

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 12, 2013
TWENTY-THIRD SESSION DAY
SEVENTY-SECOND 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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 12, 2013

The Assembly met at 7 a.m.

Hon. Jim Frazier, Assembly Member, 11th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Timothy Morland reading.

ROLL CALL

The following were placed upon the morning roll call—73:

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

Quorum present.

At 2:12 p.m., Hon. Tom Daly, 69th 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 Gorell, Nestande, Olsen, and Patterson.

Because of illness: Assembly Members Bigelow, Eggman, and Lowenthal.

EXPLANATIONS OF ABSENCE

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

February 11, 2013

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

Dear Mr. Speaker: I respectfully request an excused absence from Check-in Session on Tuesday, February 12, 2013. I will be down in my district for legislative business. If you have any questions, please contact Joseph Zanze at 319-2044.

Sincerely,

JEFF GORELL, Assembly Member
Forty-fourth District

February 12, 2013

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

Dear Mr. Speaker: This letter is to respectfully request an excuse from Check-in Session on Tuesday, February 12, 2013. I will be in my district on legislative business. If you have any questions, please call me at (916) 319-2042. Thank you for your prompt attention.

Sincerely,

BRIAN NESTANDE, Assembly Member
Forty-second District

February 7, 2013

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

Dear Speaker Pérez: I respectfully request permission to be excused from Check-in Session for legislative business on Tuesday, February 12, 2013. Thank you for your consideration. Please contact Morgan Hendley in my office at 319-2012 for any additional information.

Sincerely,

KRISTIN OLSEN, Assembly Member
Twelfth District

February 11, 2013

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

Dear Mr. Speaker: This letter is to respectfully request that I be excused from Check-in Session on Tuesday, February 12, 2013, so that I may meet with constituents in my district at the World Ag Expo in Tulare, California. If you have any questions, please contact Amanda Plant in my office at 319-2023.

Sincerely,

JIM PATTERSON, Assembly Member
 Twenty-third District

COMMUNICATIONS

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

February 12, 2013

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

Dear Dotson: Please be advised that I have made the following appointments to Joint Committees for the 2013–14 Regular Session:

Joint Committee on Arts

Assemblymember Katcho Achadjian
 Assemblymember Tom Ammiano
 Assemblymember Ian C. Calderon
 Assemblymember Marie Waldron
 Assemblymember Shirley N. Weber
 Assemblymember Scott Wilk

Joint Committee on Fairs, Allocation, and Classification

Assemblymember Katcho Achadjian
 Assemblymember Franklin E. Bigelow
 Assemblymember Tom Daly
 Assemblymember Roger Dickinson
 Assemblymember Susan Talamantes Eggman
 Assemblymember Isadore Hall III
 Assemblymember Norma J. Torres

Joint Committee on Fisheries and Aquaculture

Assemblymember Wesley Chesbro, Chair
 Assemblymember Franklin E. Bigelow
 Assemblymember Richard Bloom
 Assemblymember Philip Y. Ting

Joint Legislative Budget

Assemblymember Bob Blumenfield, Vice Chair
Assemblymember Rocky Chávez
Assemblymember Wesley Chesbro
Assemblymember Mike Gatto
Assemblymember Jeff Gorell
Assemblymember Diane L. Harkey
Assemblymember Reginald Byron Jones-Sawyer, Jr.
Assemblymember Holly J. Mitchell

Joint Legislative Committee on Emergency Management

Assemblymember Bonnie Lowenthal, Vice Chair
Assemblymember Rocky Chávez
Assemblymember Beth Gaines
Assemblymember Adam C. Gray
Assemblymember Holly J. Mitchell
Assemblymember Richard Pan
Assemblymember Marie Waldron

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2012

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 2013–14 Regular Session:

Select Committee on 9-1-1 Service and Public Safety Communications

Assemblymember Norma J. Torres, Chair

Select Committee on Addressing Out of School, Unemployed Youth

Assemblymember Raul Bocanegra, Chair

Select Committee on Aerospace

Assemblymember Al Muratsuchi, 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 Nancy Skinner, Chair

Select Committee on California's High Technology

Assemblymember Paul Fong, Chair

Select Committee on California-México Bi-National Affairs

Assemblymember Ben Hueso, Chair

Select Committee on Coastal Protection

Assemblymember Mark Stone, Chair

Select Committee on Community and Neighborhood Development

Assemblymember Ken Cooley, Chair

Select Committee on Delinquency Prevention and Youth Development

Assemblymember Roger Dickinson, Chair

Select Committee on Disabilities

Assemblymember Wesley Chesbro, Chair

Select Committee on Domestic Violence

Assemblymember Jimmy Gomez, Chair

Select Committee on Foster Care

Assemblymember Holly J. Mitchell, Chair

Select Committee on Government Efficiency, Technology and Innovation

Assemblymember Joan Buchanan, Chair

Select Committee on Gun Violence in the East Bay

Assemblymember Rob Bonta, Chair

Select Committee on Higher Education in San Diego County

Assemblymember Shirley N. Weber, Chair

Select Committee on Homelessness

Assemblymember Toni Atkins, Chair

Select Committee on Human Rights, Diversity and Race Relations

Assemblymember Isadore Hall III, Chair

Select Committee on Increasing the Integration of Science, Technology, Engineering and Math in Education in California K–14 Schools

Assemblymember Susan A. Bonilla, Chair

Select Committee on Innovative Green Financing Mechanisms

Assemblymember Das Williams, Chair

Select Committee on Ports

Assemblymember Bonnie Lowenthal, Chair

Select Committee on Post-Secondary Access and Matriculation

Assemblymember Roger Hernández, Chair

Select Committee on Privacy

Assemblymember Ed Chau, Chair

Select Committee on Protecting California's Food Safety Systems

Assemblymember Adam C. Gray, Chair

Select Committee on Sea Level Rise and the California Economy

Assemblymember Richard S. Gordon, Chair

Select Committee on State Hospital and Developmental Center Safety

Assemblymember Mariko Yamada, Chair

Select Committee on Status of Boys and Men of Color in California
Assemblymember Steven Bradford, Chair

Select Committee on Sustainable and Organic Agriculture
Assemblymember Mariko Yamada, Chair

Select Committee on Wine
Assemblymember Wesley Chesbro, Chair

Select Committee on Women of Color—Engagement, Opportunity and Progress

Assemblymember Cristina Garcia, Chair

Select Committee on Youth and California's Future
Assemblymember Ian C. Calderon, Chair

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Public Employees, Retirement and Social Security, to convene jointly with the Senate Committee on Public Employment and Retirement, on Wednesday, March 20, 2013, at 9:30 a.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 12, 2013

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

Assembly Bill No. 23

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. 298—Pan. An act relating to vehicles.

ASSEMBLY BILL NO. 299—Holden. An act to amend Section 4112 of the Business and Professions Code, relating to pharmacy.

ASSEMBLY BILL NO. 300—Perea. An act to amend Sections 224.4 and 431 of, and to add Section 316 to, the Public Utilities Code, and to amend Sections 41020 and 41030 of, to add Part 21 (commencing with Section 42000) to, and to add Part 21.1 (commencing with Section 42100) to, Division 2, of the Revenue and Taxation Code, relating to telecommunications, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 301—Wagner. An act to add Section 205.5 to the Code of Civil Procedure, relating to juries.

ASSEMBLY BILL NO. 302—Chau. An act to amend Section 1720 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 303—Ian Calderon. An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 304—Williams. An act to amend Sections 14022, 14023, and 14024 of the Food and Agricultural Code, relating to pesticides.

ASSEMBLY BILL NO. 305—V. Manuel Pérez. An act to add and repeal Sections 17053.9 and 23622.9 of, and to repeal and amend Sections 17053.80 and 23623 of, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 306—Lowenthal. An act to amend Section 34620 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 307—Campos. An act to amend Sections 136.2 and 166 of the Penal Code, relating to protective orders.

ASSEMBLY BILL NO. 308—Hagman. An act to amend Section 857 of the Public Utilities Code, relating to utility property.

ASSEMBLY BILL NO. 309—Mitchell. An act to amend Sections 18901 and 18904.25 of, and to amend and repeal Section 18914 of, the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 310—Alejo. An act to amend Section 13825.2 of the Penal Code, relating to crime prevention, and making an appropriation therefor.

ASSEMBLY BILL NO. 311—V. Manuel Pérez. An act to amend Sections 63000, 63010, 63025.1, 63045, and 63084 of, and to add Article 5.5 (commencing with Section 63047.1) to Chapter 2 of Division 1 of Title 6.7 of, the Government Code, relating to economic development, and making an appropriation therefor.

ASSEMBLY BILL NO. 312—Wieckowski. An act to amend Section 53270 of the Government Code, relating to firefighters.

ASSEMBLY BILL NO. 313—Frazier. An act to amend Section 23123.5 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 314—Pan. An act to amend Section 1367.001 of the Health and Safety Code, and to amend Section 10112.1 of the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 315—Committee on Veterans Affairs. An act to amend Section 5011.5 of the Public Resources Code, relating to state parks.

ASSEMBLY BILL NO. 316—Committee on Veterans Affairs (Assembly Members Muratsuchi (Chair), Chávez (Vice Chair), Atkins, Brown, Eggman, Fox, Grove, Salas, and Yamada). An act to amend Section 951.5 of the Military and Veterans Code, relating to veteran interment.

ASSEMBLY BILL NO. 317—Hall. An act to amend Section 164 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 318—Logue. An act relating to dental care.

ASSEMBLY BILL NO. 319—Campos. An act to add Chapter 22.1 (commencing with Section 22580) to Division 8 of the Business and Professions Code, relating to privacy.

ASSEMBLY BILL NO. 320—Nazarian. An act to amend Sections 104420 and 104466 of the Health and Safety Code, relating to tobacco use programs.

ASSEMBLY BILL NO. 321—Donnelly. An act to add Section 290.48 to the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 322—Yamada (Coauthor: Senator Correa). An act to add Chapter 13 (commencing with Section 1796) to Division 2 of the Health and Safety Code, relating to home care services, and making an appropriation therefor.

ASSEMBLY BILL NO. 323—Chesbro (Coauthor: Williams). An act to amend Sections 41781.3, 42649.1, and 42649.2 of, and to add Section 41781.4 to, the Public Resources Code, relating to solid waste.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 15—Chesbro. Relative to wineries.

ASSEMBLY CONCURRENT RESOLUTION NO. 16—Hagman. Relative to the Gerald “Blackie” Sawyer Memorial Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 17—Wieckowski (Coauthors: Garcia and Perea). Relative to India’s Independence Day.

**AUTHOR’S AMENDMENTS
Committee on Rules**

February 7, 2013

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

Assembly Concurrent Resolution No. 11

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

SKINNER, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 11—Relative to a Day of Remembrance.

Resolution read.

Author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 13, 2013.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 12, 2013**

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

ACR RN

11 1308703

Daily Total: 1

Cumulative Total: 11

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