

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 31, 2013
SEVENTEENTH SESSION DAY
SIXTIETH 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
Thursday, January 31, 2013

The Assembly met at 9 a.m.
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, 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 Campos declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—78:

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

PRAYER

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

Lord, We enjoy watching children play hide and seek, but the truth is that sometimes we need a place of refuge, a place where we can rest when we feel overwhelmed by the circumstances of life. The good news is that You have a perfect hiding place for us. We don't need to hide in our work or in food or addictions because You freely offer us shelter from the storms of life. Keep us in Your embrace, Lord. Let us find solace in Your love and in Your strength.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Campos, Assembly Member Atkins 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 legislative business: Assembly Members Holden and Quirk-Silva.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

December 18, 2012

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

Dear Mr. Speaker: I hereby request to be excused from Session on legislative business on Thursday, January 31, 2013, due to my participation in The City of La Verne Water Technology Conference. I am slated to contribute as a panel moderator. Should you have any questions, please do not hesitate to contact me, or Robbin Lewis-Coaxum of my staff, at 319-2041. Thank you for your consideration.

Sincerely,

CHRIS R. HOLDEN, Assembly Member
Forty-first District

January 28, 2013

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

Dear Mr. Speaker: I would like to respectfully request permission to be excused from Assembly Floor Session on legislative business on Thursday, January 31, 2013, due to district meetings in Orange County. Thank you for your attention to this matter. If you have any questions, please feel free to contact Jalene Romo in my office at (916) 319-2065.

Sincerely,

SHARON QUIRK-SILVA, Assembly Member
Sixty-fifth District

SPECIAL COMMITTEE MEETINGS

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

Public Safety, on Monday, February 25, 2013, at 1:30 p.m., in Room 126.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 31, 2013

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

Assembly Bill No. 51

Assembly Bill No. 65

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REFERRAL OF BILLS TO COMMITTEE

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

Assembly

| <i>Bill No.</i> | <i>Committee</i> |
|-----------------|----------------------------|
| 44 | B.,P. & C.P. |
| 59 | Rev. & Tax. |
| 122 | B. & F. and Nat. Res. |
| 145 | W.,P. & W. and E.S. & T.M. |
| 147 | W.,P. & W. and Nat. Res. |
| 151 | L. Gov. |
| 152 | Ins. |
| 153 | Nat. Res. |
| 156 | Pub. S. |
| 157 | Jud. |
| 158 | Nat. Res. |
| 159 | Higher Ed. |
| 160 | P.E.,R. & S.S. |
| 161 | Jud. |
| 164 | L. Gov. |
| 166 | Ed. |
| 167 | Jud. |
| 169 | Pub. S. |

170 ----- Pub. S.
 171 ----- V.A.
 172 ----- J., E.D., & E.
 178 ----- Trans.
 179 ----- Trans.
 181 ----- Higher Ed.
 182 ----- Ed.

Assembly Concurrent

| <i>Resolution No.</i> | <i>Committee</i> |
|-----------------------|------------------|
| 8 ----- | Rls. |
| 9 ----- | Rls. |

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Buchanan was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests on the Assembly Floor.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY CONCURRENT RESOLUTION NO. 4 (Buchanan)—Relative to American Heart Month and Wear Red Day.

Resolution presented by Assembly Member Buchanan.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 4**

Assembly Member Buchanan was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 4.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Buchanan was granted unanimous consent to take up Assembly Concurrent Resolution No. 4, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 4, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 4—Relative to American Heart Month and Wear Red Day.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

RECESS

By unanimous consent, at 9:12 a.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Buchanan, in recognition of American Heart Month and Wear Red Day in California, introduced American Heart Association volunteers Kristen Holihan, Evelyn Jensen, Nive Ramalingam, Jessica Gordon Lannom, Mike Castillo, Shannon MacAdam, Rachel Bordenkircher, Erica Ralston, Pam Clemements, and Nella Clemements.

RECONVENED

At 9:13 a.m., the Assembly reconvened.

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

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 Hugh Friedman of La Jolla.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Alejo was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jenni Rivera of Long Beach.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Chesbro and Eggman were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roger Alan Storey, former City Manager of Arcata, resident of Stockton.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Pan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jessica Lum of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Perea was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elaine Roscella Lehman of Sanger.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Eggman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dave Brubeck, former resident of Stockton.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Blumenfield announced that the Committee on Budget would meet today, at 11 a.m.

ANNOUNCEMENTS

Speaker pro Tempore Campos announced the following session schedule:

Monday, February 4, 2013, Floor Session, 12 noon.

ADJOURN IN MEMORY

Assembly Member Alejo was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jo Anna “Jan” Mitchell of Salinas and Mary E. Sellen of Hollister.

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 Bob Larkin of Westlake Village.

MOTION TO ADJOURN

At 9:24 a.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 9:24 a.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. 212—Lowenthal. An act to amend Sections 1513.5, 1520, and 1530 of the Code of Civil Procedure, relating to unclaimed property.

ASSEMBLY BILL NO. 213—Logue (Principal coauthor: Pan). An act to add Section 712 to the Business and Professions Code, and to add Section 131136 to the Health and Safety Code, relating to healing arts.

ASSEMBLY BILL NO. 214—Skinner. An act to add Section 19104 to the Elections Code, relating to voting.

ASSEMBLY BILL NO. 215—Chesbro. An act to amend Section 42301 of the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 216—Stone and Maienschein. An act to amend Section 51225.3 of, and to add Section 51225.1 to, the Education Code, relating to high school graduation requirements, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 217—Bradford (Principal coauthor: Senator De León). An act to add Article 1.5 (commencing with Section 2855) to Chapter 9 of Part 2 of Division 1 of the Public Utilities Code, relating to energy.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 11—Muratsuchi (Coauthors: Bonta, Chau, Fong, Ting, Williams, and Yamada) (Coauthors: Senators Lieu, Liu, and Yee). Relative to a Day of Remembrance.

ASSEMBLY JOINT RESOLUTION NO. 8—John A. Pérez and Lowenthal. Relative to violence against women.

ASSEMBLY JOINT RESOLUTION NO. 9—Dahle (Coauthors: Bigelow and Logue) (Coauthors: Senators Berryhill and Ted Gaines). Relative to the federal Secure Rural Schools and Community Self-Determination Act of 2000.

AUTHOR'S AMENDMENTS
Committee on Higher Education

January 31, 2013

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 13

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

WILLIAMS, Chair

ASSEMBLY BILL NO. 13—An act to amend Section 68075.5 of the Education Code, relating to postsecondary education.

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.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: January 31, 2013

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 6

House Resolution No. 5

With the recommendation: Be adopted.

SKINNER, Chair

Above resolutions ordered to third reading.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 12 noon, Monday, February 4, 2013, out of respect to the memory of Hugh Friedman on motion of Assembly Member Atkins; out of respect to the memory of Jenni Rivera on motion of Assembly Member Alejo; out of respect to the memory of Roger Alan Story on motion of Assembly Members Chesbro and Eggman; out of respect to the memory of Jessica Lum on motion of Assembly Member Pan; out of respect to the memory of Elaine Roscella Lehman on motion of Assembly Member Perea; out of respect to the memory of Dave Brubeck on motion of Assembly Member Eggman; out of respect to the memory of Jo Anna "Jan" Mitchell and Mary E. Sellen on motion of Assembly Member Alejo; and out of respect to the memory of Bob Larkin on motion of Assembly Member Gorell.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 31, 2013**

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

| AB | RN |
|-----------|-----------|
| 13 | 1302153 |

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|--------------------------|----------|
| Daily Total: | 1 |
| Cumulative Total: | 5 |

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