

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 13, 2013
TWENTY-FOURTH SESSION DAY
SEVENTY-THIRD 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
Wednesday, February 13, 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—75:

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

Quorum present.

At 1:51p.m., Hon. John A. Pérez, 53rd 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 Blumenfield, Medina, Nestande, and Skinner.

Because of illness: Assembly Member Bigelow.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were 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: I respectfully request to be excused from Check-in Session on Wednesday, February 13, 2013, and Thursday, February 14, 2013. I will be in my district for legislative meetings. Thank you for your consideration of this request. Please contact me should you have any questions.

Sincerely,

BOB BLUMENFIELD, Assembly Member
Forty-fifth District

February 11, 2013

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Session on February 13, 2013, due to legislative business in my district. I am attending a funeral for Officer Crain, a Riverside police officer who was killed in the line of duty. Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

JOSE MEDINA, Assembly Member
Sixty-first District

February 6, 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 Wednesday, February 13, 2013. I will be in my district participating in 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 8, 2013

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

Dear Speaker Pérez: The purpose of this letter is to respectfully request to be excused from Check-in Session on Wednesday, February 13, 2013, for legislative business. I have an important meeting in my district that day. Thank you for your consideration of my request. If you have any questions regarding this request, please contact Karla Mendoza.

Sincerely,

NANCY SKINNER, Assembly Member
 Fifteenth 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

RE: Appointment of Steve Fox to California Debt and Investment Advisory Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Steve Fox to the California Debt and Investment Advisory Commission. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
 Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Ian Calderon to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Ian Calderon to the California Cultural and Historical Endowment. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
 Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Toni Atkins to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Toni Atkins to the California Cultural and Historical Endowment. This is a pleasure appointment starting February 12, 2013. Assemblymember Atkins will be replacing Bonnie Lowenthal.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Rob Bonta to Criminal and Traffic-Related Court-Ordered Debts Task Force

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Rob Bonta to the Criminal and Traffic-Related Court-Ordered Debts Task Force. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Sharon Quirk-Silva to California Crime Victims' Memorial Review Committee

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Sharon Quirk-Silva to the California Crime Victims' Memorial Review Committee. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Susan Talamantes Eggman to
California Child Welfare Council

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Susan Talamantes Eggman to the California Child Welfare Council. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Mark Stone to
California Child Welfare Council

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Mark Stone to the California Child Welfare Council. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Adrin Nazarian to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Adrin Nazarian to the State Allocation Board. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Al Muratsuchi to State Coastal Conservancy
Dear Mr. Wilson: Please be advised I have appointed Assemblymember Al Muratsuchi to the State Coastal Conservancy. This is a pleasure appointment starting February 12, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 12, 2013

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

RE: Appointment of Jim Frazier to
Sacramento-San Joaquin Delta Protection Commission
Dear Mr. Wilson: Please be advised I have appointed Assemblymember Jim Frazier to the Sacramento-San Joaquin Delta Protection Commission. This is a term appointment starting February 12, 2013, and the expiration date is February 12, 2015. Assemblymember Frazier will be replacing Joan Buchanan.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Richard Gordon, Jim Frazier, and Susan Talamantes Eggman to State Public Works Board
Dear Mr. Wilson: Please be advised I have appointed Assemblymembers Richard Gordon, Jim Frazier, and Susan Talamantes Eggman to the State Public Works Board. These are pleasure appointments starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Bill Quirk to
Public Interest Energy Research Advisory Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Bill Quirk to the Public Interest Energy Research Advisory Board. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Nancy Skinner to
Public Interest Energy Research Advisory Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Nancy Skinner to the Public Interest Energy Research Advisory Board. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Al Muratsuchi to
State Council on Interstate Compact on
Educational Opportunity for Military Children

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Al Muratsuchi to the State Council on Interstate Compact on Educational Opportunity for Military Children. This is a pleasure appointment starting February 13, 2013. Assemblymember Muratsuchi will be replacing Richard Pan.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Mike Gatto to California Film Commission
Dear Mr. Wilson: Please be advised I have appointed Assemblymember Mike Gatto to the California Film Commission. This is a term appointment starting February 13, 2013, and the expiration date is February 13, 2017.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Shirley Weber to
Education Commission of the States
Dear Mr. Wilson: Please be advised I have appointed Assemblymember Shirley Weber to the Education Commission of the States. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Ken Cooley to
Commission for Economic Development
Dear Mr. Wilson: Please be advised I have appointed Assemblymember Ken Cooley to the Commission for Economic Development. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Jimmy Gomez to
Domestic Violence Program Advisory Council (EMA)

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Jimmy Gomez to the Domestic Violence Program Advisory Council (EMA). This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Anthony Rendon to
Milton Marks “Little Hoover” Commission on
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Anthony Rendon to the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Das Williams to
California Public Library Construction and Renovation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Das Williams to the California Public Library Construction and Renovation Board. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Richard Bloom to
Judicial Council of California

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Richard Bloom to the Judicial Council of California. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Sharon Quirk-Silva to
Instructional Quality Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Sharon Quirk-Silva to the Instructional Quality Commission. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Reginald Jones-Sawyer, Sr., to
Los Angeles Memorial Coliseum Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Reginald Jones-Sawyer, Sr., to the Los Angeles Memorial Coliseum Commission. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

February 13, 2013

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

RE: Appointment of Philip Ting to
 Pacific Fisheries Legislative Task Force

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Philip Ting to the Pacific Fisheries Legislative Task Force. This is a pleasure appointment starting February 13, 2013.

Sincerely,

JOHN A. PÉREZ
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 13, 2013

Mr. 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 re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 324—Bloom. An act to amend Section 25258.2 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 325—Alejo. An act to amend Sections 65009, 65589.3, and 65755 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 326—Morrell. An act to add Section 142.5 to the Labor Code, relating to occupational safety and health standards.

ASSEMBLY BILL NO. 327—Perea. An act to amend Section 739.1 of, and to repeal and add Section 739.9 of, the Public Utilities Code, relating to energy utility rates.

ASSEMBLY BILL NO. 328—V. Manuel Pérez. An act to amend Section 12012.90 of the Government Code, relating to tribal gaming.

ASSEMBLY BILL NO. 329—Pan. An act to amend Section 22500 of the Business and Professions Code, relating to ticket sellers.

ASSEMBLY BILL NO. 330—Chau. An act to amend Sections 69433.2 and 94910 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 331—Garcia. An act to amend Sections 10403 and 10418 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 332—Hall. An act to add Section 6720 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 333—Wieckowski. An act to repeal and add Section 117630 of the Health and Safety Code, relating to medical waste.

ASSEMBLY BILL NO. 334—Gomez. An act to amend Section 11045 of the Government Code, relating to public employment.

ASSEMBLY BILL NO. 335—Brown. An act to amend Section 14602.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 336—Ammiano. An act to amend Section 647 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 337—Allen. An act relating to ports.

ASSEMBLY BILL NO. 338—Chávez. An act relating to public safety.

ASSEMBLY BILL NO. 339—Dickinson. An act to amend Section 597.4 of the Penal Code, relating to malicious mischief.

ASSEMBLY BILL NO. 340—Bradford. An act to add Section 383 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 341—Dickinson and Gordon. An act to amend Section 18930.5 of the Health and Safety Code, relating to green building standards.

ASSEMBLY BILL NO. 342—Blumenfield. An act to amend Section 51745.6 of the Education Code, relating to independent study.

ASSEMBLY BILL NO. 343—Patterson. An act to amend Section 16441 of the Food and Agricultural Code, relating to animals.

ASSEMBLY BILL NO. 344—Ian Calderon. An act to amend Section 1308.5 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 345—Pan. An act to amend Section 27472 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 346—Stone. An act to amend Section 1502 of, and to add Section 1502.35 to, the Health and Safety Code, relating to community care facilities.

ASSEMBLY BILL NO. 347—Achadjian. An act to amend Section 457.1 of the Penal Code, relating to arson.

ASSEMBLY BILL NO. 348—Conway. An act to amend Section 41601.7 of the Education Code, relating to high school finance.

ASSEMBLY BILL NO. 349—Gatto. An act to amend Section 45125 of the Education Code, relating to school administration.

ASSEMBLY BILL NO. 350—Wieckowski and Bigelow. An act to amend Section 4584 of the Public Resources Code, relating to forest resources.

ASSEMBLY BILL NO. 351—Donnelly. An act to add Section 145.5 to the Penal Code, relating to civil liberties, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 352—Hall (Coauthor: Bloom). An act to add Section 1530.7 to the Health and Safety Code, relating to foster care.

ASSEMBLY BILL NO. 353—Brown. An act to amend Section 3550 of the Penal Code, relating to parole.

ASSEMBLY BILL NO. 354—Dahle. An act to amend Section 9021 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 355—Cooley. An act relating to emergency medical services.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 7—Mullin (Coauthors: Ammiano, Fox, and Gordon) (Coauthor: Senator Leno). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article II thereof, relating to elections.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 8—Blumenfield. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII A thereof, and by amending Section 18 of Article XVI thereof, relating to local government finance.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 18—Gorell. Relative to the Seabees Memorial Highway.

AUTHOR'S AMENDMENTS
Committee on Higher Education

February 13, 2013

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

Assembly Bill No. 51

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

WILLIAMS, Chair

ASSEMBLY BILL NO. 51—An act to add Chapter 8.5 (commencing with Section 66650) to Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

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.

REPORTS OF STANDING COMMITTEES
Committee on Environmental Safety and Toxic Materials

Date of Hearing: February 12, 2013

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1

Assembly Bill No. 30

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

ALEJO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: February 12, 2013

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 21

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

ALEJO, Chair

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Thursday, February 14, 2013.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 13, 2013**

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

AB RN

51 1308698

Daily Total: 1

Cumulative Total: 12

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