

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 28, 2013
FOURTEENTH SESSION DAY
FIFTY-SEVENTH 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.

(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
Monday, January 28, 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 Timothy Morland reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Atkins 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 12:03 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—79:

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

PRAYER

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

Lord, There are times when our routine seems to get monotonous and our life, boring. Even when we make an extra effort to find something new, it turns out to be the same old thing. Grant us, Lord, to turn to You to fill the emptiness inside us. For when we make the extra effort to discover that You make all things new, You will reward us and change us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Campos, Assembly Member Fox 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 Member was granted leave of absence for the day:

On legislative business: Assembly Member Bonilla.

EXPLANATIONS OF ABSENCE

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

January 25, 2013

*The Honorable John A. Pérez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting an excused absence for Floor Session Monday, January 28, 2013, to attend a school district tour and briefing on career academies with the State Superintendent of Public Instruction, Tom Torlakson. Please contact me if you need additional information regarding this request.

Sincerely,

SUSAN A. BONILLA, Assembly Member
Fourteenth District

COMMUNICATIONS

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

January 22, 2013

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

RE: Appointment of Christopher Jennings to
Scholarshare Investment Board

Dear Mr. Wilson: Please be advised I have appointed Mr. Christopher Jennings to the Scholarshare Investment Board. This is a pleasure appointment starting January 22, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Joint Legislative Audit Committee, on Wednesday, March 13, 2013, at 10 a.m., in Room 444;

Human Services, to convene jointly with the Senate Committee on Human Services, on Tuesday, March 12, 2013, at 1:30 p.m., in Room 3191.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 28, 2013

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

Assembly Concurrent Resolution No. 4

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, January 28, 2013

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

Assembly Bill No. 30

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Members Grove, Wagner, and Beth Gaines were granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests on the Assembly Floor.

RECESS

By unanimous consent, at 12:06 p.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Grove introduced the Bakersfield College Renegades, winners of the 2012 California Community College Athletic Association Football State Championship, whereupon she presented a Members' Resolution. Players Chris Hannible, Brandon Sarabia, Joey Stuart, John Oglesby, Grant Campbell, and United States Army Veteran Clint Carter were accompanied by Head Coach Jeff Chudy.

Assembly Member Grove also recognized Dr. Sandra Serrano, Chancellor of the Kern Community College District and Dr. Michelle Bresso, Associate Vice Chancellor and External Relations, Kern Community College District.

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Assembly Member Wagner introduced guests from Korea and California involved in business partnerships between California and South Korea: Jeong Gwan Lee, Korea's Consul General in San Francisco; James Bang, Legal Counsel at Mitchell, Silberberg, and Knupp; and Tae Hee Yim, Former Chief of Staff to South Korean President Lee, and Former Minister of Labor, whereupon he presented a Members' Resolution.

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Assembly Member Beth Gaines introduced the Granite Bay Grizzlies Football Team from Granite Bay High School, winners of the California Interscholastic Federation (CIF) Division I Championship. Assembly Member Gaines also introduced coaches Ernie Cooper, Mike Lynch, Mike Valentine, and Steve Smith, whereupon she presented a Members' Resolution.

* * *

Assembly Member Quirk-Silva introduced Fullerton Union High School Choir and Boosters, and announced that the choir would be performing in the second-floor rotunda at 1:30 p.m.

RECONVENED

At 12:13 p.m., the Assembly reconvened.

Hon. Nora Campos, Speaker pro Tempore of the Assembly, 27th District, presiding.

RECESS

By unanimous consent, at 12:14 p.m., Speaker pro Tempore Campos declared the Assembly recessed to convene the First Extraordinary Session.

RECONVENED

At 12:21 p.m., the Assembly reconvened.

Hon. Nora Campos, Speaker pro Tempore of the Assembly, 27th District, presiding.

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 Thomas Lorenz Padberg of San Clemente.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chau was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wilbur K. Woo of Monterey Park.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Gatto was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Barbara Garrone Portantino, mother of former Assembly Member Portantino, resident of Long Branch, New Jersey.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Harkey and Wagner were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dean McCormick, Jr., of Tustin.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Hueso and Atkins were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Shapiro of Point Loma.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Joan Schneider of San Francisco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member V. Manuel Pérez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roberto Pacheco of Brawley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Yamada was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jiro “Jerry” Kaneko of Davis.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENT

Speaker pro Tempore Campos announced that the Office of the Chief Clerk placed copies of the Assembly Rules and Legislative Procedure manual in each Member’s desk.

ANNOUNCEMENTS

Speaker pro Tempore Campos announced the following session schedule:

Tuesday, January 29, 2013, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, January 30, 2013, Check-in Session, 7 a.m.–3 p.m.;

Thursday, January 31, 2013, Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Bloom was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lillie Bell Blakley of Pasadena.

Assembly Member Frazier was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carol Marchetti of Antioch.

Assembly Members Garcia and Ian Calderon were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Yolanda Maria Louwers, daughter of Congresswoman Napolitano, resident of Mission Viejo.

Assembly Members Garcia and Ian Calderon were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Beckie Sue Mendez of Norwalk.

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 Arnold G. “Bud” Fischer and Bonnie Russell of San Diego.

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 Elizabeth Wallace of Long Beach.

MOTION TO ADJOURN

At 12:36 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 12:36 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. 183—Dickinson. An act to add Section 29764.5 to the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

ASSEMBLY BILL NO. 184—Gatto (Coauthors: Muratsuchi, Nestande, Quirk-Silva, Rendon, and Wilk) (Coauthors: Senators Berryhill, Cannella, and Price). An act to amend Section 803 of the Penal Code, relating to statute of limitations.

ASSEMBLY BILL NO. 185—Roger Hernández. An act to amend Section 54953.5 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 186—Maienschein (Principal coauthor: Hagman). An act to amend Section 115.5 of the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

ASSEMBLY BILL NO. 187—Bonta. An act relating to ammunition.

ASSEMBLY BILL NO. 188—Ammiano. An act to amend Sections 64, 480.1, 480.2, and 482 of, and to add Sections 480.9, 486, 486.5, and 488 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 189—Buchanan. An act to amend Section 2851.1 of the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 190—Buchanan. An act to amend Section 25781 of the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 191—Bocanegra. An act to amend Section 18901.5 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 192—Hagman. An act to add Section 65863.15 to the Government Code, relating to zoning violations.

ASSEMBLY BILL NO. 193—Logue. An act to amend Section 9287 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 194—Campos. An act to amend Section 54960.1 of, and to add Section 54959.5 to, the Government Code, relating to local government.

ASSEMBLY BILL NO. 195—Hall. An act to amend Section 20133 of the Public Contract Code, relating to public contracts, and making an appropriation therefor.

ASSEMBLY BILL NO. 196—Mansoor. An act to amend Section 16000 of the Welfare and Institutions Code, relating to foster care.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 5—Grove. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 32 to Article I thereof, relating to abortion.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 9—Mitchell, Bradford, Brown, Hall, Holden, Jones-Sawyer, and Weber) (Principal coauthors: Senators Price and Wright). Relative to Black History Month.

ASSEMBLY JOINT RESOLUTION NO. 6—Fox. Relative to unmanned aircraft systems.

AUTHOR'S AMENDMENTS **Committee on Labor and Employment**

January 28, 2013

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 11

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

ROGER HERNÁNDEZ, Chair

ASSEMBLY BILL NO. 11—An act to amend Section 230.4 of the Labor Code, relating to employees.

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.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 7 a.m., Tuesday, January 29, 2013, out of respect to the memory of Thomas Lorenz Padberg on motion of Assembly Member Harkey; out of respect to the memory of Wilbur K. Woo on motion of Assembly Member Chau; out of respect to the memory of Barbara Garrone Portantino on motion of Assembly Member Gatto; out of respect to the memory of Dean McCormick, Jr., on motion of Assembly Members Harkey and Wagner; out of respect to the memory of Robert Shapiro on motion of Assembly Members Hueso and Atkins; out of respect to the memory of Joan Schneider on motion of Assembly Member Mullin; out of respect to the memory of Roberto Pacheco on motion of Assembly Member V. Manuel Pérez; out of respect to the memory of Jiro “Jerry” Kaneko on motion of Assembly Member Yamada; out of respect to the memory of Lillie Bell Blakley on motion of Assembly Member Bloom; out of respect to the memory of Carol Marchetti on motion of Assembly Member Frazier; out of respect to the memory of Yolanda Maria Louwers and Beckie Sue Mendez on motion of Assembly Members Garcia and Ian Calderon; out of respect to the memory of Arnold G. “Bud” Fischer and Bonnie Russell on motion of Assembly Member Atkins; and out of respect to the memory of Elizabeth Wallace on motion of Assembly Member Lowenthal.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 28, 2013**

The following measure was amended in the Assembly on this day:

AB	RN
11	1303284

Daily Total:	1
Cumulative Total:	2

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