

CALIFORNIA LEGISLATURE
2013–14 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 28, 2013

FIRST SESSION DAY

FIRST 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)

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(Corrected 5-23-14)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 28, 2013

At 12:14 p.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Edmund G. Brown Jr., Governor of the State of California, dated January 24, 2013, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 2013–14 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk; Amy Leach, Minute Clerk; and Ronald E. Pane, Chief Sergeant-at-Arms.

Hon. Nora Campos, Speaker pro Tempore of the Assembly for the 2013–14 Regular Session, presiding.

Reading Clerk Timothy Morland reading.

ROLL CALL

The roll was called, 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	

Quorum present.

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

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.

(NOTE: For letter explaining the absence of Assembly Member Bonilla on this day on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for the Regular Session for this day.)

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.

PROCLAMATION OF THE GOVERNOR

Speaker pro Tempore Campos directed the Clerk to read the following proclamation of the Governor convening the Legislature in extraordinary session:

A PROCLAMATION**BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS, an extraordinary circumstance has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session;

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with Section 3(b) of Article IV of the Constitution of the State of California, hereby convene the Legislature of the State of California to meet in extraordinary session in Sacramento, California, on the 28th day of January, 2013, at a time to be determined, for the following purpose:

To consider and act upon legislation necessary to implement the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), in the following areas:

a. California's private health coverage market, and rules and regulations governing the individual and small group markets related to guaranteed issue of coverage, pre-existing condition exclusions, rating restrictions, and any other requirements necessary to conform state law to federal rules.

b. California's Medi-Cal program and changes that are necessary to implement federal law, including requirements for eligibility, enrollment, and retention.

c. Options that allow low-cost health coverage to be provided to individuals who have income up to 200 percent of the federal poverty level within the California Health Benefit Exchange, to the extent allowed by federal law or regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 24th day of January, 2013.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State

**Receipt of Proclamation**

I acknowledge receipt this 24th day of January, 2013 at 1:20 p.m., of a proclamation by the Governor, regarding health care, delivered to me personally by Jacque Roberts.

E. DOTSON WILSON
Chief Clerk of the Assembly

ELECTION OF SPEAKER

Assembly Member Atkins moved that the election of Speaker John A. Pérez by voice vote of the Members of the Assembly on December 3, 2012, to the Office of Speaker of the Assembly for the 2013–14 Regular Session, and the Oath of Office administered (Assembly Journal for December 3, 2012, for the Regular Session, page 7), be substituted in the 2013–14 First Extraordinary Session.

Assembly Member Mullin seconded the motion.

Motion carried.

OATH OF OFFICE

The following oath of office was administered to Speaker-elect John A. Pérez, on Monday, December 3, 2012 by the Honorable Mary Lou Villar de Longoria, Judge, Los Angeles Superior Court, and without objection was substituted in the First Extraordinary Session:

OATH

for the Office of Speaker of the California Assembly

I do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

ADOPTION OF STANDING RULES

Assembly Member Atkins moved that the Permanent Standing Rules of the Assembly for the 2013–14 Regular Session be adopted as the Standing Rules of the Assembly for the 2013–14 First Extraordinary Session.

Assembly Member Mullin seconded the motion.

Motion carried by the following vote:

AYES—76

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

NOES—1

Donnelly

(NOTE: For the text of the Standing Rules of the Assembly, see Assembly Journal for December 3, 2012, for the Regular Session, page 13.)

ELECTION OF OFFICERS OF THE ASSEMBLY

Assembly Member Atkins moved that the non-member officers of the Assembly for the 2013–14 Regular Session be deemed the non-member officers in the 2013–14 First Extraordinary Session, and their Oaths of Office in the Regular Session be substituted: E. Dotson Wilson, Chief Clerk; Ronald E. Pane, Chief Sergeant-at-Arms; Father Constantine C. Pappademos, Chaplain.

Assembly Member Mullin seconded the motion.

Motion carried.

OATHS OF OFFICE ADMINISTERED

The following Oath of Office was administered to Chief Clerk-elect E. Dotson Wilson, Chief Sergeant-at-Arms-elect Ronald E. Pane, and Chaplain-elect Father Constantine C. Pappademos, on December 3, 2012, by the Honorable Mary Lou Villar de Longoria, Judge, Los Angeles Superior Court, and without objection was substituted in the First Extraordinary Session:

OATH

I do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

MOTION RELATIVE TO ORGANIZATION OF THE ASSEMBLY

Assembly Member Atkins moved that the provisions of House Resolution No. 3 in the 2013–14 Regular Session, relative to the payment of Members, officers, and attachés of the Assembly; and distribution of Weekly Histories, be substituted in the 2013–14 First Extraordinary Session.

Assembly Member Mullin seconded the motion.

Motion carried.

(NOTE: For the text of House Resolution No. 3, see Assembly Journal for December 3, 2012, for the Regular Session, page 58.)

COMMUNICATIONS

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

January 28, 2013

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

Dear Dotson: Please be advised that I have appointed the following Democratic Leadership for the 2013–14 First Extraordinary Session:

Speaker pro Tempore	Hon. Nora Campos
Assistant Speaker pro Tempore	Hon. Kevin Mullin
Majority Floor Leader	Hon. Toni Atkins
Assistant Majority Floor Leader	Hon. Anthony Rendon
Majority Whip	Hon. Chris R. Holden
Democratic Whip	Hon. Jimmy Gomez
Democratic Whip	Hon. V. Manuel Pérez
Democratic Caucus Chair	Hon. Philip Y. Ting
Rules Chair	Hon. Nancy Skinner

Sincerely,

JOHN A. PÉREZ
 Speaker of the Assembly

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

January 28, 2013

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

Dear Mr. Wilson: This letter is to notify you of the following Republican Leadership Team for the 2013–14 First Extraordinary Session:

Assemblywoman Connie Conway	Republican Floor Leader
Assemblyman Curt Hagman	2nd Ranking Assistant Republican Floor Leader
Assemblyman Brian Jones	Republican Caucus Chair

If you have any questions regarding this letter, please contact Ivan Altamura at 319-2026. It is an honor working with you in the California State Assembly.

Sincerely,

CONNIE CONWAY
 Assembly Republican Leader

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following item:

Atkins Motion to Adopt the Standing Rules of the Assembly from the 2013–14 Regular Session in the 2013–14 First Extraordinary Session: Bigelow, Chávez, Garcia, Jones-Sawyer, Logue, Maienschein, Medina, Melendez, Nestande, and Williams—Aye; Donnelly—No.

MOTION TO ADJOURN

At 12:21 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 12:21 p.m., Speaker pro Tempore Campos declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1—John A. Pérez (Coauthor: Pan). An act to amend Section 12698.30 of the Insurance Code, and to amend Sections 14005.31, 14005.32, 14132, and 15926 of, to amend and repeal Sections 14008.85, 14011.16, and 14011.17 of, to amend, repeal, and add Sections 14005.18, 14005.28, 14005.30, 14005.37, 14007.1, 14007.6, and 14012 of, and to add Sections 14005.60, 14005.62, 14005.63, 14005.64, 14005.65, and 14132.02 to, the Welfare and Institutions Code, relating to health.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon call of the Speaker.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk