

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 17, 2015
TWENTY-SEVENTH SESSION DAY
SEVENTY-NINTH 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
Tuesday, February 17, 2015

The Assembly met at 12 noon.

Hon. Kevin Mullin, 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 Nazarian moved a quorum call of the Assembly. Motion carried. Time, 12 noon.

The 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., Speaker pro Tempore Mullin declared a quorum of the Assembly present.

The rollcall was completed, and the following answered to their names—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, Help us today to look for ways to show kindness and goodness to the people around us, even when they aren't kind to us. Keep us from repaying evil with evil, and instead to take the high road. For when we bless those who wrongfully use us, when we seek to do good and to show kindness, we will see it come back as blessings in our own life (1Thessalonians 5:15).—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Nazarian 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 Holden, 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 Member Perea.

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

The following Assembly Member was not excused for the day:

Not excused, and per diem waived: Assembly Member Travis Allen.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

December 30, 2014

*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 Tuesday, February 17, 2015, on legislative business due to Dedication Ceremony for local CHP Officers. 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

SPECIAL COMMITTEE MEETINGS

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

Judiciary, on Tuesday, February 24, 2015, at 10 a.m., in Room 4202;
Budget Subcommittee No. 4 on State Administration, to convene jointly with the Committee on Revenue and Taxation, on Tuesday, March 10, 2015, at 1:30 p.m., in Room 126;

Aging and Long-Term Care, to convene jointly with the Committee on Human Services, on Tuesday, March 17, 2015, at 2 p.m.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 17, 2015

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

Assembly Bill No. 48

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REFERRAL OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
22	G.O.
80	A. & A.R.
213	U. & C. and Nat. Res.
220	Ed.
221	Trans.
223	Trans.
224	Ed.
225	Pub. S.
227	Trans. and Budget
232	W.,P. & W.
233	Hum. S.
235	Trans.
236	B. & P.
237	L. Gov.
239	Nat. Res.
240	V.A. and W.,P. & W.
241	L. Gov. and P. & C.P.
242	Pub. S.
244	B. & F. and Jud.
246	Pub. S.
248	Health
249	Pub. S.
250	B. & P. and Health
251	L. & E.
252	Ed.
255	V.A. and A. & A.R.
256	Pub. S.
258	Health
259	P. & C.P.
260	Hum. S. and Jud.
263	E.S. & T.M.
264	Agri.
265	P. & C.P.
267	Pub. S.
270	Trans.
271	Hum. S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
21	Trans.
22	Rls.
23	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
5 -----	Ed.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
5 -----	Rls.
6 -----	J., E.D. & E.
10 -----	Rls.
13 -----	Rls.

REQUEST FOR PHOTOGRAPHER

Assembly Members Dodd, Frazier, and Melendez were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Members Dodd and Frazier were granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber.

RECESS

By unanimous consent, at 12:07 p.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Dodd introduced family members and friends: William Sullivan, Jr., Ellen Marshall, Quentin Marshall, Marguerite Marshall, Kelley Hicks, Caleb Hicks, and Noah Hicks.

RECONVENED

At 12:09 p.m., the Assembly reconvened.

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

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Melendez 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, whereupon she introduced her son, Carlo. The Body then offered best wishes to Assembly Member Melendez and her son, Carlo, upon the occasion of their birthdays today, February 17th.

RECESS

By unanimous consent, at 12:12 p.m., Speaker pro Tempore Mullin declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Frazier recognized Papa Roach band members Jacoby Shaddix and Jerry Horton; and in their absence, Tobin Esperance and Tony Palermo, for their outstanding musical accomplishments and charitable contributions to their community, whereupon Members' Resolutions were presented.

RECONVENED

At 12:14 p.m., the Assembly reconvened.

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

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

ASSEMBLY JOINT RESOLUTION NO. 4 (Dodd)—Relative to Berryessa Snow Mountain National Monument.

Resolution read, and adopted by the following vote:

AYES—54

Alejo	Daly	Irwin	Ridley-Thomas
Baker	Dodd	Jones-Sawyer	Rodriguez
Bloom	Eggman	Lackey	Salas
Bonta	Frazier	Levine	Santiago
Brown	Garcia, C.	Lopez	Stone
Burke	Garcia, E.	Low	Thurmond
Calderon	Gatto	Maienschein	Ting
Campos	Gipson	McCarty	Weber
Chau	Gomez	Medina	Wilk
Chiu	Gonzalez	Mullin	Williams
Chu	Gordon	Nazarian	Wood
Cooley	Gray	O'Donnell	Mme. Speaker
Cooper	Hernández	Quirk	
Dababneh	Holden	Rendon	

NOES—20

Achadjian	Dahle	Harper	Melendez
Bigelow	Gaines	Jones	Obernolte
Brough	Gallagher	Kim	Patterson
Chang	Grove	Mathis	Steinorth
Chávez	Hadley	Mayes	Wagner

Resolution ordered transmitted to the Senate.

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 Barclay Simpson of Orinda.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Beth Gaines was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mark Hansen of Orangevale.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Low was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ralph Santana, Sr., of San Jose.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Ridley-Thomas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Risë K. Phillips of Los Angeles.

(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 Henry Trione of Santa Rosa.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Mullin announced the following session schedule:

Wednesday, February 18, 2015, Check-in Session, 7 a.m.–3 p.m.;
Thursday, February 19, 2015, Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Chiu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Anne Marie Daley Cavin of San Francisco.

Assembly Member Harper was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edward Bruce Rogers of Anaheim.

Assembly Member Holden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marvin Schachter of Pasadena.

VOTE ADDS

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

Assembly Joint Resolution No. 4: Maienschein—Aye.

MOTION TO ADJOURN

At 12:28 p.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 12:28 p.m., 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. 348—Brown. An act to amend Section 1420 of the Health and Safety Code, relating to long-term health care facilities.

ASSEMBLY BILL NO. 349—Gonzalez. An act to amend Section 4735 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 350—Alejo. An act to amend Sections 12022 and 12023 of, and to add Section 12022.5 to, the Food and Agricultural Code, relating to pest control.

ASSEMBLY BILL NO. 351—Jones-Sawyer. An act to add Section 14838.8 to the Government Code, relating to public contracts.

ASSEMBLY BILL NO. 352—Beth Gaines. An act to amend Section 66201 of the Education Code, relating to university admissions.

ASSEMBLY BILL NO. 353—Lackey. An act to amend Section 5515 of the Fish and Game Code, relating to fish.

ASSEMBLY BILL NO. 354—Committee on Accountability and Administrative Review (Assembly Members Salas (Chair), Lackey (Vice Chair), Brough, Burke, Frazier, and Medina). An act to amend Section 13332.10 of the Government Code, relating to state leases.

ASSEMBLY BILL NO. 355—Eduardo Garcia. An act to amend Section 1530 of the Code of Civil Procedure, relating to unclaimed property.

ASSEMBLY BILL NO. 356—Williams (Coauthors: Nazarian and Mark Stone). An act to amend Section 3106 of, and to add Section 3106.1 to, the Public Utilities Code, and to add Section 13227.5 to the Water Code, relating to oil and gas.

ASSEMBLY BILL NO. 357—Chiu and Weber (Principal coauthor: Senator Leyva) (Coauthors: Bonta, Chu, Gonzalez, and Roger Hernández). An act relating to employment.

ASSEMBLY BILL NO. 358—Grove. An act to amend Section 15620.5 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 359—Gonzalez. An act to amend Section 2800 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 360—Melendez. An act relating to airports.

ASSEMBLY BILL NO. 361—Achadjian. An act to amend Section 8610.5 of the Government Code, relating to emergency services.

ASSEMBLY BILL NO. 362—Waldron. An act to add Section 14861 to the Government Code, relating to state printing.

ASSEMBLY BILL NO. 363—Steinorth. An act to amend Sections 14405, 14420, and 14421 of, and to add Section 14422 to, the Elections Code, relating to elections.

ASSEMBLY BILL NO. 364—Gipson. An act to amend Section 326.5 of the Penal Code, relating to gambling.

ASSEMBLY BILL NO. 365—Cristina Garcia. An act to add Section 3012 to the Family Code, relating to family law.

ASSEMBLY BILL NO. 366—Bonta (Principal coauthor: Senator Ed Hernandez). An act to amend Section 14105.28 of, and to add Sections 14105.194, 14105.196, and 14301.6 to, the Welfare and Institutions Code, relating to Medi-Cal and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 367—Dodd (Principal coauthor: Senator McGuire). An act relating to Clear Lake, and making an appropriation therefor.

ASSEMBLY BILL NO. 368—Steinorth. An act to amend Section 33607.5 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 369—Steinorth. An act to amend Section 65580 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 370—Brown. An act to amend Section 18350 of the Elections Code, relating to election campaigns.

ASSEMBLY BILL NO. 371—Mullin. An act to amend Sections 11401 and 11450.16 of, and to repeal and add Sections 11201 and 11250 of, the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 372—Bigelow. An act to amend Section 8604 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 373—Medina. An act to add Section 832.35 to the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 374—Nazarian. An act to add Section 1367.244 to the Health and Safety Code, and to add Section 10123.197 to the Insurance Code, relating to health care coverage.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 25—Obernalte. Relative to Pi Day.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: February 17, 2015

Mme. Speaker: Your Committee on Rules reports:

- Assembly Concurrent Resolution No. 13
- Assembly Concurrent Resolution No. 19
- Assembly Concurrent Resolution No. 20

With the recommendation: Be adopted.

GORDON, Chair

Above resolutions ordered to third reading.

Date of Hearing: February 17, 2015

Mme. Speaker: Your Committee on Rules reports:

- Senate Concurrent Resolution No. 9

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

GORDON, Chair

Above resolution ordered to Consent Calendar.

MESSAGES FROM THE SENATE

Senate Chamber, February 17, 2015

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

- Assembly Concurrent Resolution No. 3

And respectfully requests the Assembly to concur in said amendments.

DANIEL ALVAREZ, Secretary of the Senate

By Bernadette McNulty, Assistant Secretary

Above resolution ordered to unfinished business file.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Holden, the Assembly adjourned until 7 a.m., Wednesday, February 18, 2015, out of respect to the memory of Barclay Simpson on motion of Assembly Member Baker; out of respect to the memory of Mark Hansen on motion of Assembly Member Beth Gaines; out of respect to the memory of Ralph Santana, Sr. on motion of Assembly Member Low; out of respect to the memory of Risë K. Phillips on motion of Assembly Member Ridley-Thomas; out of respect to the memory of Henry Trione on motion of Assembly Member Wood; out of respect to the memory of Anne Marie Daley Cavin on motion of Assembly Member Chiu; out of respect to the memory of Edward Bruce Rogers on motion of Assembly Member Harper; and out of respect to the memory of Marvin Schachter on motion of Assembly Member Holden.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk