

CALIFORNIA LEGISLATURE  
2015–16 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 10, 2015**  
**TWENTY-THIRD SESSION DAY**  
**SEVENTY-SECOND CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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  
Tuesday, February 10, 2015

The Assembly met at 7 a.m.

Hon. Scott Wilk, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Kathleen M. Lewis reading.

#### ROLLCALL

The following were placed upon the morning rollcall—72:

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

Quorum present.

**At 12:56 p.m., Hon. Reginald B. Jones-Sawyer, Sr., 59th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Campos, Mathis, and Perea.*

*On personal business, and waiving per diem: Assembly Member Irwin.*

*Because of illness: Assembly Members Travis Allen, Bigelow, and Nazarian.*

*Because of a travel delay: Assembly Member Dababneh.*

**EXPLANATIONS OF ABSENCE**

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

February 2, 2015

*The Honorable Toni G. Atkins*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Atkins: I respectfully request permission to be excused from Check-in Session on Tuesday, February 10, 2015, for legislative business.

Sincerely,

NORA CAMPOS, Assembly Member  
Twenty-seventh District

February 10, 2015

*The Honorable Toni G. Atkins*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Atkins: I respectfully request permission to be excused from Check-in Session on Tuesday, February 10, 2015, for legislative business. My district hosts the World Ag Expo. On February 10th the Ag Expo will hold opening ceremonies and I have been invited as the local Assembly Member. Thank you for your consideration.

Sincerely,

DEVON MATHIS, Assembly Member  
Twenty-sixth District

January 29, 2015

*The Honorable Toni G. Atkins*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Madame Speaker: I respectfully request permission to be excused from Check-in Session on Tuesday, February 10, 2015, due to legislative business to include speaking at the World Agriculture Expo. Thank you for your consideration of this request. Please contact my office at (916) 319-2031 should any questions arise.

Respectfully submitted,

HENRY T. PEREA, Assembly Member  
Thirty-first District

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 10, 2015

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

Dear Dotson: Please be advised that I have established and appointed chairs to the following Select Committees for the 2015–16 Regular Session:

*Select Committee on Aerospace*

Assemblymember Patrick O'Donnell, Chair

*Select Committee on Asia/California Trade and Investment Promotion*

Assemblymember Philip Y. Ting, Chair

*Select Committee on Biotechnology*

Assemblymember Kevin Mullin, Chair

*Select Committee on California's Clean Energy Economy*

Assemblymember Bill Quirk, Chair

*Select Committee on California-Mexico Bi-National Affairs*

Assemblymember Jose Medina, Chair

*Select Committee on Campus Climate*

Assemblymember Shirley N. Weber, Chair

*Select Committee on Career Technical Education and Building a 21st Century Workforce*

Assemblymember Autumn R. Burke, Chair

*Select Committee on Civic Engagement*

Assemblymember Susan Talamantes Eggman, Chair

*Select Committee on Coastal Protection*

Assemblymember Mark Stone, Chair

*Select Committee on Community and Law Enforcement Relations and Responsibilities*

Assemblymember Jim Cooper, Chair

*Select Committee on Craft Brewing and Distilling*

Assemblymember Marc Levine, Chair

*Select Committee on Cybersecurity*

Assemblymember Jacqui Irwin, Chair

*Select Committee on the Digital Divide in Rural California*

Assemblymember Jim Wood, Chair

*Select Committee on Emerging Technologies*

Assemblymember Ed Chau, Chair

*Select Committee on Expanding Access to California's Natural Resources*

Assemblymember Mark Stone, Chair

*Select Committee on Foster Care*

Assemblymember Ken Cooley, Chair

*Select Committee on Higher Education in San Diego County*

Assemblymember Shirley N. Weber, Chair

*Select Committee on Homelessness*

Speaker Toni G. Atkins, Chair

*Select Committee on Infectious Diseases in High Risk Disadvantaged Communities*

Assemblymember Mike A. Gipson, Chair

*Select Committee on Local Emergency Preparedness*

Assemblymember Freddie Rodriguez, Chair

*Select Committee on Mental and Behavioral Health and Proposition 63 Implementation*

Assemblymember Sebastian Ridley-Thomas, Chair

*Select Committee on Ports*

Assemblymember Patrick O'Donnell, Chair

*Select Committee on Rail*

Assemblymember Adam C. Gray, Chair

*Select Committee on Regional Approaches to Addressing the State's Water Crisis*

Assemblymember Rudy Salas, Jr., Chair

*Select Committee on Regional Transportation and Interconnectivity Solutions*

Assemblymember Chris R. Holden, Chair

*Select Committee on Renewable Energy Development and Restoration of the Salton Sea*

Assemblymember Eduardo Garcia, Chair

*Select Committee on Science, Technology, Engineering and Math Education*

Assemblymember Susan A. Bonilla, Chair

*Select Committee on Small Business in the Inland Empire*

Assemblymember Cheryl R. Brown, Chair

*Select Committee on the Status of Boys and Men of Color*

Assemblymember Rob Bonta, Chair

Assemblymember Reginald Byron Jones-Sawyer, Sr., Chair

*Select Committee on Urban Planning and Land Use in Underserved Communities*

Assemblymember Reginald Byron Jones-Sawyer, Sr., Chair

*Select Committee on Urban Rivers and Streams*

Assemblymember Jimmy Gomez, Chair

*Select Committee on Waste Reduction and Recycling in the 21st Century California*

Assemblymember Richard S. Gordon, Chair

*Select Committee on Water Consumption and Alternative Sources*

Assemblymember Richard S. Gordon, Chair

*Select Committee on Wine*

Assemblymember Bill Dodd, Chair

*Select Committee on Women in the Workplace*

Assemblymember Lorena S. Gonzalez, Chair

*Select Committee on Women of Color*

Assemblymember Nora Campos, Chair

*Select Committee on Workforce and Vocational Development*

Assemblymember Rudy Salas, Jr., Chair

*Select Committee on Workforce Development and Diversity in the Innovation Economy*

Assemblymember Evan Low, Chair

*Select Committee on Youth and California's Future*

Assemblymember Ian C. Calderon, Chair

Sincerely,

TONI G. ATKINS  
Speaker of the Assembly**REPORTS**

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2014-124  
February 10, 2015

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the California State Auditor presents this audit report on two of the State's alternative energy and efficiency initiatives—the California Solar Initiative (solar initiative) and the Clean Air Vehicle Decal Program (decal program). Specifically, we were asked to evaluate the extent to which the goals of these programs are being achieved and who is benefitting the most from them.

This report concludes that the solar initiative, overseen by the California Public Utilities Commission (commission), will likely install enough solar energy systems to reach its 2016 goal of 1,940 megawatts of installed solar capacity, but other goals remain uncertain or inadequately quantified. For example, one goal is that the solar initiative should lead to pollution reduction benefits. Although a 2010 consultant's study concluded the solar initiative reduced smog-related emissions, it did not put those reductions in the context of the State's overall emissions, nor did it show how those reductions have resulted in measurable benefits to the State. Furthermore, some solar initiative

programs need further evaluation. For example, the commission established a Research, Development, Deployment and Demonstration Program (research program). Although the research program is nearly complete, the commission still has not selected a program evaluator to assess whether this program has contributed to solar initiative goals. Finally, the California Solar Initiative Thermal Program will not install enough solar water-heating systems to meet its goal by the time the program ends in 2017.

The goal of the decal program—administered by the California Air Resources Board (Air Resources Board), the California Department of Motor Vehicles (Motor Vehicles), the California Department of Transportation, and the California Highway Patrol—is to encourage Californians to drive clean air vehicles by allowing certain low-emission vehicles to travel in carpool lanes with just one occupant. Although we found that the participation in the decal program continues to grow, the Air Resources Board needs to measure the decal program's effect on air quality, and Motor Vehicles needs to conduct periodic cost analyses to ensure that decal fees cover all program costs.

Finally, although both programs track geographic information on participants, neither collects demographic data. Specific to the solar initiative, we found participation to be dispersed geographically throughout the State; however, the limited demographic data that exists shows that participants in the solar initiative tend to be older, wealthier, and have received more education than most Californians. As expected, participants in the decal program largely reside in the counties that have freeways with carpool lanes, such as Los Angeles and Santa Clara. With respect to the decal program, a recent consumer survey for a related incentive program for clean air vehicles found that although the ages of respondents are somewhat evenly distributed, most respondents were male and earned \$100,000 or more per year.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Utilities and Commerce and the Committee on Transportation.

#### **SPECIAL COMMITTEE MEETINGS**

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

Utilities and Commerce, Monday, March 16, 2015, at 2 p.m., in Sacramento;

Governmental Organization, to convene jointly with the Senate Governmental Organization Committee on Wednesday, February 25, 2015, at 1:30 p.m., in Room 4202.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 10, 2015

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
 Assembly Concurrent Resolution No. 11  
 And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, February 10, 2015

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
 Assembly Bill No. 174  
 And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 263—Patterson.** An act to amend Sections 25141 and 25150 of the Health and Safety Code, relating to hazardous waste.

**ASSEMBLY BILL NO. 264—Dahle.** An act to amend Section 56109 of the Food and Agricultural Code, relating to farm products.

**ASSEMBLY BILL NO. 265—Holden.** An act to amend Section 2983.37 of the Civil Code, relating to consumer protection.

**ASSEMBLY BILL NO. 266—Cooley (Coauthor: Lackey).** An act to amend Section 2220.05 of, to add Article 25 (commencing with Section 2525) to Chapter 5 of Division 2 of, and to add Part 5 (commencing with Section 18100) to Division 7 of, the Business and Professions Code, to add Section 23028 to the Government Code, to amend Section 11362.775 of, and to add Article 8 (commencing with Section 111658) to Chapter 6 of Part 5 of Division 104 of, the Health and Safety Code, and to amend Section 1155.7 of, and to add Sections 1158.5 and 3094 to, the Labor Code, relating to medical marijuana, and making an appropriation therefor.

**ASSEMBLY BILL NO. 267—Jones-Sawyer.** An act to add Section 858.2 to the Penal Code, relating to criminal procedure.

**ASSEMBLY BILL NO. 268—Dababneh.** An act to amend Section 22303 of the Financial Code, relating to consumer loans.

**ASSEMBLY BILL NO. 269—Waldron.** An act to amend Section 10095.5 of the Insurance Code, relating to insurance.

**ASSEMBLY BILL NO. 270—Nazarian.** An act to add Section 5164 to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

**ASSEMBLY BILL NO. 271—Oberholte (Coauthor: Senator Morrell).** An act to amend Section 8262.1 of, and to add Sections 8227.4 and 8227.5 to, the Education Code, relating to child care.

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 22—Dahle (Coauthors: Bigelow, Harper, Mark Stone, and Waldron) (Coauthor: Senator Ted Gaines).** Relative to Sierra Nevada Watershed Protection Week.

**ASSEMBLY JOINT RESOLUTION NO. 5—Dahle (Principal coauthor: Senator Vidak) (Coauthors: Bigelow, Dodd, and Waldron) (Coauthors: Senators Ted Gaines and Nielsen).** Relative to the federal Secure Rural Schools and Community Self-Determination Act of 2000.



**AUTHOR'S AMENDMENTS**  
**Committee on Public Safety**

February 10, 2015

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

Assembly Bill No. 150

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

QUIRK, Chair

**ASSEMBLY BILL NO. 150**—An act to amend Sections 490.2 and 496 of the Penal Code, relating to theft.

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.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 11, 2015.

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TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 10, 2015**

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

| <b>AB</b>                | <b>RN</b> |          |
|--------------------------|-----------|----------|
| 150                      | 1508787   |          |
| <b>Daily Total:</b>      |           | <b>1</b> |
| <b>Cumulative Total:</b> |           | <b>6</b> |

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