

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 11, 2016

ONE HUNDRED THIRTY-SECOND SESSION DAY

FOUR HUNDRED SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 11, 2016

The Assembly met at 12 noon.

Hon. Toni G. Atkins, Speaker 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 Maienschein moved a quorum call of the Assembly.

Motion carried. Time, 12:03 p.m.

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

Quorum Present

At 12:07 p.m., Speaker Atkins declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—79:

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

PRAYER

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

Lord, The prophet Isaiah said, "The people who walked in darkness have seen a great light, and for those who dwell in the land of the shadow of death, light has shined."—Isaiah 9:2

Lord, You are that light. And if we are to truly follow You, it means turning away from our self-centeredness and turning our life over to Your control and direction. Help us to choose to make our life God-centered. Shape our thoughts, our actions, and even our personalities, so that they reflect Your light shining on us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Atkins, Assembly Member Calderon 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 Waldron.

COMMUNICATIONS

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

January 11, 2016

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

RE: Appointment of Christine Kehoe to
California Transportation Commission

Dear Mr. Wilson: Please be advised I have appointed Christine Kehoe to the California Transportation Commission. This is a term appointment starting January 11, 2016, and the expiration date is January 1, 2020. Ms. Kehoe will be replacing Dario Frommer.

Sincerely,

TONI G. ATKINS
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 11, 2016

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

Assembly Bill No. 700

Assembly Bill No. 1311

Assembly Bill No. 1546

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Hadley, Kim, and Rendon were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

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

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Hadley was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his son, Jack Hadley, third-year Cadet at West Point.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 708—An act to add Chapter 13 (commencing with Section 108950) to Part 3 of Division 104 of the Health and Safety Code, relating to consumer product safety.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1355—An act to amend Section 12012.95 of the Government Code, relating to gaming.

Bill read second time, and ordered to Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 11, 2016

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

Assembly Bill No. 1355

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, January 11, 2016

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

Assembly Concurrent Resolution No. 109

Assembly Concurrent Resolution No. 110

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 110 (Wilk)—Relative to Korean-American Day.

Resolution presented by Assembly Member Kim.

Resolution read third time.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 110**

Assembly Member Kim was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 110.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Kim was granted unanimous consent to take up Assembly Concurrent Resolution No. 110, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 110, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 110—Relative to Korean-American Day.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

RECESS

By unanimous consent, at 12:26 p.m., Speaker Atkins declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Kim welcomed distinguished guests from the Korean-American community in conjunction with Korean-American Day and recognized their outstanding service to the community.

Assembly Member Kim introduced Rev. Seung Ki Min, President, Council of Korean Churches of Orange County; Rev. Ho Woo Lee, Executive Vice President, Council of Korean Churches of Orange County; Sang Woon Park, President, Korean American Federation of Sacramento; and Sang Won Park, Honorary President, Korean American Foundation, U.S.A.

Assembly Member Kim recognized members of the Korean-American Foundation and members of the Council of Korean Churches in the Assembly Gallery.

RECONVENED

At 12:28 p.m., the Assembly reconvened.
Speaker of the Assembly, Toni G. Atkins, 78th District, presiding.

ADJOURN IN MEMORY

Assembly Member Gomez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Wada of Lincoln Heights.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Gray was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dave Henderson of Dos Palos.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Medina was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jose Miramontes of Chino Hills.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Ting and Chiu were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Douglas Shorestein of San Francisco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cooper was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. George Stewart of Sacramento.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

Speaker Atkins introduced Senator Hertzberg, former Speaker of the Assembly; Senators Hall and Wieckowski; Hon. Pedro Nava, former Member of the Assembly; and Hon. Charles Calderon, former State Senator, former Member of the Assembly, and former Majority Floor Leader of the Assembly.

NOMINATIONS FOR SPEAKER OF THE ASSEMBLY

Speaker Atkins announced that nominations are now open for the Office of Speaker.

Nominations from the Floor

Assembly Member Bonta nominated Assembly Member Rendon for the Office of Speaker of the Assembly.

Assembly Rule 112 Suspended

Assembly Member Bonta was granted unanimous consent that Assembly Rule 112 be suspended to permit him to present a momento to Assembly Member Rendon on the Floor of the Assembly; whereupon Assembly Member Bonta displayed a photograph of labor leaders César Chávez and Larry Itliong.

Nomination Seconded

Assembly Members Mayes, Burke, Campos, and Thurmond seconded the nomination of Assembly Member Rendon for the Office of Speaker of the Assembly.

NOMINATIONS CLOSED

There being no further nominations, Speaker Atkins declared nominations for the Office of Speaker of the Assembly closed.

MOTION BY ASSEMBLY MEMBER HOLDEN

Assembly Member Holden moved that the Rules and precedent be suspended to allow Assembly Member Rendon to be elected to the Office of Speaker by a voice vote, to be sworn in at a regular Floor Session convened by the Speaker pursuant to the Assembly Rules, or upon a vacancy, whichever occurs first.

Motion seconded by Assembly Member Cristina Garcia.

Motion carried.

ELECTION OF SPEAKER OF THE ASSEMBLY

Upon request of Speaker Atkins, all Members in favor of electing Assembly Member Rendon to the Office of Speaker responded by saying "Aye", whereupon Speaker Atkins declared Assembly Member Rendon the choice of the Assembly for the Office of Speaker.

PRESENTATION OF SPEAKER-ELECT RENDON

Speaker Atkins presented Speaker-elect Rendon to the assemblage.

ADDRESS BY SPEAKER-ELECT RENDON

Speaker-elect Rendon presented remarks to the assemblage from his desk on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Rendon was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his wife, Annie Lam.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker Atkins was granted unanimous consent that the remarks presented by Speaker-elect Rendon be printed in the Assembly Journal.

ADDRESS BY SPEAKER-ELECT ANTHONY RENDON

Madame Speaker and colleagues: When the voters extended term limits in 2012, they did so because they believed it would help the Legislature be more thoughtful, more productive, and more deliberative. As a result, the era that lies before us is one with great potential for both this state and for this institution.

The role of the Speaker in an era when Members can serve up to 12 years is to maximize that potential by helping Members develop greater expertise, pursue longer-term policy strategies, and perform more vital oversight. In doing so, the Speaker enables all Members with the tools and opportunities to better represent our constituents in the work we have before us.

One of the best aspects of Speaker Atkins' leadership has been the manner in which she has empowered Members and democratized the institution. This will also be my approach. Thank you, Speaker Atkins, for starting this important process and your devotion to public service. Because of your leadership, thousands of struggling families will soon benefit from the state's earned income tax credit program. Because of your leadership, 5,000 more students will soon be able to enroll in the University of California. Because of your leadership, the goal of ensuring affordable housing for every Californian has advanced significantly.

I also want to thank Mr. Bonta, Mr. Thurmond, Ms. Campos, and Ms. Burke for your kind words on behalf of my nomination as well as for your friendship and your commitment to our state.

Mr. Mayes, thank you for your leadership and congratulations on your appointment as Republican Leader. I am looking forward to a fruitful relationship with you and with the entire Republican Caucus.

Above all, I want to thank all my colleagues for the confidence you have placed in me and this immense privilege to serve. Our work together begins right away.

Last week the Governor released his initial proposal for the budget—this document is the embodiment of our values and the values of the people of California. I look forward to representing the will of the House throughout the budget process.

Most of all we have the work of creating a better California. A California where half the children in the world's 8th largest economy are not in poverty, but instead have infinite opportunities before them, including the kind of life-changing public education experience that I had. A California that engages residents in its democracy again. A California with a safe environment, clean air, and clean water that lets families, communities, and businesses thrive. Not only are these the issues that brought all of us to public office but these are also the challenges that Californians demand we address.

Thank you again for the honor you have given me and for the trust you have placed in me.

ANNOUNCEMENTS

Speaker Atkins announced the following session schedule:

Tuesday, January 12, 2016, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, January 13, 2016, Check-in Session, 7 a.m.–3 p.m.;

Thursday, January 14, 2016, Check-in Session, 7 a.m.–3 p.m.;

Friday, January 15, 2016, Floor session, 9 a.m.

ADJOURN IN MEMORY

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 Hon. Andy Cohen, former Mayor of Menlo Park, resident of Menlo Park.

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 Jeanette Henderson of Pasadena.

Assembly Member Quirk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Del Della-Dora of Hayward.

Assembly Member Wilk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Pananian of Burbank, and Ford Worthington Rice of Simi Valley.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 533 and Senate Bill No. 7 were continued until Friday, January 15, 2016.

MOTION TO ADJOURN

At 1:06 p.m., Assembly Member Holden moved that the Assembly do now adjourn.

Assembly Member Waldron seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:06 p.m., Speaker Atkins 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. 1641—Travis Allen. An act to amend Section 22500.5 of the Vehicle Code, relating to shuttle services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1642—Oberholte (Coauthors: Bigelow, Dodd, Gallagher, Gordon, Lackey, Levine, Mayes, Melendez, Olsen, Waldron, Wilk, and Wood) (Coauthors: Senators Hill, Liu, McGuire, Morrell, Nielsen, and Roth). An act to amend Sections 4213, 4220, and 4222 of the Public Resources Code, relating to forestry and fire prevention.

ASSEMBLY BILL NO. 1643—Gonzalez. An act to amend Section 2810.5 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 1644—Bonta. An act to amend Section 4372 of, and to add and repeal Chapter 4 (commencing with Section 4391) of Part 4 of Division 4 of, the Welfare and Institutions Code, relating to mental health.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 113—Low (Coauthors: Bonta, Chang, Chau, Chiu, Chu, Kim, Ting, and Williams) (Coauthors: Senators Liu and Pan). Relative to Lunar New Year celebration.

ASSEMBLY CONCURRENT RESOLUTION NO. 114—Gallagher (Coauthors: Lackey and Mathis). Relative to Grand Jury Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 115—Mathis. Relative to the Richard ‘Dick’ Noles Memorial Highway.

AUTHOR’S AMENDMENTS

Committee on Judiciary

January 11, 2016

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

Senate Bill No. 269

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

MARK STONE, Chair

SENATE BILL NO. 269—An act to add Section 2640.2 to the Probate Code, relating to conservatorship.

Bill read second time.

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

Committee on Appropriations

January 11, 2016

Mme. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 185

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

GOMEZ, Chair

ASSEMBLY BILL NO. 185—An act to add Section 26011.9 to the Public Resources Code, and to add Section 18410.3 to, and to add and repeal Sections 12283, 17053.9, and 23622.9 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources

Date of Hearing: January 11, 2016

Mme. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1005

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

WILLIAMS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Governmental Organization

Date of Hearing: January 6, 2016

Mme. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1437

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations.

GRAY, Chair

Above bill ordered to second reading.

INTRODUCTION OF GUESTS

Assembly Member Cristina Garcia, of the 58th Assembly District, introduced participants from Leadership California.

ADJOURNMENT

At 3:30 p.m., pursuant to the motion by Assembly Member Holden, the Assembly adjourned until 7 a.m., Tuesday, January 12, 2016, out of respect to the memory of Frank Wada on motion of Assembly Member Gomez; out of respect to the memory of Dave Henderson on motion of Assembly Member Gray; out of respect to the memory of Jose Miramontes on motion of Assembly Member Medina; out of respect to the memory of Douglas Shorenstein on motion of Assembly Members Ting and Chiu; out of respect to the memory of Dr. George Stewart on motion of Assembly Member Cooper; out of respect to the memory of Hon. Andy Cohen on motion of Assembly Member Gordon; out of respect to the memory of Jeanette Henderson on motion of Assembly Member Holden; out of respect to the memory of Del Della-Dora on motion of Assembly Member Quirk; and out of respect to the memory of Richard Pananian and Ford Worthington Rice on motion of Assembly Member Wilk.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 11, 2016**

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

AB RN
185 1601586

SB RN
269 1601786

Daily Total: 2
Cumulative Total: 2625

O