

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 11, 2013
TWENTY-SECOND SESSION DAY
SEVENTY-FIRST 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)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 11, 2013

The Assembly met at 12 noon.
Hon. Kevin Mullin, Assistant 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 Campos moved a quorum call of the Assembly.
Motion carried. Time, 12 noon.
The Assistant 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., Assistant Speaker pro Tempore Mullin declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—76:

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

PRAYER

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

Let us pray.

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 our nation.

Thank You for the sacrifice of blood, of tears, of unspeakable pain that millions have suffered, so that we may stand here today as one nation. We know that our work to heal the scars of the past is not over, and we recommit ourselves this day to build bridges of understanding.

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 they come from, what they do, or who they love.

We ask this in Your name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Mullin, Assembly Member Jones-Sawyer 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 personal business, and waiving per diem: Assembly Member Grove.

Because of illness: Assembly Members Bigelow, Eggman, and Roger Hernández.

COMMUNICATIONS

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

February 6, 2013

The Honorable John A. Pérez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Pérez: The Senate Rules Committee has made the following appointments to Joint Committees:

- Joint Committee on Arts (6)—Senators Ron Calderon, Cannella, De León, Emmerson, Liu, and Monning
- Joint Committee on Fairs, Allocation, and Classification (7)—Senators Cannella, Galgiani, Jackson, Padilla, Rubio, Walters and Wolk
- Joint Committee on Fisheries and Aquaculture (4)—Senators Block, Evans, Monning, and Nielsen
- Joint Committee on Legislative Audit (7)—Senators Lara (Vice Chair), Beall, Cannella, Fuller, Galgiani, Jackson, and Rubio
- Joint Committee on Rules (14)—Senators Cannella, Corbett, De León, Emmerson, Fuller, Hill, Huff, Jackson, Lara, Leno, Monning, Padilla, Steinberg, and Wright
- Joint Legislative Committee on Emergency Management (7)—Senators Jackson (Chair), Corbett, De León, Ted Gaines, Roth, Walters, and Wyland

Sincerely,

GREGORY P. SCHMIDT
 Secretary of the Senate

SPECIAL COMMITTEE MEETINGS

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

Higher Education, on Tuesday, February 19, 2013, at 1:30 p.m., in Room 437.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 11, 2013

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

Assembly Concurrent Resolution No. 8

Assembly Concurrent Resolution No. 9

Assembly Joint Resolution No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, February 11, 2013

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

Assembly Bill No. 64

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 Member Mitchell was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests on the Assembly Floor.

Assembly Member Quirk-Silva 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 in the Assembly Chamber.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 9 (Mitchell)—Relative to Black History Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 9**

Assembly Member Mitchell was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 9.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Mitchell was granted unanimous consent to take up Assembly Concurrent Resolution No. 9, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 9, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 9—Relative to Black History Month.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

At 12:19 p.m., Hon. Steven Bradford, 62nd District, presiding

RECESS IN RECOGNITION OF BLACK HISTORY MONTH

By unanimous consent, at 12:19 p.m., Acting Speaker Bradford, Member of the California Legislative Black Caucus, declared the Assembly recessed to permit the introduction of special guests in recognition of Black History Month.

Assembly Member Weber, Member of the California Legislative Black Caucus, introduced and welcomed the Kliptown Youth Program Gumboot Dancers of San Rafael, originally from Kliptown, a suburb of the township of Soweto in Gauteng, South Africa, whereupon they performed indigenous African songs and gumboot dances.

Assembly Member Levine, introduced Thulani Madondo, Executive Director of the Kliptown Youth Program, and CNN Top 10 Hero of the Year in 2012.

Acting Speaker Bradford, 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 an extended performance by the Kliptown Youth Program Gumboot Dancers in the Capitol Rotunda at 1 p.m.

RECONVENED

At 12:29 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY JOINT RESOLUTION NO. 8 (John A. Pérez)—Relative to violence against women.

Resolution read.

**Members Made Coauthors of
Assembly Joint Resolution No. 8**

Assembly Member John A. Pérez was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Joint Resolution No. 8.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member John A. Pérez was granted unanimous consent to take up Assembly Joint Resolution No. 8, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 8, as Amended

ASSEMBLY JOINT RESOLUTION NO. 8—Relative to violence against women.

Resolution read, as amended, and adopted by the following vote:

AYES—72

Achadjian	Cooley	Hueso	Perea
Allen	Dahle	Jones-Sawyer	Pérez, V. M.
Ammiano	Daly	Levine	Quirk
Atkins	Dickinson	Linder	Quirk-Silva
Bloom	Fong	Logue	Rendon
Blumenfield	Fox	Lowenthal	Salas
Bocanegra	Frazier	Maienschein	Skinner
Bonilla	Gaines	Medina	Stone
Bonta	Garcia	Melendez	Ting
Bradford	Gatto	Mitchell	Torres
Brown	Gomez	Morrell	Wagner
Buchanan	Gordon	Mullin	Waldron
Calderon	Gorell	Muratsuchi	Weber
Campos	Gray	Nazarian	Wieckowski
Chau	Hagman	Nestande	Wilk
Chávez	Hall	Olsen	Williams
Chesbro	Harkey	Pan	Yamada
Conway	Holden	Patterson	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 8 (Chávez)—Relative to Abraham Lincoln's birthday.

Resolution read.

Assembly Rule 112 Suspended

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

**Members Made Coauthors of
Assembly Concurrent Resolution No. 8**

Assembly Member Chávez was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 8.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Chávez was granted unanimous consent to take up Assembly Concurrent Resolution No. 8, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 8, as Amended
ASSEMBLY CONCURRENT RESOLUTION NO. 8—Relative to Abraham Lincoln's birthday.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Members Medina and Linder were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Michael Crain, Riverside Police Department, resident of Riverside.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Skinner announced that the Committee on Rules would meet today, upon adjournment of Floor Session, in the Tom Bane Rules Committee Room.

ANNOUNCEMENTS

Assistant Speaker pro Tempore Mullin announced the following session schedule:

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, Presidents' Day Holiday;
 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.;
 Friday, February 22, 2013, No session.

ADJOURN IN MEMORY

Assembly Member Grove was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jon Marshall of Bakersfield.

ADJOURN IN MEMORY

Assembly Member Quirk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William John Wilma of Hayward.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Assembly Joint Resolution No. 8: Wagner—Aye.

MOTION TO ADJOURN

At 1:08 p.m., Assembly Member Atkins moved that the Assembly do now adjourn.

Assembly Member Conway seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:08 p.m., Assistant 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. 274—Bonilla. An act relating to child care and development services.

ASSEMBLY BILL NO. 275—Alejo. An act to amend Section 54441.5 of the Education Code, relating to migrant education.

ASSEMBLY BILL NO. 276—Hueso. An act to amend Section 18926.5 of, and to add Sections 18923.5 and 18926.6 to, the Welfare and Institutions Code, relating to social services.

ASSEMBLY BILL NO. 277—Hall. An act to amend Section 19800 of the Business and Professions Code, relating to gaming.

ASSEMBLY BILL NO. 278—Gatto. An act to add Section 38566 to the Health and Safety Code, relating to greenhouse gases.

ASSEMBLY BILL NO. 279—Dickinson. An act to amend Sections 53601.8 and 53635.8 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 280—Alejo. An act to amend Section 53260 of the Government Code, relating to employment.

ASSEMBLY BILL NO. 281—Donnelly. An act to amend Section 9562 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 282—Wieckowski and Mitchell. An act to amend Section 25299.43 of the Health and Safety Code, relating to underground storage tanks.

ASSEMBLY BILL NO. 283—Bloom. An act to add Section 84751.3 to the Education Code, relating to community colleges, and making an appropriation therefor.

ASSEMBLY BILL NO. 284—Quirk. An act to add Section 25229 to the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 285—Brown. An act to amend Section 18000 of the Business and Professions Code, and to amend Section 14013 of, and to add Sections 14001 and 14013.2 to, the Unemployment Insurance Code, relating to microenterprises.

ASSEMBLY BILL NO. 286—Nazarian. An act relating to the film and entertainment industry.

ASSEMBLY BILL NO. 287—Frazier. An act to add Section 14633 to the Government Code, relating to veterans.

ASSEMBLY BILL NO. 288—Levine. An act to amend Sections 3106 and 3203 of, and to add Section 3203.5 to, the Public Resources Code, relating to oil and gas.

ASSEMBLY BILL NO. 289—Nestande. An act to amend Section 13337 of the Government Code, relating to state fiscal affairs.

ASSEMBLY BILL NO. 290—Alejo. An act to amend Sections 1596.865, 1596.866, and 1596.8661 of the Health and Safety Code, relating to child day care.

ASSEMBLY BILL NO. 291—Nestande. An act to amend and repeal Sections 9147.7, 9148.50, 9148.51, and 9148.52 of, to amend, repeal, and add Section 9148.8 of, and to add Article 7.6 (commencing with Section 9147.9) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, the Government Code, relating to state government.

ASSEMBLY BILL NO. 292—Nestande. An act to amend Section 11344 of the Government Code, relating to the California Code of Regulations.

ASSEMBLY BILL NO. 293—Allen. An act to amend Section 321.7 of the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 294—Holden. An act to amend Sections 53395.1, 53395.3, 53395.10, 53395.14, and 53397.6 of, and to add Section 53397.12 to, the Government Code, relating to local government.

ASSEMBLY BILL NO. 295—Salas. An act to amend Section 10702 of the Water Code, relating to groundwater.

ASSEMBLY BILL NO. 296—Wagner. An act to amend Section 6062 of the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 297—Chesbro. An act to amend Section 1204.5 of the Health and Safety Code, relating to health care facilities.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6—Gatto (Principal coauthor: Gordon). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3 and 4 of Article XVIII thereof, relating to initiatives.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Pan. Relative to the 25th Annual State Scientist Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 14—Yamada. Relative to the Deputy Tony Diaz, Yolo County Sheriff's Office, Memorial Rest Area.

AUTHOR'S AMENDMENTS **Committee on Natural Resources**

February 11, 2013

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 23

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

CHESBRO, Chair

ASSEMBLY BILL NO. 23—An act to repeal Chapter 1.5 (commencing with Section 4210) of Part 2 of Division 4 of the Public Resources Code, relating to fire prevention.

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 SENATE

Senate Chamber, February 11, 2013

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

Senate Joint Resolution No. 2

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE JOINT RESOLUTION NO. 2—Relative to violence against women.

INTRODUCTION OF GUESTS

Assembly Member Yamada, of the 4th Assembly District, introduced guests from Aldea Children and Family Services, and displayed their annual art therapy calendar.

Assembly Member Skinner, of the 15th Assembly District, introduced students and guests from Longfellow Middle School in Berkeley.

ADJOURNMENT

At 3:30 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 7 a.m., Tuesday, February 12, 2013, out of respect to the memory of Officer Michael Crain on motion of Assembly Members Medina and Linder; out of respect to the memory of Jon Marshall on motion of Assembly Member Grove; and out of respect to the memory of William John Wilma on motion of Assembly Member Quirk.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 11, 2013**

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

AB	RN
23	1308506

Daily Total:	1
Cumulative Total:	10

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