

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 9, 2015

TWENTY-SECOND SESSION DAY

SEVENTY-FIRST 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
Monday, February 9, 2015

The Assembly met at 12 noon.
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, 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 Mullin declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—77:

Achadjian	Daly	Jones	Quirk
Alejo	Dodd	Jones-Sawyer	Rendon
Allen	Eggman	Kim	Ridley-Thomas
Baker	Frazier	Lackey	Rodriguez
Bloom	Gaines	Levine	Salas
Bonilla	Gallagher	Linder	Santiago
Bonta	Garcia, C.	Lopez	Steinorth
Brough	Garcia, E.	Low	Stone
Brown	Gatto	Maienschein	Thurmond
Burke	Gipson	Mathis	Ting
Calderon	Gomez	Mayes	Wagner
Campos	Gonzalez	McCarty	Waldron
Chang	Gordon	Medina	Weber
Chau	Gray	Melendez	Wilk
Chávez	Grove	Mullin	Williams
Chiu	Hadley	Obernolte	Wood
Chu	Harper	O'Donnell	Mme. Speaker
Cooper	Hernández	Olsen	
Dababneh	Holden	Patterson	
Dahle	Irwin	Perea	

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG DEFERRED

Speaker pro Tempore Mullin was granted unanimous consent that the prayer and the pledge of allegiance to the Flag be deferred until later in today's Session.

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 Holden, seconded by Assembly Member Olsen.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

Because of illness, per diem waived for the 2015–16 Session (Assembly Journal, page 62): Assembly Member Cooley.

Because of illness: Assembly Members Bigelow and Nazarian.

SPECIAL COMMITTEE MEETINGS

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

Revenue and Taxation, on Monday, February 23, 2015, at 1:30 p.m., in Room 126;

Veterans Affairs, on Tuesday, February 17, 2015, at 2 p.m., in Room 437;

Budget Subcommittee No. 1 on Health and Human Services, to move its meeting time and room on Wednesday, March 11, 2015, from 3 p.m. to 1:30 p.m., from Room 4202 to 437;

Budget Subcommittee No. 2 on Education Finance, to move its meeting time on Tuesday, March 3, 2015, from 9 a.m. to 1:30 p.m., in Room 444;

Budget Subcommittee No. 5 on Public Safety, to move from Room 444 on Wednesday, March 11, 2015, at 1:30 p.m., to Room 437.

REQUEST FOR PHOTOGRAPHER

Assembly Members Brown, Gonzalez, Jones-Sawyer, Low, and Steinorth were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Jones-Sawyer was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber, on the Assembly Floor, and at the Rostrum for the ceremony today in observance of Black History Month.

Assembly Member Gonzalez was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest in the Assembly Chamber.

Assembly Member Brown was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at her desk, whereupon she introduced her husband of 52 years, Hardy Brown, and her brother-in-law, Vincent Brown.

Assembly Member Low 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, whereupon he introduced his father, Dr. Art Low.

Assembly Member Steinorth 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, whereupon he introduced his daughter, Madison.

RECESS

By unanimous consent, at 12:11 p.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Gonzalez introduced Miss California 2014, Marina Inserra.

* * *

Speaker pro Tempore Mullin introduced Charles E. Bell, Chief Sergeant at Arms of the Assembly from 1983 to 1996, the first African-American to serve in that capacity.

RECONVENED

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

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

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Member Cheryl R. Brown, of the 47th Assembly District:

Lord, Through Your teachings, we know that faith is being sure of what we hope for and certain of what we don't see (Hebrews 11:1). We know that much of America's rich history is based on this faith—faith in our inalienable rights, faith in our founding fathers, and faith in our Constitution. However, Lord, this faith has not gone untested. The test of slavery—the test of segregation, lynchings, and discrimination—have all challenged the faith upon which this nation was founded. These bitter trials, however, have not tested our faith in You, Lord, and we have found strength in Your eternal love.

Therefore, as we celebrate Black History Month and highlight the many contributions that African-Americans have made to this country, we ask that You give us Your guidance and help us remember these important moments and people. To forget our history, our Black history, which is an integral part of our American history, is to forget the blessings and love that You bestowed upon us as we endured the trials, triumphs, and tragedies that shaped our country. As we continue to weather these storms, Lord, we ask that You bless us and continue to lead us through our faith in You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Burke then led the Assembly in the pledge of allegiance to the Flag.

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>
74 -----	Hum. S. and Aging & L.T.C.
188 -----	Hum. S.
189 -----	A.,E.,S.,T., & I.M. and L. Gov.
193 -----	Health and Jud.
194 -----	Trans.
195 -----	Pub. S. and P. & C.P.
197 -----	U. & C. and Nat. Res.
198 -----	Trans.
199 -----	Nat. Res.
200 -----	Higher Ed.
201 -----	L. Gov. and Pub. S.
202 -----	L. & E. and A.,E.,S.,T., & I.M.
203 -----	Nat. Res.
204 -----	L. Gov. and H. & C.D.
205 -----	Jud.
206 -----	Higher Ed.
207 -----	Ed.
209 -----	Rev. & Tax.
210 -----	Trans.
211 -----	Hum. S.
215 -----	Ed.
216 -----	G.O.
217 -----	Jud.
218 -----	Trans.
219 -----	L. & E.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
13 -----	Rls.
14 -----	Trans.
15 -----	Rls.
16 -----	Trans.
17 -----	Rls.
18 -----	Rls.
19 -----	Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
6 -----	Rls.

Senate Concurrent

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 6 (Jones-Sawyer)—Relative to Black History Month.

Resolution read.

Assembly Rule 112 Suspended

Assembly Member Alejo was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

UNANIMOUS CONSENT GRANTED

Assembly Member Jones-Sawyer was granted unanimous consent to allow Assembly Member McCarty, member of the California Legislative Black Caucus, to close Assembly Concurrent Resolution No. 6 for Assembly Member Jones-Sawyer.

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

Assembly Member McCarty, on behalf of Assembly Member Jones-Sawyer, 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, Alejo, Travis Allen, Atkins, Baker, Bloom, Bonilla, Bonta, Brough, Brown, Burke, Calderon, Campos, Chang, Chau, Chávez, Chiu, Chu, Cooper, Dababneh, Dahle, Daly, Dodd, Eggman, Frazier, Beth Gaines, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gonzalez, Gordon, Gray, Grove, Hadley, Harper, Roger Hernández, Holden, Irwin, Jones, Kim, Lackey, Levine, Linder, Lopez, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Obernolte, O'Donnell, Olsen, Patterson, Perea, Quirk, Rendon, Ridley-Thomas, Rodriguez, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Wagner, Waldron, Weber, Wilk, Williams, and Wood.

Request for Unanimous Consent

Assembly Member McCarty 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 Black History Month.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

RECESS IN RECOGNITION OF BLACK HISTORY MONTH

By unanimous consent, at 12:55 p.m., Speaker pro Tempore Mullin, declared the Assembly recessed to permit the introduction of special guests in recognition of Black History Month.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Speaker pro Tempore Mullin appointed Assembly Members Burke, Brown, Cooper, Gipson, Holden, Jones-Sawyer, McCarty, Ridley-Thomas, Thurmond, and Weber; and Senators Hall and Mitchell, as a Joint Committee on Escort to escort the honorees to the Rostrum.

RESOLUTIONS PRESENTED TO BLACK HISTORY MONTH HONOREES

The following honorees were introduced and escorted to the front of the Assembly Chamber, whereupon they were greeted by Speaker Atkins; Chair of the California Legislative Black Caucus, Assembly Member Jones-Sawyer; Republican Leader, Assembly Member Olsen; and Vice Chair of the California Legislative Black Caucus, Senator Hall, and were presented with a Members' Resolution:

Dr. David L. Covin, Ph.D., escorted by Assembly Member McCarty;
 Dr. Ephraim Williams, escorted by Assembly Member Cooper;
 Dr. Gibor Basri, Ph.D., escorted by Assembly Member Thurmond;
 Joan Williams, escorted by Assembly Member Holden;
 Donald Griggs, escorted by Assembly Member Brown;
 Henry Porter, Jr., escorted by Assembly Member Burke;
 Pastor Reginald Pope, escorted by Assembly Member Gipson;
 Bob and Ardelle Matthews, escorted by Assembly Member Weber;
 Ayuko Babu, escorted by Senator Mitchell;

Dr. Keith Black, unable to attend today's ceremony, was represented by Liza Kirkland, escorted by Assembly Member Ridley-Thomas;

Hon. Aja Brown, escorted by Senator Hall; and

Jacquelyn "Jackie" Dupont-Walker, escorted by Assembly Member Jones-Sawyer.

APPRECIATION EXPRESSED

Assembly Member Jones-Sawyer, Chair of the California Legislative Black Caucus, thanked the Members of the Assembly and special guests for their participation in today's ceremony in recognition of Black History Month.

BLACK HISTORY MONTH ANNOUNCEMENTS

Assembly Member Jones-Sawyer, Chair of the California Legislative Black Caucus made the following announcements relative to Black History Month events:

A copy of the book *Controversy and Hope: The Civil Rights Photographs of James Karales* by authors Julian Cox, Rebekah Jacob, and Monica Karales, has been placed on each Member's desk.

Two exhibits are on display in the Capitol Rotunda. The first, *A Century of Black Culture, History, and Life*; and the second, civil rights era editions of *Ebony* and *Jet* magazines.

The PBS documentary *Eyes on the Prize* will be shown in the Capitol Museum theater on Fridays.

A screening of the documentary *Forgotten Four: The Integration of Pro Football*, will be shown on Tuesday, February 10th.

A screening of the feature film *Selma* will be shown on Tuesday, February 17th.

Members are invited to personally greet today's honorees at a reception in their honor in the Willie L. Brown, Jr. Conference Room upon adjournment of Session.

RECONVENED

At 1:17 p.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Members Burke and Jones-Sawyer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Sifford, Presidential Medal of Freedom recipient, resident of Brecksville, Ohio.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Tuesday, February 10, 2015, Check-in Session, 7 a.m.–3 p.m.;
 Wednesday, February 11, 2015, Check-in Session, 7 a.m.–3 p.m.;
 Thursday, February 12, 2015, Check-in Session, 7 a.m.–3 p.m.;
 Friday, February 13, 2015, Floor Session, 9 a.m.;
 Monday, February 16, 2015, Presidents' Day Holiday.

ADJOURN IN MEMORY

Assembly Member O'Donnell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Albertson of Long Beach.

MOTION TO ADJOURN

At 1:21 p.m., Assembly Member Holden moved that the Assembly do now adjourn.

Assembly Member Waldron seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:21 p.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. 244—Eggman (Coauthor: Brown). An act to amend Section 2920.5 of the Civil Code, relating to mortgages and deeds of trust.

ASSEMBLY BILL NO. 245—Lackey. An act to amend Section 14026 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 246—Roger Hernández. An act to amend Section 422.55 of the Penal Code, relating to hate crimes.

ASSEMBLY BILL NO. 247—Waldron. An act to amend Section 830 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 248—Roger Hernández. An act to add Section 1367.010 to the Health and Safety Code, and to add Section 10112.9 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 249—Obernalte. An act to amend Section 1237 of, and to add Section 1237.2 to, the Penal Code, relating to appeals.

ASSEMBLY BILL NO. 250—Obernalte. An act to amend Section 2290.5 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 251—Levine (Coauthor: Chau). An act to amend Section 1720 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 252—Holden. An act to add and repeal Section 52245 of the Education Code, relating to pupil instruction.

ASSEMBLY BILL NO. 253—Roger Hernández. An act relating to mental health.

ASSEMBLY BILL NO. 254—Roger Hernández. An act to amend Sections 1000, 1301, and 13112 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 255—Irwin. An act to add Sections 73.5 and 73.6 to the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 256—Jones-Sawyer. An act to amend Section 141 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 257—Achadjian. An act to amend Section 1409 of the Financial Code, relating to banking.

ASSEMBLY BILL NO. 258—Levine (Principal coauthor: Senator Leno) (Coauthor: Quirk) (Coauthor: Senator Hancock). An act to add Section 7151.36 to the Health and Safety Code, relating to organ transplants.

ASSEMBLY BILL NO. 259—Dababneh. An act to amend Section 1798.29 of the Civil Code, relating to personal information privacy.

ASSEMBLY BILL NO. 260—Lopez. An act to amend Sections 300 and 16002.5 of, and to add Section 825.5 to, the Welfare and Institutions Code, relating to foster care.

ASSEMBLY BILL NO. 261—Travis Allen. An act to amend Section 22972 of the Business and Professions Code, relating to cigarettes and tobacco products.

ASSEMBLY BILL NO. 262—Lackey. An act to amend Section 290 of the Penal Code, relating to sex offenders.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 20—Mark Stone. Relative to California Court Reporting and Captioning Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 21—Obernalte. Relative to the Rim of the World Veterans Memorial Highway.

AUTHOR'S AMENDMENTS **Committee on Higher Education**

February 9, 2015

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

Assembly Bill No. 174

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

MEDINA, Chair

ASSEMBLY BILL NO. 174—An act relating to the University of California, and making an appropriation therefor.

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.

REFERRAL OF BILLS TO COMMITTEE

By unanimous consent, the following bill was referred to committee:
Assembly Concurrent

Resolution No. *Committee*
20 ----- Rls.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: February 9, 2015

Mme. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 11
With the recommendation: Be adopted.

GORDON, Chair

Above resolution ordered to third reading.

Date of Hearing: February 9, 2015

Mme. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 4
With the recommendation: Be adopted.

GORDON, Chair

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

Above resolution ordered to Consent Calendar.

MESSAGES FROM THE SENATE

Senate Chamber, February 9, 2015

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Senate Concurrent Resolution No. 5
- Senate Concurrent Resolution No. 6
- Senate Concurrent Resolution No. 10

DANIEL ALVAREZ, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

- SENATE CONCURRENT RESOLUTION NO. 5**—Relative to Mentoring Month.
- SENATE CONCURRENT RESOLUTION NO. 6**—Relative to a sister state relationship with Santa Fe, Argentina.
- SENATE CONCURRENT RESOLUTION NO. 10**—Relative to the Lunar New Year Celebration.

INTRODUCTION OF GUESTS

Assembly Member Campos, of the 27th Assembly District, introduced high school and college students in the California Youth Connection representing foster youth throughout the state.

Assembly Member Dodd, of the 4th Assembly District, introduced guests from Aldea Children’s Art Therapy Program accompanied by Art Coordinator, Al Freidman. The Aldea Children’s Art Therapy Annual Calendar is on display in the Basement Rotunda.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Holden, the Assembly adjourned until 7 a.m., Tuesday, February 10, 2015, out of respect to the memory of Charles Sifford on motion of Assembly Members Burke and Jones-Sawyer; and out of respect to the memory of John Albertson on motion of Assembly Member O'Donnell.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 9, 2015**

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

AB	RN	
174	1504142	
Daily Total:		1
Cumulative Total:		5

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