

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 7, 2013**  
**TWENTY-FIRST SESSION DAY**  
**SIXTY-SEVENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, February 7, 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—76:

Achadjian	Conway	Hernández	Olsen
Alejo	Cooley	Holden	Pan
Allen	Dahle	Hueso	Patterson
Ammiano	Daly	Jones	Perea
Atkins	Dickinson	Jones-Sawyer	Quirk
Bigelow	Donnelly	Levine	Quirk-Silva
Bloom	Eggman	Linder	Rendon
Blumenfield	Fong	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	Williams
Chávez	Hagman	Nazarian	Yamada
Chesbro	Hall	Nestande	Mr. Speaker

**PRAYER**

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

*Lord, When we expect someone to come to our home for dinner, we don't wait until they show up before we decide to start cooking. We start early in the day. We clean the house, go to the grocery store. We make preparations because we're expecting someone. Lord, help us to expect Your blessing in our life. Help us to put our faith to work, to keep believing and to keep hoping, because we know that Your invisible hand will be at work in our life.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Campos, Assembly Member Ting 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 Member Harkey.*

*On personal business, and waiving per diem: Assembly Member V. Manuel Pérez.*

*Because of illness: Assembly Members Fox and Wilk.*

(NOTE: For letter explaining the absence of Assembly Member Harkey on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for February 6, 2013.)

**SPECIAL COMMITTEE MEETINGS**

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

Assembly Budget Subcommittee No. 1 on Health and Human Services, to convene jointly with the Assembly Committee on Health, on Thursday, February 28, 2013, upon adjournment of Floor Session, in Room 4202.

**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>
<b>23</b> -----	Nat. Res.
<b>35</b> -----	Jud. and Trans.
<b>64</b> -----	Trans.
<b>69</b> -----	E.S. & T.M.
<b>124</b> -----	Nat. Res.
<b>143</b> -----	Rev. & Tax.
<b>150</b> -----	W.,P. & W. and V.A.
<b>173</b> -----	A. & A.R.
<b>176</b> -----	Jud.
<b>184</b> -----	Pub. S.

185	-----	L. Gov.
186	-----	B.,P. & C.P.
188	-----	Rev. & Tax.
191	-----	Hum. S.
192	-----	L. Gov.
193	-----	E. & R.
194	-----	L. Gov.
195	-----	L. Gov.
197	-----	Hum. S.
198	-----	Jud.
201	-----	J., E.D., & E.
202	-----	Ed. and Jud.
203	-----	Nat. Res.
205	-----	P.E.,R. & S.S.
206	-----	Trans.
210	-----	L. Gov. and Rev. & Tax.
212	-----	Jud.
213	-----	B.,P. & C.P. and V.A.
214	-----	E. & R.
215	-----	Nat. Res.
216	-----	Ed.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
7	----- Rls.
10	----- Rls.
11	----- Rls.

*Assembly Joint*

<i>Resolution No.</i>	<i>Committee</i>
7	----- Aging & L.T.C.
8	----- Rls.
9	----- Ed.

**ADJOURN IN MEMORY**

Assembly Member Donnelly was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Leon “Lee” Valentine, United States Navy (Ret.), resident of San Gabriel Valley.

(Assembly Rule 45.5 suspended.)

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Jones was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests on the Assembly Floor, whereupon he introduced the family of the late Dr. Nolan Frizzelle, former Member of the Assembly; his wife Ina Frizzelle, daughter Sabina Pellissier, and son Tim Evans.

**ADJOURN IN MEMORY**

Assembly Members Jones and Beth Gaines were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Nolan Frizzelle, Member of the Assembly from 1980 to 1992, resident of Folsom.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

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 Ruby M. Hicks of Hollister.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Skinner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maggie Gee of Berkeley.

(Assembly Rule 45.5 suspended.)

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Holden was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his father, Hon. Nate Holden, State Senator from 1974 to 1978, and Member of the Los Angeles City Council from 1987 to 2003.

**ANNOUNCEMENTS**

Speaker pro Tempore Campos announced the following session schedule:

Monday, February 11, 2013, Floor Session, 12 noon;  
Tuesday, February 12, 2013, Check-in Session, 7 a.m.–3 p.m.;  
Wednesday, February 13, 2013, Check-in Session, 7 a.m.–3 p.m.;  
Thursday, February 14, 2013, Check-in Session, 7 a.m.–3 p.m.;  
Friday, February 15, 2013, Floor Session, 9 a.m.;  
Monday, February 18, 2013, President's Day Holiday Observed;  
Tuesday, February 19, 2013, Floor Session, 12 noon;  
Wednesday, February 20, 2013, Check-in Session, 7 a.m.–3 p.m.;  
Thursday, February 21, 2013, Floor Session, 9 a.m.

**ADJOURN IN MEMORY**

Assembly Member Buchanan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John F. "Lefty" Collins of Pleasant Hill.

Assembly Members Chesbro and Mullin were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robin Woodall Hutto of San Carlos.

Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edward M. Davis of Portola Valley.

Assembly Member Muratsuchi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of R. Thomas Rische of Torrance, Steve Zucker of Manhattan Beach, and William Carl Horst of Harbor Gateway.

**MOTION TO ADJOURN**

At 9:20 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 9:20 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. 255—Waldron.** An act relating to public postsecondary education.

**ASSEMBLY BILL NO. 256—Garcia.** An act to amend Section 48900.4 of the Education Code, relating to pupils.

**ASSEMBLY BILL NO. 257—Hall.** An act to amend Section 22577 of, and to add Sections 22575.1, 22575.2, and 22575.3 to, the Business and Professions Code, relating to privacy.

**ASSEMBLY BILL NO. 258—Chávez.** An act to add Section 11019.11 to the Government Code, relating to state agencies.

**ASSEMBLY BILL NO. 259—Logue.** An act to amend Section 1215.6 of the Water Code, relating to water resources.

**ASSEMBLY BILL NO. 260—Gordon (Principal coauthor: Senator Hill) (Coauthors: Ammiano, Mullin, and Ting) (Coauthor: Senator Leno).** An act to amend Sections 8335.5, 8335.7, 8344, and 8346 of, and to add Article 15.4 (commencing with Section 8347) to Chapter 2 of Part 5 of Division 1 of Title 1 of the Education Code, relating to child care and development services.

**ASSEMBLY BILL NO. 261—Chesbro.** An act to add Section 1569.652 to the Health and Safety Code, relating to residential care facilities for the elderly.

**ASSEMBLY BILL NO. 262—Waldron.** An act to amend Section 56001 of the Government Code, relating to local government.

**ASSEMBLY BILL NO. 263—Roger Hernández.** An act to add Section 1171.7 to the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 264—Maienschein.** An act relating to homelessness.

**ASSEMBLY BILL NO. 265—Gatto.** An act to add Section 831.7.5 to the Government Code, relating to local government liability.

**ASSEMBLY BILL NO. 266—Blumenfield.** An act to amend Sections 5205.5 and 21655.9 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 267—Chau.** An act to amend Section 912 of the Evidence Code, and to add Article 3.5 (commencing with Section 963) to Chapter 4 of Division 8 of the Evidence Code, relating to evidentiary privileges.

**ASSEMBLY BILL NO. 268—Holden.** An act to amend Section 123130 of the Health and Safety Code, relating to health records.

**ASSEMBLY BILL NO. 269—Grove.** An act to repeal and add Section 3117 of the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 270—Bradford.** An act to add Sections 589 and 747.6 to the Public Utilities Code, relating to public utilities.

**ASSEMBLY BILL NO. 271—Mitchell.** An act to add Section 11270.5 to, and to repeal Section 11450.04 of, the Welfare and Institutions Code, relating to CalWORKs.

**ASSEMBLY BILL NO. 272—Gomez.** An act to amend Section 121690 of the Health and Safety Code, relating to rabies.

**ASSEMBLY BILL NO. 273—Rendon.** An act relating to child care and development services.

**AUTHOR'S AMENDMENTS**  
**Committee on Transportation**

February 7, 2013

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 64

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

LOWENTHAL, Chair

**ASSEMBLY BILL NO. 64**—An act to repeal Chapter 8 (commencing with Section 38600) of Division 16.5 of the Vehicle Code, relating to vehicles.

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: February 7, 2013

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 8

Assembly Concurrent Resolution No. 9

Assembly Joint Resolution No. 8

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 11, 2013, out of respect to the memory of Leon "Lee" Valentine on motion of Assembly Member Donnelly; out of respect to the memory of Hon. Nolan Frizzelle on motion of Assembly Members Jones and Beth Gaines; out of respect to the memory of Ruby M. Hicks on motion of Assembly Member Lowenthal; out of respect to the memory of Maggie Gee on motion of Assembly Member Skinner; out of respect to the memory of John F. "Lefty" Collins on motion of Assembly Member Buchanan; out of respect to the memory of Robin Woodall Hutto on motion of Assembly Members Chesbro and Mullin; out of respect to the memory of Edward M. Davis on motion of Assembly Member Gordon; and out of respect to the memory of R. Thomas Rische, Steve Zucker, and William Carl Horst on motion of Assembly Member Muratsuchi.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 7, 2013**

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

<b>AB</b>	<b>RN</b>
64	1305418

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>9</b>

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