

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 4, 2013
EIGHTEENTH SESSION DAY
SIXTY-FOURTH 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)

(Corrected 3-3-14)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 4, 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 Russell C. Tomas 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 12:02 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—80:

Achadjian	Cooley	Hernández	Pan
Alejo	Dahle	Holden	Patterson
Allen	Daly	Hueso	Perea
Ammiano	Dickinson	Jones	Pérez, V. Manuel
Atkins	Donnelly	Jones-Sawyer	Quirk
Bigelow	Eggman	Levine	Quirk-Silva
Bloom	Fong	Linder	Rendon
Blumenfield	Fox	Logue	Salas
Bocanegra	Frazier	Lowenthal	Skinner
Bonilla	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

PRAYER

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

Lord, The book of Proverbs states that when a person repays a good deed with evil, then evil will never leave their house (Proverbs 17:14 *Septuagint*). Lord, if we are to be all that You call us to be, we need to learn to stay above strife. After all, You did not put us on this earth to correct everyone around us. Instead of letting disagreements pull our relationships apart, help us to find common ground to draw us closer to the people in our life. Guide us to peace and to be a blessing to others.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Campos, Assembly Member Achadjian 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.

COMMUNICATIONS

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

January 9, 2013

Mr. Greg Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California

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

Dear Mr. Schmidt and Mr. Wilson: Please be advised that the Senate Rules Committee and the Speaker of the Assembly have jointly appointed Mr. Ronald Lind to the Board of Administration of the California Public Employees Retirement System. This is a term appointment starting January 9, 2013, and expiring January 15, 2016.

Sincerely,

DARRELL STEINBERG
President Pro Tempore,
California State Senate

JOHN A. PÉREZ
Speaker,
California State Assembly

SPECIAL COMMITTEE MEETINGS

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

Insurance, on Tuesday, February 19, 2013, upon adjournment of Floor Session, in Room 127;

Joint Legislative Audit Committee, on Tuesday, March 5, 2013, at 2 p.m., in Room 126.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 4, 2013

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

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, February 4, 2013

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

Assembly Bill No. 13

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 Olsen, Ammiano, Levine, Holden, and Mitchell 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 12:05 p.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Olsen introduced guests from the Modesto Sister Cities International organization; and a delegation of elected officials from the Ukraine, in partnership with the Open World program.

* * *

Assembly Member Ammiano was joined by Assembly Member Levine in introducing members of the Golden Gate Bridge, Highway and Transportation District: Denis Mulligan, General Manager; James Eddie, President; Janet Reilly, past President; and Gerald Cochran, Chair, Governmental Affairs.

RECONVENED

At 12:08 p.m., the Assembly reconvened.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 5 (Wilk)—Relative to Ronald Reagan Day.

Resolution presented by Assembly Member Wilk.

Resolution read third time.

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

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

Request for Unanimous Consent

Assembly Member Wilk 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 Ronald Reagan Day.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

RECESS

By unanimous consent, at 12:24 p.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Holden introduced Civil Rights leader Myrlie Evers, wife of the late Medgar Evers.

Myrlie Evers then addressed the assemblage.

Assembly Member Holden introduced Reena Evers Everett, the daughter of Myrlie Evers, and her cousin Sandra Evers-Manly.

RECONVENED

At 12:33 p.m., the Assembly reconvened.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 6 (Donnelly)—Relative to human trafficking.

Resolution presented by Assembly Member Donnelly.

Resolution read third time.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 6**

Assembly Member Donnelly was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 6.

Additional Coauthors

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

Achadjian, Allen, Ammiano, Atkins, Bigelow, Bloom, Blumenfield, Bocanegra, Bonilla, Bonta, Brown, Ian Calderon, Campos, Chau, Chávez, Chesbro, Conway, Cooley, Dahle, Daly, Dickinson, Eggman, Fong, Fox, Frazier, Beth Gaines, Garcia, Gatto, Gordon, Gorell, Gray, Grove, Hagman, Harkey, Holden, Hueso, Jones, Levine, Linder, Logue, Maienschein, Medina, Melendez, Morrell, Mullin, Muratsuchi, Nazarian, Nestande, Olsen, Pan, Patterson, Perea, John A. Pérez, V. Manuel Pérez, Quirk, Quirk-Silva, Rendon, Salas, Stone, Ting, Torres, Wagner, Waldron, Weber, Wieckowski, Wilk, and Williams.

Request for Unanimous Consent

Assembly Member Donnelly was granted unanimous consent to take up Assembly Concurrent Resolution No. 6, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 6, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Relative to human trafficking.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

HOUSE RESOLUTION NO. 5 (Yamada)—Relative to the Commemoration of Rosa Parks' 100th birthday.

Resolution presented by Assembly Member Yamada.

Resolution read third time.

Request for Use of Visual Aids

Assembly Member Yamada was granted unanimous consent to use a visual aid on the Floor.

**Members Made Coauthors of
House Resolution No. 5**

Assembly Member Yamada was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of House Resolution No. 5.

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, 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, Holden, Hueso, Jones, Jones-Sawyer, Levine, Linder, Logue, Lowenthal, Maienschein, Medina, Melendez, Mitchell, Morrell, Mullin, Muratsuchi, Nazarian, Nestande, Olsen, Pan, Patterson, Perea, V. Manuel Pérez, Quirk, Quirk-Silva, Rendon, Salas, Stone, Ting, Torres, Wagner, Waldron, Weber, Wieckowski, Wilk, and Williams.

Request for Unanimous Consent

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

Consideration of House Resolution No. 5, as Amended

HOUSE RESOLUTION NO. 5—Relative to the Commemoration of Rosa Parks' 100th birthday.

Resolution read, as amended, and adopted.

ADJOURN IN MEMORY

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marna Cohen of Marin.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Campos announced the following session schedule:

Tuesday, February 5, 2013, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, February 6, 2013, Check-in Session, 7 a.m.–3 p.m.;

Thursday, February 7, 2013, Floor Session, 9 a.m.;

Friday, February 8, 2013, No session.

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 Joan Feehan, former council member and ambassador for the city of La Cañada Flintridge, resident of La Cañada Flintridge.

Assembly Member Chesbro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Susan Archer of Shelter Cove.

MOTION TO ADJOURN

At 1:05 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 1:05 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. 218—Dickinson. An act to add Section 432.9 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 219—Perea. An act to add Section 1367.656 to the Health and Safety Code, and to add Section 10123.206 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 220—Ting. An act relating to vehicles.

ASSEMBLY BILL NO. 221—Quirk-Silva. An act to amend Sections 16000, 16001, and 16004 of the Public Resources Code, relating to recycling.

ASSEMBLY BILL NO. 222—Cooley. An act to amend Section 1170 of the Penal Code, relating to punishment.

ASSEMBLY BILL NO. 223—Olsen (Coauthors: Achadjian, Bigelow, Harkey, Nestande, and Wagner). An act to amend Section 55.54 of the Civil Code, relating to disability access.

ASSEMBLY BILL NO. 224—Gordon. An act to amend Section 47000 of, and to add Article 6 (commencing with Section 47060) to Chapter 10.5 of Division 17 of, the Food and Agricultural Code, relating to agricultural products.

ASSEMBLY BILL NO. 225—Nestande (Principal coauthor: Medina). An act to add Article 7 (commencing with Section 21290) to Chapter 1 of Division 11 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 226—Atkins. An act to add Section 45133.5 to the Education Code, relating to school employees.

ASSEMBLY BILL NO. 227—Gatto. An act to amend Section 25249.7 of the Health and Safety Code, relating to toxic substances.

ASSEMBLY BILL NO. 228—Logue. An act to add Section 96.1 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 229—John A. Pérez (Coauthors: Atkins, Bonilla, Bonta, Cooley, Dickinson, and Gordon). An act to add Chapter 2.10 (commencing with Section 53399) to Part 1 of Division 2 of Title 5 of the Government Code, and to amend Section 33459 of the Health and Safety Code, relating to local government.

AUTHOR'S AMENDMENTS
Committee on Public Safety

February 4, 2013

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 48

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

AMMIANO, Chair

ASSEMBLY BILL NO. 48—An act to amend Sections 16740, 16890, and 32390 of, and to add Sections 16740.5, 30301, and 32311 to, the Penal Code, relating to firearms.

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.

MESSAGES FROM THE GOVERNOR
CONCERNING
COMMUTATIONS, REPRIEVES, AND PARDONS

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

Governor's Office, Sacramento

To the Members of the Senate and Assembly of the State of California:

In accordance with Article V, Section 8, subdivision (a) of the California Constitution, Penal Code Section 4807, and Government Code Section 12017, I submit to you a report on the pardons, commutations of sentence, and reprieves issued during 2012. I pardoned 128 people, granted one commutation of sentence, and did not grant any reprieves.

The report includes copies of the pardons and the commutation of sentence, as well as copies of the applications submitted for each.

The report may be found at http://gov.ca.gov/docs/2012_Executive_Report_on_Pardons_Commutations_of_Sentence_and_Reprieves.pdf. You may also call the Governor's Office at (916) 445-2841 for a hard copy of the report.

Sincerely,

EDMUND G. BROWN JR.

Above report referred to the Committee on Public Safety.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 7 a.m., Tuesday, February 5, 2013, out of respect to the memory of Marna Cohen on motion of Assembly Member Levine; out of respect to the memory of Joan Feehan on motion of Assembly Member Gatto; and out of respect to the memory of Susan Archer on motion of Assembly Member Chesbro.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 4, 2013**

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

AB	RN
48	1304877

Daily Total:	1
Cumulative Total:	6

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