace safety

Underground storage tank regulation and cleanup

Governmental Organization

Alcoholic Beverage Control

Emergency services, excluding medical emergencies

Fire safety, excluding residential building standards

Gaming

Horse racing

Natural disasters

Offices of the Governor, Lieutenant Governor, State Controller, and State Treasurer

Open meetings laws as they affect state government

State Fire Marshal

State holidays, seals, and official acts

State Lottery

Tobacco products

Health

Alcohol and drug abuse treatment

Developmental disabilities

Health care

Licensing of health care facilities

Mental health, except mentally disordered offenders

Prescriptions

Public health programs

Higher Education

Academic research partnerships with the private sector

Community college job training programs

Postsecondary education, financial aid and campuses

Housing and Community Development

Condominium conversions
Discrimination in housing
Housing rehabilitation
Mobile homes
Public finance of housing
Redevelopment
Rent control
Residential building standards
Structural fire safety
Subdivision Map Act re: housing

Human Services

Children's programs and services
Foster care
Licensing and regulation of community and child care facilities
Public assistance (General Assistance, CalWORKs, and SSI/SSP)
Services for developmentally disabled Californians
Services for physically disabled Californians
Department of Social Services programs

Insurance

Disability insurance
Insurance
Insurance investment, excluding finance, lending and
lending practices
Unemployment compensation
Vehicle financial responsibility
Workers' compensation

Jobs, Economic Development, and the Economy

Business advocacy within California and the United States
Business advocacy of import/export trade
California-Mexico relations
California overseas trade offices
Development and expansion of new technologies, except energy
Development of international high-tech markets
Economic disaster relief
Economic impact reports
Effect of balance of trade issues on California
Expansion of overseas markets
Foreign investments by California
Foreign investments in California
Governor's Office of Business and Economic Development
Impacts of federal budget on high tech projects
Impacts of federal budget on international trade
Industrial innovation and research
International capital, including capital formation
International trade, research and import/export finance
Interstate commerce

Seaports and physical infrastructure
Sister state agreements and friendship agreements with other nations
Small business development and operations
State and local economic development
Women and minority business enterprises (WMBE)

Judiciary

Administration of justice and court personnel
Administrative procedure
Adoptions
Arbitration of disputes between franchisor/franchisee
Civil Code
Code of Civil Procedure
Condemnation
Confidentiality of court records
Eminent Domain
Enforcement of judgments
Evidence Code, excluding criminal procedure
Family law
Landlord/tenant relations
Legal notices
Liens
Notary Public
Probate Code
Product liability
Property acquisition (private property acquired by state agency)
Public administration of estates
Public records and Public Records Act
State Bar
Trade restraints
Tort liability

Labor and Employment

Agricultural Labor Relations Act
Discrimination in employment
Employment Development Department
Unemployment insurance—length of coverage
Workplace safety regulations and Cal-OSHA

Local Government

Administration of special districts
Benefit assessments, special taxes and local alternative
revenue sources
City and county organization and powers
Joint exercise of powers
Local agency formation commissions
Municipal Improvement Acts of 1911, 1913, etc.
Ralph M. Brown Act
Subdivisions
Uniform accounting and reporting procedures for local agencies

Natural Resources

Beverage Container Recycling Act
California Environmental Quality Act
Coastal Act, Coastal Commission and Coastal Conservancy
Coachella Valley Mountains Conservancy
Department of Conservation programs
Energy conservation, research, development, and demonstration and siting of power plants
Forestry
Harbors
Lake Tahoe Conservancy
Solid waste management, except hazardous substances
Stationary source air pollution
Natural Community Conservation Planning Act (land use planning)
Oil Spill Prevention and Response Act
San Francisco Bay Conservation and Development Commission
Santa Monica Mountains Conservancy
State lands
Subdivision Map Act re: timber, coastal, agricultural land use
Tidelands and submerged lands
Vessel traffic management systems (VTMS)
Wild and scenic rivers

Privacy and Consumer Protection

Charitable solicitation
Consumer protection
Department of Technology
False advertising
Information technology
Privacy
Protection of personal information including, but not limited to, digital information
Security of data
Weights and measures

Public Employees, Retirement and Social Security

Classified school employees
Judges Retirement Law
Public employee collective bargaining
Public retirement administration and investment strategy

Public Safety

Asset forfeiture
Controlled substances
Crime victims and restitution
Criminal procedure
Driving under the influence
Felony offenses and those misdemeanor violations not incidental to the subject of another committee
Grand juries

Impoundment of vehicles
Inspection of stolen vehicles
Juvenile law
Peace officers
Penal Code
Qualifications of counsel in criminal matters
Youth authority and prisons—construction and discipline

Revenue and Taxation

All matters relating to taxation

Rules

Business of the Legislature

Transportation

California Highway Patrol
Drivers' licenses
Highways and airports
Mass transit systems
Mobile sources of air pollution
School bus safety and maintenance
Seaports and physical infrastructure
Transit authority
Transportation financing
Vehicles, aircraft, and vessels—operation, safety, equipment,
transfer of ownership, licensing and registration
Vehicle weight restrictions

Utilities and Commerce

Common carriers
Energy conservation, research, development, and demonstration and
siting of power plants
Expansion of overseas markets
Intrastate commerce
Public Utilities Commission, rate increases regulated by the PUC
Telecommunications
Trucking regulated by the PUC

Veterans Affairs

Cal-Vet loan program
Department of Veterans Affairs
National Guard
State military
Veterans

Water, Parks and Wildlife

Department of Water Resources

Drought relief

Fish and game

Flood control

Native plants

Natural Community Conservation Planning Act

Parks and recreation

State Historical Resources Commission

State Water Resources Control Board

Stream resource management

Water and water supply planning

Water rights and water banks

Wildlife

REFERRAL OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

*Assembly Concurrent**Resolution No.**Committee*

5-----Rls.

REQUEST FOR PHOTOGRAPHER

Assembly Member Stone was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Stone was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber.

DESK HELD OPEN

Speaker pro Tempore Mullin was granted unanimous consent that the Assembly Desk be held open on Friday, January 9, 2015, from 9 a.m. to 3 p.m. for the purpose of bill introductions.

RECESS

By unanimous consent, at 9:08 a.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of a special guest.

SPECIAL RECOGNITION

Assembly Member Stone was joined by the Members of the Assembly in recognizing Drew Liebert for his extensive contributions to the legislative process in the State of California through his professional service as Chief Counsel of the Assembly Committee on Judiciary and years of dedicated and exceptional service to the State of California and the California State Assembly. Assembly Member Stone and Members of the Assembly extended best wishes to him upon the occasion of his upcoming retirement, whereupon he was presented with a Members' Resolution.

RECONVENED

At 9:10 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Berta Lillian Jantz of El Cajon.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Olsen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of David Frank Geer of Modesto.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Patterson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Scott Eugene Jones, Fresno County Undersheriff (Ret.), resident of Fresno.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Irwin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Deputy Yevhen “Eugene” Kostiuhenko, Ventura County Sheriff’s Office, resident of Camarillo.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

The Members of the Assembly joined Assembly Member Dahle in offering congratulations to Assembly Member Rendon upon the occasion of his recent marriage.

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Friday, January 9, 2015, No session; Desk held open from 9 a.m. to 3 p.m.;

Monday, January 12, 2015, Floor Session, 12 noon.

ADJOURN IN MEMORY

Assembly Member Dahle was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tom Moore of Mount Shasta.

Assembly Member Daly was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Theresa Pawlowski of Anaheim.

Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert T. Schimke of Palo Alto.

Assembly Member Harper was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Martha Jameson Crouner of Newport Beach.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dolores “Dolly” Nave of San Rafael.

MOTION TO ADJOURN

At 9:19 a.m., Assembly Member Holden moved that the Assembly do now adjourn.

Assembly Member Olsen seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:19 a.m., Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 97—Weber. An act relating to in-home supportive services.

ASSEMBLY BILL NO. 98—Travis Allen. An act to amend Section 23032 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 99—Perea. An act to amend Section 17144.5 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 100—Alejo. An act to add Section 8924.7 to, and to add Chapter 1.5 (commencing with Section 8050) to Division 1 of Title 2 of, the Government Code, relating to state government.

ASSEMBLY BILL NO. 101—Alejo. An act to amend Section 33500 of the Education Code, relating to state educational programs.

ASSEMBLY BILL NO. 102—Rodriguez. An act to amend Section 7718 of the Public Utilities Code, relating to hazardous materials.

The following resolutions were offered:

ASSEMBLY JOINT RESOLUTION NO. 4—Dodd (Principal coauthor: Wood) (Principal coauthors: Senators McGuire and Wolk) (Coauthor: Bonilla). Relative to Berryessa Snow Mountain National Monument.

HOUSE RESOLUTION NO. 5—Cristina Garcia. Relative to Mexico and human rights.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: January 8, 2015

Mme. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 3

With the recommendation: Be adopted.

GORDON, Chair

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Holden, the Assembly adjourned until 12 noon, Monday, January 12, 2015, out of respect to the memory of Berta Lillian Jantz on motion of Assembly Member Jones; out of respect to the memory of David Frank Geer on motion of Assembly Member Olsen; out of respect to the memory of Scott Eugene Jones on motion of Assembly Member Patterson; out of respect to the memory of Deputy Yevhen “Eugene” Kostiuhenko on motion of Assembly Member Irwin; out of respect to the memory of Tom Moore on motion of Assembly Member Dahle; out of respect to the memory of Theresa Pawlowski on motion of Assembly Member Daly; out of respect to the memory of Robert T. Schimke on motion of Assembly Member Gordon; out of respect to the memory of Martha Jameson Crowner on motion of Assembly Member Harper; and out of respect to the memory of Dolores “Dolly” Nave on motion of Assembly Member Levine.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

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