

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 13, 2015
TWENTY-SIXTH SESSION DAY
SEVENTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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
Friday, February 13, 2015

The Assembly met at 9 a.m.
Hon. David Chiu, Assistant Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Holden moved a quorum call of the Assembly.
Motion carried. Time, 9 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to
close the doors, and to bring in the absent Members.

Quorum Present

At 9:02 a.m., Assistant Speaker pro Tempore Chiu declared a quorum
of the Assembly present.

The rollcall was completed, and the following answered to their
names—72:

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

PRAYER

Upon invitation of Assistant Speaker pro Tempore Chiu, the following prayer was offered by Assembly Member Das Williams, of the 37th Assembly District:

Father, We live in a world of great confusion, despair, and problems. We need, therefore, the strength to recognize our weaknesses and the vision to identify what needs to be done. Give us, Lord, the wisdom to do that which is right, the will and the determination to stand for the truth, even though it would be, at times, unpopular. But above all, Father, help us serve with dignity and honor the good people of this great state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Chiu, Assembly Member Jones 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 Cristina Garcia, seconded by Assembly Member Olsen.

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 Irwin and Low.

On legislative business, and waiving per diem: Assembly Member Hadley.

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

Because of illness: Assembly Members Bigelow, Brough, and Dodd.

Because of illness in his family: Assembly Member Daly.

EXPLANATIONS OF ABSENCE

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

January 7, 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 Floor Session on Friday, February 13, 2015, as I have been invited to deliver the keynote address at the Latina Empowerment Breakfast. This event will take place in Chicago and is hosted by the United States Hispanic Leadership Institute. Thank you for your consideration of this request.

Sincerely,

LORENA S. GONZALEZ, Assembly Member
Eightieth District

January 14, 2015

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

Dear Speaker Atkins: I am respectfully requesting to be excused from Assembly Floor Session on Friday, February 13, 2015, in order to attend to legislative business in my district. I am also requesting to waive my per diem for that day. Please contact my Chief of Staff Dave Louden at (916) 319-2066 with any questions you or your staff may have.

Sincerely,

DAVID HADLEY, Assembly Member
Sixty-sixth District

February 11, 2015

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

Speaker Atkins: I respectfully request permission to be excused from Floor Session on Friday, February 13, 2015, for legislative business. I will be attending the Summit on Cybersecurity and Consumer Protection at Stanford University. Thank you for your consideration of this request. If you have any questions regarding this request please contact my Chief of Staff, Susanna Schlendorf, at (916) 319-2044.

Sincerely,

JACQUI IRWIN, Assembly Member
Forty-fourth District

February 11, 2015

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

Dear Speaker Atkins: I would like to respectfully request permission to be excused from Session on Friday, February 13, 2015, as I was invited to attend the Summit on Cybersecurity and Consumer Protection event at Stanford University, where the President of the United States will be speaking. If you have any questions regarding this request, please feel free to contact Gina Frisby, (916) 319-2028. Thank you for your consideration of this request.

Sincerely,

EVAN LOW, Assembly Member
Twenty-eighth District

COMMUNICATIONS

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

February 11, 2015

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

RE: Reappointment of Jim Frazier to
Sacramento-San Joaquin Delta Protection Commission

Dear Mr. Wilson: Please be advised that I have reappointed Assembly Member Jim Frazier to the Sacramento-San Joaquin Delta Protection Commission. This is a term appointment starting February 12, 2015, and the expiration date is February 12, 2017.

Sincerely,

TONI G. ATKINS
Speaker of the Assembly

February 11, 2015

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

RE: Reappointment of Henry Perea to
California Debt and Investment Advisory Commission

Dear Mr. Wilson: Please be advised that I have reappointed Assembly Member Henry Perea to the California Debt and Investment Advisory Commission. This is a pleasure appointment starting February 15, 2015, and the expiration date is February 15, 2019.

Sincerely,

TONI G. ATKINS
Speaker of the Assembly

February 11, 2015

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

RE: Reappointment of Matthew Dababneh to
California Debt and Investment Advisory Commission

Dear Mr. Wilson: Please be advised that I have reappointed Assembly Member Matthew Dababneh to the California Debt and Investment Advisory Commission. This is a pleasure appointment starting February 15, 2015, and the expiration date is February 15, 2019.

Sincerely,

TONI G. ATKINS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Transportation, on Monday, February 23, 2015, at 1:30 p.m., in Room 4202.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 13, 2015

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

Assembly Bill No. 14

Assembly Bill No. 43

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Gomez and Lackey were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

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

Assembly Member Lackey was 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 for the presentation today honoring the birthday of President Abraham Lincoln; and display of Assembly Joint Resolution No. 1 of 1865, providing for the ratification of the 13th Amendment to the United States Constitution.

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

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

Assembly Bill No. 59 from the Committees on Health and Local Government to the Committees on Health and Judiciary.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 11 (Lackey)—Relative to Abraham Lincoln's birthday.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 11**

Assembly Member Lackey was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 11.

Additional Coauthors

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

Achadjian, Atkins, Baker, Bloom, Bonilla, Bonta, Brown, Burke, Calderon, Campos, Chang, Chau, Chávez, Chiu, Chu, Cooley, Cooper, Dababneh, Dahle, Eggman, Frazier, Beth Gaines, Gallagher, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gordon, Gray, Grove, Harper, Roger Hernández, Holden, Jones, Jones-Sawyer, Kim, Levine, Linder, Lopez, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Obernolte, O'Donnell, Olsen, Patterson, Perea, Quirk, Ridley-Thomas, Rodriguez, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Wagner, Waldron, Weber, Wilk, Williams, and Wood.

Request for Unanimous Consent

Assembly Member Lackey was granted unanimous consent to take up Assembly Concurrent Resolution No. 11, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 11, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 11—Relative to Abraham Lincoln's birthday.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 1 OF 1865

Assembly Member Lackey announced that the original handwritten Assembly Joint Resolution No. 1 of 1865, demonstrating California's support of ratification of the 13th Amendment to the United States Constitution, is on display at the front of the Assembly Chamber today in honor of the 150th anniversary of the passage of the 13th Amendment to the United States Constitution, and in acknowledgement of the birthday of President Abraham Lincoln. Accompanying the historic document from the California State Archives were Rebecca Wendt, Chief Deputy Archivist; Andrew Hyslop, Legislative Records Archivist; and Lisa Prince, Archivist.

**CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF CONSENT CALENDAR**

The Assistant Speaker pro Tempore announced that the next rollcall would be on the Consent Calendar.

Consent Calendar—Senate Resolutions

SENATE CONCURRENT RESOLUTION NO. 4 (Pan)—Relative to Physician Anesthesiologist Week.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar rollcall.)*

Consent Calendar Rollcall

The roll was called, and the preceding resolution on the Consent Calendar adopted by the following vote:

AYES—70

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

NOES—None

ADJOURN IN MEMORY

Assembly Member Baker was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kazie Khouand Afsari of Lafayette.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Dababneh, Nazarian, Ridley-Thomas, and Gatto were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rick Orlov of Encino.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Gallagher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lieutenant Commander Joseph Langdell, United States Navy (Ret.), resident of Yuba City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Patterson, Holden, and Perea were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jerry “Tark the Shark” Tarkanian of Las Vegas, Nevada.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mathis was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Senaida Garcia of Tipton.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Wood was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Donald Holst “Don” Clausen, United States Representative from 1962 to 1983, resident of Fortuna.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

Assistant Speaker pro Tempore Chiu was joined by the Members of the Assembly in extending congratulations to Sergeant Jim Davit and his wife, Namrita Davit, upon the birth of their first grandchild, Sahari Noelle Ebanks, to their daughter, Sabreena Davit, and Corey Ebanks, today, Friday, February 13, 2015.

ANNOUNCEMENTS

Assistant Speaker pro Tempore Chiu announced the following session schedule:

Monday, February 16, 2015, Presidents’ Day Holiday;

Tuesday, February 17, 2015, Floor Session, 12 noon.

ADJOURN IN MEMORY

Speaker Atkins was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emily Brightwood of Mill Valley.

Assembly Member O’Donnell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Billie Beeler of Long Beach.

VOTE ADDS

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

Consent Calendar: Travis Allen and Mullin—Aye.

MOTION TO ADJOURN

At 9:40 a.m., Assembly Member Holden moved that the Assembly do now adjourn.

Assembly Member Olsen seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:40 a.m., Assistant Speaker pro Tempore Chiu 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. 316—Maienschein. An act to amend Section 4830 of the Business and Professions Code, relating to veterinarians.

ASSEMBLY BILL NO. 317—Maienschein. An act to amend Section 921 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 318—Chau. An act to amend Sections 2080.1 and 2080.2 of the Civil Code, relating to lost and unclaimed property.

ASSEMBLY BILL NO. 319—Rodriguez (Coauthors: Cooley, Maienschein, McCarty, Waldron, and Wood) (Coauthor: Senator Anderson). An act to amend Sections 49413 and 51202 of, and to add Section 51225.6 to, the Education Code, relating to pupil instruction.

ASSEMBLY BILL NO. 320—Wood. An act to amend Section 6732 of the Business and Professions Code, relating to engineers.

ASSEMBLY BILL NO. 321—Chávez. An act to amend Section 17001 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 322—Waldron. An act to amend Section 130300 of the Health and Safety Code, relating to health insurance.

ASSEMBLY BILL NO. 323—Olsen (Coauthor: Perea). An act to amend Section 21080.37 of the Public Resources Code relating to the California Environmental Quality Act.

ASSEMBLY BILL NO. 324—Jones-Sawyer. An act to amend Section 203 of the Code of Civil Procedure, relating to trial jurors.

ASSEMBLY BILL NO. 325—Wood. An act to add Section 50832.2 to the Health and Safety Code, relating to economic development.

ASSEMBLY BILL NO. 326—Frazier. An act to amend Section 1742.1 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 327—Gordon (Principal coauthor: Senator Hancock). An act to amend Section 1720.4 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 328—Grove. An act to amend Sections 17941 and 23153 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 329—Weber. An act relating to pupil instruction.

ASSEMBLY BILL NO. 330—Chang. An act to amend Section 12080.1 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 331—Levine. An act to amend Sections 5018, 5019, and 35012 of the Education Code, relating to school districts.

ASSEMBLY BILL NO. 332—Calderon. An act to add and repeal Section 10234.75 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 333—Melendez. An act to amend Section 49417 of the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 334—Cooley (Coauthors: Achadjian, Chávez, Gallagher, Gray, Olsen, Perea, and Wagner). An act to add Section 13519.17 to the Penal Code, relating to the profiling of motorcycle riders.

ASSEMBLY BILL NO. 335—Patterson (Coauthors: Brough, Chávez, Lackey, Steinorth, and Waldron) (Coauthor: Senator Anderson). An act to add Chapter 3 (commencing with Section 39150) to Part 1 of Division 26 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 336—Waldron. An act to add Section 16501.9 to the Welfare and Institutions Code, relating to child welfare.

ASSEMBLY BILL NO. 337—Jones-Sawyer (Coauthors: Brough and Chávez). An act to add and repeal Section 17052.7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 338—Roger Hernández. An act to amend Section 130001 of the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 339—Gordon. An act to add Section 1342.71 to the Health and Safety Code, and to add Section 10123.193 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 340—Weber. An act relating to postsecondary education.

ASSEMBLY BILL NO. 341—Achadjian. An act to amend Section 53891 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 342—Chang. An act to amend Section 17010 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 343—Melendez. An act to amend Section 66025.7 of the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 344—Chávez. An act to add Section 14166.156 to the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 345—Frazier. An act to amend Sections 10153.4 and 10170.5 of the Business and Professions Code, relating to real estate licensees.

ASSEMBLY BILL NO. 346—Wilk (Coauthors: Lackey and Melendez). An act to amend Section 40302 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 347—Chang. An act to amend Section 65401 of the Government Code, relating to housing.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 24—Chu. Relative to Child Abuse Prevention Month.

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

February 13, 2015

Mme. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 48

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

GRAY, Chair

ASSEMBLY BILL NO. 48—An act to add Division 8.55 (commencing with Section 22964) to the Business and Professions Code, relating to cigarettes.

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 13, 2015

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

Senate Joint Resolution No. 2

DANIEL ALVAREZ, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE JOINT RESOLUTION NO. 2—Relative to immigration.

INTRODUCTION OF GUESTS

Assembly Member Gomez, of the 51st Assembly District, introduced the Courvoisier family: Jeff, Amanda, Nathan, and Micah; and the Kirkpatrick family: Joel, Erica, Clain, and Jace.

Assembly Member Mathis, of the 26th Assembly District, introduced members of the California Association of County Veterans Service Officers upon the occasion of the organization's 70th anniversary of advocating for veterans and their families.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Holden, the Assembly adjourned until 12 noon, Tuesday, February 17, 2015, out of respect to the memory of Kazie Khouand Afsari on motion of Assembly Member Baker; out of respect to the memory of Rick Orlov on motion of Assembly Members Dababneh, Nazarian, Ridley-Thomas, and Gatto; out of respect to the memory of Lieutenant Commander Joseph Langdell, United States Navy (Ret.) on motion of Assembly Member Gallagher; out of respect to the memory of Jerry Tarkanian on motion of Assembly Members Patterson, Holden, and Perea; out of respect to the memory of Senaida Garcia on motion of Assembly Member Mathis; out of respect to the memory of Hon. Donald Holst Clausen on motion of Assembly Member Wood; out of respect to the memory of Emily Brightwood on motion of Speaker Atkins; and out of respect to the memory of Billie Beeler on motion of Assembly Member O'Donnell.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 13, 2015**

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

AB RN

48 1508920

Daily Total: 1

Cumulative Total: 11

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