

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, February 10, 2014**

**ONE HUNDRED FORTY-NINTH SESSION DAY  
FOUR HUNDRED THIRTY-FIFTH 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  
Monday, February 10, 2014

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 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, 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 12:03 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—76:

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

**PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG DEFERRED**

Speaker pro Tempore Campos 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 V. Manuel Pérez, 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:

*Because of illness: Assembly Members Bonilla, Roger Hernández, and Muratsuchi.*

*Because of a death in her family: Assembly Member Quirk-Silva.*

**COMMUNICATIONS**

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

February 10, 2014

*E. Dotson Wilson*

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

Dear Dotson: Please be advised that I have established the Select Committee on Mental and Behavioral Health for the 2013–14 Regular Session and have appointed the following membership:

Assemblymember Sebastian Ridley-Thomas, Chair  
Assemblymember Rocky Chávez  
Assemblymember Jimmy Gomez  
Assemblymember Brian Maienschein  
Assemblymember Mark Stone  
Assemblymember Scott Wilk  
Assemblymember Mariko Yamada

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

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

Environmental Safety and Toxic Materials, to convene jointly with the Committee on Health, on Tuesday, February 18, 2014, at 1:30 p.m., or upon adjournment of Floor Session;

Budget Subcommittee No. 1 on Health and Human Services, to convene jointly with Budget Subcommittee No. 2 on Education Finance, on Tuesday, March 11, 2014, at 9 a.m.;

Select Committee on Local Emergency Preparedness, on Friday, February 28, 2014, at 10 a.m.;

Budget Subcommittee No. 4 on State Administration, to convene jointly with the Select Committee on Government Efficiency, Technology and Innovation, on Thursday, March 20, 2014, upon adjournment of Floor Session in Room 437;

Select Committee on the Status of Boys and Men of Color in California, on Friday, February 21, 2014, at 2 p.m., at the Elihu Harris State Building in Oakland.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 10, 2014

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

Assembly Concurrent Resolution No. 85

Assembly Concurrent Resolution No. 88

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

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

Assembly Member Achadjian and Speaker Pérez were 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.

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.

**RE-REFERENCE OF BILLS  
PURSUANT TO ASSEMBLY RULE 96(a)**

Assembly Member V. Manuel Pérez was granted unanimous consent that the following bill be re-referred as noted pursuant to Assembly Rule 96(a):

Senate Bill No. 270 from the Committee on Labor and Employment to the Committee on Rules.

**BILLS ORDERED RETURNED TO SENATE**

Assembly Member V. Manuel Pérez was granted unanimous consent that Assembly Bill No. 467 be ordered returned to the Senate for further action.

**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 Achadjian introduced Jeff Armstrong, President, Cal Poly, San Luis Obispo, and Jason Colombini, President, Associated Students, Inc.

Assembly Member Achadjian recognized award-winning Cal Poly students present in the Gallery.

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Assembly Member Yamada welcomed participants in the Aldea Family Services Art Therapy Program, and displayed the annual Aldea Art Therapy Calendar.

**RECONVENED**

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

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

**PRAYER**

Upon invitation of Speaker pro Tempore Campos, the following prayer was offered by Assembly Member Isadore Hall III, of the 64th Assembly District:

*Lord, Thank You for blessing us this day with health, with hope, and with unity.*

Thank You for the opportunity to stand before You and the people of this great state in honoring our shared history and our shared commitment to protect and defend all Californians.

Thank You for giving this great body time to pause, to reflect, and to recognize the many gifts that African Americans have made and continue to make to our state and to our nation.

We ask You to give all that serve in this chamber the courage to build a California that respects the contributions of all people, and protects the rights of all people, regardless of where we come from, what we do, or who we love.

We ask this in Your name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Campos, Assembly Member Ridley-Thomas then led the Assembly in the pledge of allegiance to the Flag.

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

**HOUSE RESOLUTION NO. 28 (Jones-Sawyer)**—Relative to Black History Month.

Resolution read.

**Members Made Coauthors of  
House Resolution No. 28**

Assembly Member Jones-Sawyer was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of House Resolution No. 28.

**Additional Coauthors**

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

Achadjian, Alejo, Allen, Ammiano, Atkins, Bigelow, Bloom, Bocanegra, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chávez, Chesbro, Conway, Cooley, Dababneh, Dahle, Daly, Dickinson, Donnelly, Eggman, Fong, Fox, Frazier, Beth Gaines, Garcia, Gatto, Gomez, Gonzalez, Gordon, Gorell, Gray, Hagman, Hall, Harkey, Holden, Levine, Linder, Logue, Lowenthal, Maienschein, Medina, Melendez, Morrell, Mullin, Nazarian, Nestande, Olsen, Pan, Patterson, Perea, John A. Pérez, V. Manuel Pérez, Quirk, Rendon, Ridley-Thomas, Rodriguez, Salas, Skinner, Stone, Ting, Waldron, Weber, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Jones-Sawyer was granted unanimous consent to take up House Resolution No. 28, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of House Resolution No. 28, as Amended**

**HOUSE RESOLUTION NO. 28**—Relative to Black History Month.

Resolution read, as amended, and adopted.

**RECESS IN RECOGNITION OF BLACK HISTORY MONTH**

By unanimous consent, at 12:52 p.m., Speaker pro Tempore Campos, declared the Assembly recessed to permit the introduction of special guests in recognition of Black History Month.

**APPOINTMENT OF SELECT COMMITTEE ON ESCORT**

Speaker pro Tempore Campos appointed Assembly Members Bradford, Brown, Hall, Holden, Jones-Sawyer, and Weber as a Select 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 Pérez and Senator Mitchell, Chair of the California Legislative Black Caucus, and were presented with a Senate Members' Resolution:

Harold Brown, escorted by Assembly Member Weber;  
Sharon Cooper, escorted by Assembly Member Brown;  
Dolores Hickambottom, escorted by Assembly Member Holden;  
Anetta Kelly Lawrence, escorted by Assembly Member Bradford;  
Jefferson Thomas, represented by his sister, Ruth Sawyer, escorted by her son, Assembly Member Jones-Sawyer; and  
Dr. Clarence B. Jones, escorted by Assembly Member Hall.

**BLACK HISTORY MONTH HONOREE RECOGNIZED POSTHUMOUSLY**

Juanita Moore was honored posthumously.

**GUEST SPEAKER PRESENTED**

Speaker pro Tempore Campos presented Dr. Clarence B. Jones, Visiting Professor at the University of San Francisco and Scholar Writer in Residence for the Martin Luther King, Jr., Research and Education Institute at Stanford University, to the assemblage, whereupon he delivered the keynote address to the Members of the Assembly and the Black History Month Honorees.

Speaker pro Tempore Campos, on behalf 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 and announced the exhibit of *Unsung Heroes* in the Capitol Rotunda until February 14th, and the exhibit of civil rights era editions of *Ebony* and *Jet* magazines beginning February 17th. A screening of the documentary *American Promise* will be held at the Guild Theater in Sacramento on February 19th.

**RECONVENED**

At 1:05 p.m., the Assembly reconvened.

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

**RECESS**

By unanimous consent, at 1:06 p.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of a special guest.

Speaker Pérez welcomed Hon. Bi-Ling Kuan, Ph.D., member of the Legislative Yuan of the Republic of Taiwan.

**RECONVENED**

At 1:07 p.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 471 (Atkins)**—An act to amend Section 53395.4 of the Government Code, and to amend Sections 34171, 34177, 34191.4, and 34191.5 of the Health and Safety Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

Achadjian	Dababneh	Harkey	Perea
Alejo	Dahle	Holden	Pérez, V.M.
Allen	Daly	Jones	Quirk
Ammiano	Dickinson	Jones-Sawyer	Rendon
Atkins	Donnelly	Levine	Ridley-Thomas
Bigelow	Eggman	Linder	Rodriguez
Bloom	Fong	Logue	Salas
Bocanegra	Fox	Lowenthal	Skinner
Bonta	Frazier	Maienschein	Stone
Bradford	Gaines	Mansoor	Ting
Brown	Garcia	Medina	Wagner
Buchanan	Gatto	Melendez	Waldron
Calderon	Gomez	Morrell	Weber
Campos	Gonzalez	Mullin	Wieckowski
Chau	Gordon	Nazarian	Wilk
Chávez	Gorell	Nestande	Williams
Chesbro	Grove	Olsen	Yamada
Conway	Hagman	Pan	Mr. Speaker
Cooley	Hall	Patterson	

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—75**

Achadjian	Dababneh	Harkey	Perea
Alejo	Dahle	Holden	Pérez, V.M.
Allen	Daly	Jones	Quirk
Ammiano	Dickinson	Jones-Sawyer	Rendon
Atkins	Donnelly	Levine	Ridley-Thomas
Bigelow	Eggman	Linder	Rodriguez
Bloom	Fong	Logue	Salas
Bocanegra	Fox	Lowenthal	Skinner
Bonta	Frazier	Maienschein	Stone
Bradford	Gaines	Mansoor	Ting
Brown	Garcia	Medina	Wagner
Buchanan	Gatto	Melendez	Waldron
Calderon	Gomez	Morrell	Weber
Campos	Gonzalez	Mullin	Wieckowski
Chau	Gordon	Nazarian	Wilk
Chávez	Gorell	Nestande	Williams
Chesbro	Grove	Olsen	Yamada
Conway	Hagman	Pan	Mr. Speaker
Cooley	Hall	Patterson	

**NOES—None**

Bill ordered enrolled.



**ADJOURN IN MEMORY**

Assembly Members Ammiano and Ting were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stu Smith of San Francisco.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Fong was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alain Dang of Cupertino.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Speaker pro Tempore Campos announced the following session schedule:

Tuesday, February 11, 2014, Check-in Session, 7 a.m.–3 p.m.;  
Wednesday, February 12, 2014, Check-in Session, 7 a.m.–3 p.m.;  
Thursday, February 13, 2014, Check-in Session, 7 a.m.–3 p.m.;  
Friday, February 14, 2014, Floor Session, 9 a.m.;  
Monday, February 17, 2014, President's Day Holiday;  
Tuesday, February 18, 2014, Floor Session, 12 noon;  
Wednesday, February 19, 2014, Check-in Session, 7 a.m.–3 p.m.;  
Thursday, February 20, 2014, Floor Session, 9 a.m.;  
Friday, February 21, 2014, No session; Last day to introduce bills.

**ADJOURN IN MEMORY**

Assembly Member Bloom was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Liz Blackwelder of La Cañada Flintridge.

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 Rev. Dr. Zacchaeus Dunham, Sr. (Papa Dunham) of Stockton.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Assembly Bill No. 471, Urgency and Concurrence:** Bloom and Fox—Aye.

**MOTION TO ADJOURN**

At 1:16 p.m., Assembly Member V. Manuel Pérez moved that the Assembly do now adjourn.

Assembly Member Fox seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 1:16 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. 1623—Atkins.** An act to add Title 5.3 (commencing with Section 13750) to Part 4 of the Penal Code, relating to family justice centers.

**ASSEMBLY BILL NO. 1624—Gordon.** An act to amend Section 379.6 of the Public Utilities Code, relating to electricity.

**ASSEMBLY BILL NO. 1625—Nazarian.** An act to add Section 8753.6 to the Government Code, relating to state government, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1626—Maienschein (Principal coauthor: Atkins) (Coauthors: Chesbro, Salas, and Weber).** An act to amend Section 4860 of the Welfare and Institutions Code, relating to developmental services.

**ASSEMBLY BILL NO. 1627—Gomez.** An act to add Section 6102 to the Government Code, relating to state government.

**ASSEMBLY BILL NO. 1628—Fox.** An act to amend Section 3104 of the Family Code, relating to visitation rights.

**ASSEMBLY BILL NO. 1629—Bonta.** An act to amend Sections 13951 and 13957 of the Government Code, relating to crime victims, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1630—Alejo (Coauthor: Stone) (Coauthor: Senator Monning).** An act to amend Section 13350 of the Water Code, relating to water quality, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1631—Chávez.** An act to add Section 322.5 to the Unemployment Insurance Code, relating to identity theft.

**ASSEMBLY BILL NO. 1632—Olsen.** An act to amend Section 1253 of the Water Code, relating to water rights.

**ASSEMBLY BILL NO. 1633—Ammiano.** An act to amend Section 6027 of the Penal Code, relating to criminal law.

**ASSEMBLY BILL NO. 1634—Skinner (Principal coauthor: Senator Hancock) (Coauthors: Ammiano, Bonta, Gonzalez, Quirk, Ting, and Wieckowski).** An act to amend Section 6600 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 1635—Brown.** An act to amend Sections 114975, 114985, 115000.1, 115060, 115061, 115080, and 115145 of, and to add and repeal Section 114986 of, the Health and Safety Code, relating to radioactive materials.

**ASSEMBLY BILL NO. 1636—Brown.** An act to add Section 379 to the Water Code, relating to water.

**MESSAGES FROM THE SENATE**

Senate Chamber, February 10, 2014

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

Senate Concurrent Resolution No. 76

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 76**—Relative to Black History Month.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member V. Manuel Pérez, the Assembly adjourned until 7 a.m., Tuesday, February 11, 2014, out of respect to the memory of Stu Smith on motion of Assembly Members Ammiano and Ting; out of respect to the memory of Alain Dang on motion of Assembly Member Fong; out of respect to the memory of Liz Blackwelder on motion of Assembly Member Bloom; and out of respect to the memory of Rev. Dr. Zacchaeus Dunham, Sr., on motion of Assembly Member Eggman.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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