

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 14, 2013

SIXTH SESSION DAY

FORTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call 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 14, 2013

The Assembly met at 12 noon.
Hon. Nora Campos, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Russell C. Tomas reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Bonilla moved a quorum call of the Assembly.
Motion carried. Time, 12 noon.

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

Quorum Present

At 12:02 p.m., Speaker pro Tempore Campos declared a quorum of
the Assembly present.

The roll call was completed, and the following answered to their
names—76:

Achadjian	Conway	Hall	Nestande
Alejo	Cooley	Harkey	Olsen
Allen	Dahle	Hernández	Pan
Ammiano	Daly	Holden	Perea
Atkins	Dickinson	Hueso	Pérez, V. Manuel
Bigelow	Donnelly	Jones	Quirk
Bloom	Eggman	Jones-Sawyer	Quirk-Silva
Blumenfield	Fong	Levine	Rendon
Bocanegra	Fox	Linder	Salas
Bonilla	Frazier	Logue	Skinner
Bonta	Gaines	Lowenthal	Stone
Bradford	Garcia	Maienschein	Ting
Brown	Gatto	Mansoor	Torres
Buchanan	Gomez	Medina	Waldron
Calderon	Gordon	Melendez	Weber
Campos	Gorell	Mitchell	Wickowski
Chau	Gray	Morrell	Wilk
Chávez	Grove	Mullin	Yamada
Chesbro	Hagman	Muratsuchi	Mr. Speaker

PRAYER

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

Lord, What we consider perfection in life, is not necessarily what You do. Some think perfection lies in happiness, in careers, or in family. But You, Lord, see it differently. For You, perfection is seen in a spirit of repentance and humility. You see a perfect person in someone who shows love and kindness, no matter what they may look like or where they come from. Help us to grow in the perfection that pleases You, Lord, and give us Your blessing today and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Campos, Assembly Member Jones-Sawyer 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 Atkins, seconded by Assembly Member Hagman.

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Williams.

Because of illness: Assembly Members Nazarian and Patterson.

Because of a travel delay: Assembly Member Wagner.

SPECIAL COMMITTEE MEETINGS

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

Water, Parks and Wildlife, on Friday, February 22, 2013, at 1 p.m., in Mecca, on the Salton Sea;

Public Employees, Retirement and Social Security, to convene a Joint Orientation Hearing with the Senate Public Employment and Retirement Committee, on Wednesday, January 30, 2013, at 10 a.m., in Room 4203;

Budget, on Thursday, January 31, 2013, upon adjournment of Floor Session in Room 4202.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
1 -----	E.S. & T.M.
2 -----	Pub. S.
4 -----	Pub. S.
6 -----	Rev. & Tax.
7 -----	Nat. Res.
8 -----	Trans. and Nat. Res.
10 -----	L. & E.
11 -----	L. & E.
13 -----	Higher Ed. and V.A.
14 -----	Trans.
15 -----	Pub. S.
16 -----	Pub. S.
17 -----	Trans. and Jud.
20 -----	Pub. S.
21 -----	E.S. & T.M.
22 -----	L. Gov.
27 -----	Higher Ed.
28 -----	J., E.D. & E. and L. Gov.
30 -----	E.S. & T.M.
31 -----	Agri.
32 -----	Rev. & Tax.
33 -----	Rev. & Tax.
34 -----	W.,P. & W.
36 -----	Pub. S.
37 -----	Nat. Res.
39 -----	Nat. Res.
46 -----	Higher Ed.
47 -----	Pub. S.
48 -----	Pub. S.
49 -----	Trans.
50 -----	Health

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
2 -----	Rls.

ADJOURN IN MEMORY

Assembly Member Atkins was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Murray Galinson of La Jolla.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chesbro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles "Charlie" Hunting Rudd of Arcata.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Fong and Muratsuchi were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of United States Senator Daniel Inouye of Honolulu, Hawaii.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Gorell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Lavenant of Camarillo.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Harkey was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Beverly Ann Sels of Capistrano Beach.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Jones-Sawyer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Randall Clyde Bacon of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Morrell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Pastore of Glendale.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Skinner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ann Chandler, former Berkeley City Council Member, resident of Berkeley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Gordon, Ting, Skinner, and Ammiano were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeanne Manford, founder of Parents, Families, and Friends of Lesbians and Gays (PFLAG), resident of Daly City.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

Assembly Member Fox announced the birth of his granddaughter, Viviana Halabi, born today at 8:21 a.m., weighing 6 pounds.

SPECIAL RECOGNITION

The Members of the Assembly joined Assembly Member Atkins in extending best wishes to Assembly Members Jones-Sawyer and Bradford on the occasion of their birthdays.

ANNOUNCEMENTS

Speaker pro Tempore Campos announced the following session schedule:

- Tuesday, January 15, 2013, Check-in Session, 7 a.m.–3 p.m.;
- Wednesday, January 16, 2013, Check-in Session, 7 a.m.–3 p.m.;
- Thursday, January 17, 2013, Check-in Session, 7 a.m.–3 p.m.;
- Friday, January 18, 2013, Floor Session, 9 a.m.;
- Monday, January 21, 2013, Holiday in observance of Martin Luther King, Jr. Day;
- Tuesday, January 22, 2013, Floor Session, 12 noon;
- Wednesday, January 23, 2013, Check-in Session, 7 a.m.–3 p.m.;
- Thursday, January 24, 2013, Floor Session, 8:30 a.m. and the Governor's State of the State Address at 9 a.m.

ADJOURN IN MEMORY

Assembly Member Chávez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Diane M. Nydegger of Oceanside.

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Long Beach Police Corporal John Rose and George Papadakis of Long Beach and Mary Ellen Kilsby of Claremont.

MOTION TO ADJOURN

At 12:33 p.m., Assembly Member Atkins moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:33 p.m., Speaker pro Tempore Campos 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. 114—Salas. An act to add Division 16.4 (commencing with Section 26225) to the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 115—Perea (Coauthor: Alejo). An act to amend Sections 116760.50, 116760.70, 116760.79, 116760.90, and 116761.20 of the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

ASSEMBLY BILL NO. 116—Bocanegra (Principal coauthor: Torres) (Coauthors: Achadjian, Atkins, Bonilla, Eggman, Frazier, Hagman, Hueso, Maienschein, Olsen, and Rendon) (Coauthors: Senators Correa, Lieu, and Padilla). An act to amend Section 65961 of, and to add Section 66452.24 to, the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 117—Cooley. An act to amend Sections 13401 and 13403 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 118—Committee on Environmental Safety and Toxic Materials (Assembly Members Alejo (Chair), Bloom, Lowenthal, Stone, and Ting) (Coauthors: Perea and Wieckowski). An act to amend Sections 116760.43, 116760.50, 116761.20, 116761.21, 116761.23, 116761.50, 116761.65, and 116761.70 of the Health and Safety Code, relating to drinking water.

ASSEMBLY BILL NO. 119—Committee on Environmental Safety and Toxic Materials (Assembly Members Alejo (Chair), Bloom, Lowenthal, Stone, and Ting). An act to amend Section 17577.2 of the Business and Professions Code, and to amend Sections 116825, 116840, and 116860 of, to add Sections 116831, 116832, and 116836 to, to repeal Sections 116830 and 116855 of, and to repeal and add Sections 116835, 116845, and 116850 of, the Health and Safety Code, relating to water treatment devices.

ASSEMBLY BILL NO. 120—Committee on Environmental Safety and Toxic Materials (Assembly Members Alejo (Chair), Bloom, Lowenthal, Stone, and Ting) (Coauthors: Perea and Williams). An act to amend Section 25299.50.3 of the Health and Safety Code, relating to underground storage tanks.

ASSEMBLY BILL NO. 121—Dickinson. An act to add Section 25536.3 to the Government Code, relating to local government.

ASSEMBLY BILL NO. 122—Rendon. An act to add Chapter 13 (commencing with Section 25987.1) to Division 15 of the Public Resources Code, relating to energy, and making an appropriation therefor.

ASSEMBLY BILL NO. 123—Bonta. An act to add Section 51221.2 to the Education Code, relating to pupil instruction.

ASSEMBLY BILL NO. 124—Morrell (Principal coauthor: Olsen) (Coauthors: Achadjian, Bigelow, Chávez, Dahle, Beth Gaines, Gorell, Grove, Hagman, Jones, Linder, Logue, Mansoor, Melendez, Nestande, Patterson, Wagner, Waldron, and Wilk). An act to repeal Chapter 1.5 (commencing with Section 4210) of Part 2 of Division 4 of the Public Resources Code, relating to fire prevention.

ASSEMBLY BILL NO. 125—Wieckowski. An act to amend Section 22212.5 of the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 126—Hall. An act to amend Section 11273 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 127—Skinner (Coauthor: Rendon). An act relating to fire safety.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 3—Logue. Relative to the CHP Officer Robert James Quirk Memorial Highway.

ASSEMBLY JOINT RESOLUTION NO. 4—Hueso. Relative to the United States-Mexico border.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: January 14, 2013

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 2

With the recommendation: Be adopted.

SKINNER, Chair

Above resolution ordered to third reading.

INTRODUCTION OF GUESTS

Assembly Member V. Manuel Pérez, of the 56th Assembly District, introduced his cousin, Marco Antonio Pérez.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 7 a.m., Tuesday, January 15, 2013, out of respect to the memory of Murray Galinson on motion of Assembly Member Atkins; out of respect to the memory of Charles “Charlie” Hunting Rudd on motion of Assembly Member Chesbro; out of respect to the memory of United States Senator Daniel Inouye on motion of Assembly Members Fong and Muratsuchi; out of respect to the memory of Michael Lavenant on motion of Assembly Member Gorell; out of respect to the memory of Beverly Ann Sels on motion of Assembly Member Harkey; out of respect to the memory of Randall Clyde Bacon on motion of Assembly Member Jones-Sawyer; out of respect to the memory of Frank Pastore on motion of Assembly Member Morrell; out of respect to the memory of Ann Chandler on motion of Assembly Member Skinner; out of respect to the memory of Jeanne Manford on motion of Assembly Members Gordon, Ting, Skinner, and Ammiano; out of respect to the memory of Diane M. Nydegger on motion of Assembly Member Chávez; and out of respect to the memory of Police Corporal John Rose, George Papadakis, and Mary Ellen Kilsby on motion of Assembly Member Lowenthal.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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