

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, January 16, 2015

TENTH SESSION DAY

FORTY-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.

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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, January 16, 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 9:03 a.m., Speaker pro Tempore Mullin declared a quorum of the
Assembly present.

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

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

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Member Shirley N. Weber, of the 79th Assembly District:

Lord, You told us in John 15:13, “Greater love has no man than this: to lay down one’s life for a friend.”

Today we honor a man who demonstrated the “greatest” love, Dr. Martin Luther King, Jr., who 60 years ago decided to change the trajectory of race relations in this country. Despite 350 years of lynchings, burnings, enslavement, and humiliation that resulted in the African-American nightmare, Dr. King had the audacity to simply dream. He paid the ultimate price for working to make his dreams reality.

Lord, we honor Dr. King because he demonstrated that one person standing on your principles can change the world. And while he accomplished much, we realize that the task is unfinished and thus it is our responsibility as legislators to bring it to completion.

As Dr. Martin Luther King, Jr. boldly and resolutely faced the Jim Crow of his day, let us face our Jim Crow of persistent poverty, over-incarceration, racial profiling, gender bias, unequal education, limited opportunities, and yes, let us face our “Fergusons.”

Instead of waiting for the public to lead us, let this House speak up and lead to form a better California. Let us do it with enthusiasm and confidence as King did, remembering the words of the song *I Don’t Feel No Ways Tired*, “I’ve come too far from where I started from. Nobody told me the road would be easy. And I don’t believe he brought me this far just to leave me.”

Father, I don’t believe You brought California, this nation, and this world this far along the path towards justice and equality simply to leave us. So we continue the work knowing that the arc of the moral universe is long and sometimes hard and difficult, but we have Your assurance it always bends toward justice.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Thurmond 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.

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 Members Chu and Ridley-Thomas.

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

Because of illness: Assembly Member Calderon.

EXPLANATIONS OF ABSENCE

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

January 15, 2015

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

Dear Speaker Atkins: I respectfully request that I be excused from Floor Session on January 16, 2015, to participate in legislative business in the 25th Assembly District. If you have any questions, please contact Reichel Everhart of my office at (916) 319-2025. Thank you.

Sincerely,

KANSEN CHU, Assembly Member
Twenty-fifth District

(NOTE: For letter explaining the absence of Assembly Member Ridley-Thomas on this day on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for January 15, 2015.)

SPECIAL COMMITTEE MEETINGS

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

Environmental Safety and Toxic Materials, on Wednesday, February 18, 2015, at 2 p.m., in Room 447; on Thursday, February 26, 2015, at 3 p.m., in Imperial Beach; on Friday, February 27, 2015, at 10:30 a.m., in Calexico;

Water, Parks and Wildlife, on Tuesday, February 10, 2015, at 9:30 a.m., in Room 437; on Tuesday, February 24, 2015, at 9:30 a.m., in Room 437;

Joint Legislative Audit Committee, on Wednesday, February 11, 2015, at 9:30 a.m., in Room 4202.

REFERRAL OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
1 -----	L. Gov.
4 -----	Trans.
6 -----	Trans. and Ed.
7 -----	Ed.
8 -----	Trans. and Pub. S.
9 -----	G.O.
10 -----	E. & R.
11 -----	L. & E.
12 -----	A. & A.R.
13 -----	Higher Ed. and V.A.
14 -----	Trans. and P. & C.P.
17 -----	Rev. & Tax.
18 -----	G.O.
21 -----	Nat. Res.
23 -----	Nat. Res.
25 -----	Higher Ed.

27	-----	Higher Ed.
28	-----	Trans.
29	-----	Jud.
30	-----	Ed. and A.,E.,S.,T., & I.M.
104	-----	Budget
105	-----	Budget
106	-----	Budget
107	-----	Budget
108	-----	Budget
109	-----	Budget
110	-----	Budget
111	-----	Budget
112	-----	Budget
113	-----	Budget
114	-----	Budget
115	-----	Budget
116	-----	Budget
117	-----	Budget
118	-----	Budget
119	-----	Budget
120	-----	Budget
121	-----	Budget
122	-----	Budget
123	-----	Budget
124	-----	Budget
125	-----	Budget
126	-----	Budget
127	-----	Budget
128	-----	Budget
129	-----	Budget
130	-----	Budget
131	-----	Budget
132	-----	Budget
133	-----	Budget
134	-----	Budget
135	-----	Budget
136	-----	Budget
137	-----	Budget
138	-----	Budget

Assembly Concurrent

<i>Resolution No.</i>		<i>Committee</i>
1	-----	Trans.
4	-----	Trans.
6	-----	Rls.

Assembly Joint

<i>Resolution No.</i>		<i>Committee</i>
4	-----	W.,P. & W.

House

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

REQUEST FOR PHOTOGRAPHER

Assembly Members Gallagher and Gonzalez were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Gallagher was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk and on the Assembly Floor, whereupon he introduced his wife Janna, daughters Katharine and Maggie, and son Kellen.

UNANIMOUS CONSENT GRANTED TO PRINT INAUGURAL CEREMONY OF THE HONORABLE EDMUND G. BROWN JR., GOVERNOR OF CALIFORNIA

Assembly Member Holden was granted unanimous consent that the Inaugural Ceremony of the Honorable Edmund G. Brown Jr., Governor of California, and remarks presented therein on Monday, January 5, 2015, be printed in the Assembly Journal.

(NOTE: Inaugural ceremony of the Honorable Edmund G. Brown Jr., Governor, printed in a separate Appendix to the Journal dated January 5, 2015.)

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

ASSEMBLY CONCURRENT RESOLUTION NO. 5 (Jones-Sawyer)—Relative to Martin Luther King, Jr. Day.

Resolution read.

Assembly Rule 112 Suspended

Assembly Member Waldron was granted unanimous consent that Assembly Rule 112 be suspended to permit her to read a paper on the Floor of the Assembly.

SPECIAL RECOGNITION**Members of the California Legislative Black Caucus**

Without objection, Assembly Member Jones-Sawyer, Chair of the California Legislative Black Caucus, during the close of debate on Assembly Concurrent Resolution No. 5, requested that the members of the California Legislative Black Caucus arise at their desks to be acknowledged by the Body, whereupon members of the California Legislative Black Caucus present arose and stood at their desks. Assembly Members Brown, Burke, Cooper, Gipson, Holden, Jones-Sawyer, McCarty, Ridley-Thomas, Thurmond, and Weber; and Senators Hall and Mitchell comprise the 2015–16 California Legislative Black Caucus, the largest class of African-American Members to serve in a Session of the California Legislature.

Members Made Coauthors of**Assembly Concurrent Resolution No. 5**

Assembly Member Jones-Sawyer was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 5.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Jones-Sawyer was granted unanimous consent to take up Assembly Concurrent Resolution No. 5, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 5, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 5—Relative to Martin Luther King, Jr. Day.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Mullin, on behalf of Assembly Member Jones-Sawyer, Chair of the California Legislative Black Caucus, announced that in honor of Martin Luther King, Jr. Day, there is an exhibit of photographs in the Capitol Rotunda sponsored by the California Legislative Black Caucus commemorating the 1965 marches from Selma to Montgomery, Alabama in support of the Selma Voting Rights Campaign.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Roger Hernández was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber, whereupon he introduced members of the Tribal Government of the Viejas Band of Kumeyaya Indians: Victor E. Woods, Vice Chairman; Robert “Cita” Welch Jr., Chairman; Kevin Michael Carrizosa, Tribal Councilman; and Gabriel TeSam, Jr., Tribal Councilman.

ADJOURN IN MEMORY

Assembly Members Gonzalez, Alejo, Weber, and Speaker Atkins were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Peter Chacon, Member of the Assembly from 1970 to 1992, Co-Founder of the Chicano Federation and the California Latino Legislative Caucus, resident of Chula Vista.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cristina Garcia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Maher Hathout of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Lopez and Jones-Sawyer, and Speaker Atkins were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Andraé Crouch of Pacoima.

(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 Carolyn Jean Robinson of Sacramento.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Monday, January 19, 2015, Martin Luther King, Jr. Holiday;

Tuesday, January 20, 2015, Floor Session, 12 noon.

ADJOURN IN MEMORY

Speaker Atkins was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cynthia Ann Vicknair of La Jolla and Darel Roberts of Canyon Country.

Assembly Member Bigelow was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Captain Franck Tremaine, Jackson Fire Department, resident of Jackson, and Fraser Edwards West of Ione.

Assembly Member Dababneh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Joseph McGalliard of Palm Desert.

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 Dorothy W. Bickford of McArthur.

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 Dr. Alberto Behar of Scottsdale, Arizona.

Assembly Member Rodriguez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Victoria Ramos of Pomona.

MOTION TO ADJOURN

At 10:09 a.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 10:09 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. 154—Ting. An act to amend Section 23037 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 155—Dababneh. An act to amend Sections 6359 and 6359.45 of, to repeal Section 6359.4 of, and to repeal and add Section 6359.2, of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 9—McCarty (Coauthors: Bloom and Chiu) (Coauthors: Senators Leno, Liu, and Pan). Relative to Pet Care Education Month.

MESSAGES FROM THE SENATE

Senate Chamber, January 16, 2015

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

Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 4

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

FIRST READING OF SENATE BILLS

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 3—Relative to India Republic Day.

SENATE CONCURRENT RESOLUTION NO. 4—Relative to Physician Anesthesiologist Week.

INTRODUCTION OF GUESTS

Assembly Member Melendez, of the 67th Assembly District, introduced guests from the City of Menifee: Rob Johnson, City Manager; Hon. Matt Liesemeyer, Council Member; and Hon. John Denver, Mayor pro Tempore.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Holden, the Assembly adjourned until 12 noon, Tuesday, January 20, 2015, out of respect to the memory of Hon. Peter Chacon on motion of Assembly Members Gonzalez, Alejo, Weber, and Speaker Atkins; out of respect to the memory of Dr. Maher Hathout on motion of Assembly Member Cristina Garcia; out of respect to the memory of Andraé Crouch on motion of Assembly Members Lopez, Jones-Sawyer, and Speaker Atkins; out of respect to the memory of Carolyn Jean Robinson on motion of Assembly Member Jones-Sawyer; out of respect to the memory of Cynthia Ann Vicknair and Darel Roberts on motion of Speaker Atkins; out of respect to the memory of Captain Franck Tremaine and Fraser Edwards West on motion of Assembly Member Bigelow; out of respect to the memory of James Joseph McGalliard on motion of Assembly Member Dababneh; out of respect to the memory of Dorothy W. Bickford on motion of Assembly Member Dahle; out of respect to the memory of Dr. Alberto Behar on motion of Assembly Member Holden; and out of respect to the memory of Victoria Ramos on motion of Assembly Member Rodriguez.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

O