CALIFORNIA LEGISLATURE 2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 29, 2015

SEVENTEENTH SESSION DAY

SIXTIETH 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 Thursday, January 29, 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 Cristina Garcia 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 9:02 a.m., Speaker pro Tempore Mullin 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	Perea
Baker	Dodd	Jones-Sawyer	Quirk
Bigelow	Eggman	Kim	Rendon
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 pro Tempore Mullin, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, You speak to us in a still, small voice (1Kings 19:12), and we learn to hear Your voice little by little. It may be a feeling at night, to turn off the television and go to bed; or at the mall, being uneasy about making a certain purchase. Help us to pay attention to what we're feeling, not to ignore our own impressions or inclinations. Because when You speak, Lord, it's usually very subtle. Thank You for leading and guiding us, and for giving us time to get quiet and listen to.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Bonilla 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 Cristina Garcia, seconded by Assembly Member Mayes.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

Because of illness: Assembly Member Ridley-Thomas.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 29, 2015

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

RE: Appointment of Kevin McCarty to School Building Finance Committee

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Kevin McCarty to the School Building Finance Committee. This is a pleasure appointment starting January 29, 2015.

Sincerely,

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

RE: Appointment of Kevin McCarty to Instructional Quality Commission

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Kevin McCarty to the Instructional Quality Commission. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Tony Thurmond to Advisory Commission on Special Education

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Tony Thurmond to the Advisory Commission on Special Education. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Freddie Rodriguez to Search and Rescue Memorial Review Committee

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Freddie Rodriguez to the Search and Rescue Memorial Review Committee. This is a pleasure appointment starting January 29, 2015.

Sincerely,

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

RE: Appointment of Matthew Dababneh to California Debt and Investment Advisory Commission

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Matthew Dababneh to the California Debt and Investment Advisory Commission. This is a pleasure appointment starting January 29, 2015, and the expiration date is February 15, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Jim Frazier to California Transportation Commission

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Jim Frazier to the California Transportation Commission. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Patrick O'Donnell to School Building Finance Committee

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Patrick O'Donnell to the School Building Finance Committee. This is a pleasure appointment starting January 29, 2015.

Sincerely,

E. Dotson Wilson

Chief Clerk of the Assembly State Capitol, Room 3196 Sacramento, California

RE: Appointment of Philip Ting to San Francisco Bay Conservation and Development Commission

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Philip Ting to the San Francisco Bay Conservation and Development Commission. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

E. Dotson Wilson Chief Clerk of the Assembly

State Capitol, Room 3196 Sacramento, California

RE: Appointment of Bill Dodd to State Public Works Board

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Bill Dodd to the State Public Works Board. This is a pleasure appointment starting January 29, 2015. Assembly Member Dodd will be replacing Assembly Member Richard Gordon.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

E. Dotson Wilson

Chief Clerk of the Assembly State Capitol, Room 3196 Sacramento, California

RE: Appointment of Sebastian Ridley-Thomas to
Milton Marks "Little Hoover" Commission on
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Sebastian Ridley-Thomas to the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy. This is a pleasure appointment starting January 29, 2015. Assembly Member Ridley-Thomas will be replacing Assembly Member Anthony Rendon.

Sincerely,

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

RE: Appointment of Jacqui Irwin to State Council on Interstate Compact on Educational Opportunity for Military Children

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Jacqui Irwin to the State Council on Interstate Compact on Educational Opportunity for Military Children. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

Appointment of Jacqui Irwin to Commission on the Status of Women and Girls

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Jacqui Irwin to the Commission on the Status of Women and Girls. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Jacqui Irwin to California Interagency Council on Veterans

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Jacqui Irwin to the California Interagency Council on Veterans. This is a pleasure appointment starting January 29, 2015.

Sincerely,

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

RE: Appointment of Jacqui Irwin to State Public Works Board

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Jacqui Irwin to the State Public Works Board. This is a pleasure appointment starting January 29, 2015. Assembly Member Irwin will be replacing Assembly Member Susan Talamantes Eggman.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Susan Talamantes Eggman to Sacramento-San Joaquin Delta Conservancy Governing Board

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Susan Talamantes Eggman to the Sacramento-San Joaquin Delta Conservancy Governing Board. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Mark Stone to State Coastal Conservancy

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Mark Stone to the State Coastal Conservancy. This is a pleasure appointment starting January 29, 2015.

Sincerely,

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

Appointment of Mark Stone to Court Technology Advisory Committee

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Mark Stone to the Court Technology Advisory Committee. This is a term appointment starting January 29, 2015, and the expiration date is December 7, 2016.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

Appointment of Jim Cooper to California Crime Victims' Memorial Review Committee

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Jim Cooper to the California Crime Victims' Memorial Review Committee. This is a pleasure appointment starting January 29, 2015.

Sincerely,

TONI G. ATKINS Speaker of the Assembly

January 29, 2015

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

RE: Appointment of Kansen Chu to California Child Welfare Council

Dear Mr. Wilson: Please be advised that I have appointed Assembly Member Kansen Chu to the California Child Welfare Council. This is a pleasure appointment starting January 29, 2015. Assembly Member Chu will be replacing Assembly Member Mark Stone.

Sincerely,

ASSEMBLY JOURNAL

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Public Safety, to convene jointly with the Senate Public Safety Committee on Tuesday, February 10, 2015, at 9:30 a.m., in Room 4203.

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2014-113 January 29, 2015

The Honorable Speaker of the Assembly The Honorable Members of the Assembly of the Legislature of California State Capitol, Room 3196 Sacramento, California

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the California State Auditor presents this audit report concerning the California Department of Public Health's (Public Health) diabetes prevention programs.

This report concludes that Public Health could expand its efforts to address diabetes in California with additional funding. Diabetes—a chronic disease affecting one out of 12 adults in California—is a growing epidemic that drains the health and economic well-being of families, employers, and communities. For instance, the American Diabetes Association estimated that, in 2012, the annual health care and related costs of treating diabetes in California were roughly \$27.5 billion. However, until recently securing two additional federal grants, Public Health's spending on diabetes prevention had declined over time—due to reductions in federal funding—from more than \$1 million in previous fiscal years to \$817,000 in fiscal year 2013–14. In fiscal year 2012–13, the most recent year for which nationwide data is available, California had the lowest per capita funding for diabetes prevention in the nation. One reason for this is that California does not provide any state funding for diabetes prevention, while several other states do.

Although Public Health recently received two additional federal grants that will add millions of dollars to its diabetes prevention efforts, it has still not been able to expand its diabetes prevention activities to many of the counties in the State that have a high prevalence of diabetes. Further, although it appears to spend federal funds on allowable activities and employs well-qualified staff, Public Health is limited in its ability to find and apply for federal grants because all of its diabetes prevention staff are fully funded by federal grants and therefore must spend their time on existing grant-related activities. Consequently, other than a manager who has numerous other duties, it does not have a staff member who can routinely search and apply for diabetes-related grants.

As a result, Public Health was not aware of two federal grants we identified, each worth up to \$500,000 per year, for which it was eligible to apply. To have a real effect on the prevalence of diabetes in California, Public Health needs to continue to try to secure funding for its diabetes prevention efforts. To this end, we recommend that state lawmakers provide funding for a grants specialist position within Public Health—a position that could focus on identifying and applying for federal and other grants to fight the growing epidemic of diabetes in California.

Respectfully submitted,

ELAINE M. HOWLE, CPA State Auditor

Above report referred to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 29, 2015

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 7

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Speaker Atkins and Assembly Member Chiu were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Speaker Atkins 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.

RECESS

By unanimous consent, at 9:06 a.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of special guests.

Speaker Atkins introduced Ambassador Carlos González Gutierrez, Consul General of Mexico in Sacramento, and his wife, Alina Flores de González.

Assembly Member Alejo, on behalf of the California Latino Legislative Caucus, recognized Ambassador Carlos González Gutierrez for his years of distinguished service, upon his departure to his new post in Texas.

Assembly Member Chávez recognized Ambassador Carlos González Gutierrez for his work on veterans' issues.

RECONVENED

At 9:15 a.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding.

ADJOURN IN MEMORY

Assembly Member Brown was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lesly Howard Kimber, Fresno City Council Member from 1983 to 1992, resident of Fresno.

(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 Dolores Wong of Alhambra.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cooley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daniel J. Wall of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Nancy Sweeney of Reseda.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mathis was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cleo Ava Miles of Big Pine.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Ting, Campos, Chiu, Roger Hernández, Gordon, and Mullin were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert "Bob" Morales of South San Francisco.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 9:37 a.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Chiu introduced Karen Korematsu, founder of the Korematsu Institute, in recognition of tomorrow, Friday, January 30, 2015, as Fred T. Korematsu Day of Civil Liberties and the Constitution, honoring the civil rights leader.

RECONVENED

At 9:39 a.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding.

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced that tomorrow, Friday, January 30, 2015, is the last day to submit bill requests to the Office of Legislative Counsel.

Speaker pro Tempore Mullin then announced the following session schedule:

Friday, January 30, 2015, No session;

Monday, February 2, 2015, Floor Session, 12 noon.

ADJOURN IN MEMORY

Assembly Member Bonta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of José Goméz; former Executive Assistant to César Chávez, godfather to Assembly Member Bonta, and resident of the State of Washington.

Assembly Members Burke and McCarty were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frederick James Simonelli of Sacramento.

Assembly Member Mayes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Harold J. Meyerman of Palm Springs.

Assembly Member Wagner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Austin Barker of Anaheim.

MOTION TO ADJOURN

At 9:43 a.m., Assembly Member Cristina Garcia moved that the Assembly do now adjourn.

Assembly Member Olsen seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:43 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. 199—Eggman. An act to amend Section 26003 of the Public Resources Code, relating to alternative energy, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 200—Alejo and Jones-Sawyer (Principal coauthor: Williams). An act to amend Sections 69437 and 69437.6 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 201—Brough. An act to amend Section 290.03 of the Penal Code, relating to registered sex offenders.

ASSEMBLY BILL NO. 202—Gonzalez. An act to add Section 2754 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 203—Obernolte (Coauthor: Gipson). An act to amend Sections 4213, 4220, and 4222 of the Public Resources Code, relating to forestry and fire prevention.

ASSEMBLY BILL NO. 204—O'Donnell. An act to amend Section 34179 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 205—Wood. An act to amend Sections 527.11 and 527.12 of the Code of Civil Procedure, relating to residential property, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 206—Mark Stone and Medina (Principal coauthor: Alejo) (Coauthors: Santiago and Williams). An act to add Article 18.5 (commencing with Section 69975) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 207—Grove. An act to amend Section 51747.3 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 208—Bigelow. An act to amend Section 891 of the Streets and Highways Code, relating to bikeways.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Williams (Coauthors: Bonta, Chang, Chau, Chiu, Chu, Kim, Low, and Ting) (Coauthors: Senators Liu, Nguyen, and Pan). Relative to a Day of Remembrance.

ASSEMBLY CONCURRENT RESOLUTION NO. 14—Irwin. Relative to the Deputy Sheriff Yevhen 'Eugene' Kostiuchenko Memorial Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 15—Levine, Bloom, Linder, Medina, Nazarian, and Thurmond (Principal coauthors: Senators Allen, Block, Hertzberg, Jackson, Leno, Stone, and Wolk). Relative to California Holocaust Memorial Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 16—Wilk. Relative to the Los Angeles County Sheriff's Deputy Shayne Daniel York Memorial Highway.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento January 22, 2015

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

Dear Speaker Atkins: I hereby designate Camille Wagner, Jacque Roberts and Michael Mullaney as persons on my staff who may sign for enrolled bills pursuant to Section 9509 of the Government Code. Thank you for your attention to this matter.

Sincerely,

EDMUND G. BROWN JR.

INTRODUCTION OF GUESTS

Assembly Member Gordon, of the 24th Assembly District, introduced Hon. Joe Nation, former Member of the Assembly and former Chair of the Assembly Committee on Rules, with his public policy class from Stanford University.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Cristina Garcia, the Assembly adjourned until 12 noon, Monday, February 2, 2015, out of respect to the memory of Lesly Howard Kimber on motion of Assembly Member Brown; out of respect to the memory of Dolores Wong on motion of Assembly Member Chau; out of respect to the memory of Daniel J. Wall on motion of Assembly Member Cooley; out of respect to the memory of Nancy Sweeney on motion of Assembly Member Dababneh; out of respect to the memory of Cleo Ava Miles on motion of Assembly Member Mathis; out of respect to the memory of Robert "Bob" Morales on motion of Assembly Members Ting, Campos, Chiu, Roger Hernández, Gordon, and Mullin; out of respect to the memory of José Goméz on motion of Assembly Member Bonta; out of respect to the memory of Frederick James Simonelli on motion of Assembly Members Burke and McCarty; out of respect to the memory of Harold J. Meyerman on motion of Assembly Member Mayes; and out of respect to the memory of Austin Barker on motion of Assembly Member Wagner.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk