

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 26, 2013**  
**THIRTY-FIRST SESSION DAY**  
**EIGHTY-SIXTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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  
Tuesday, February 26, 2013

The Assembly met at 7 a.m.

Hon. Rocky J. Chávez, Assembly Member, 76th 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—78:

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

Quorum present.

**At 1:07 p.m., Hon. Curt Hagman, 55th 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 Harkey and Nestande.*

**EXPLANATIONS OF ABSENCE**

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

February 21, 2013

*The Honorable John A. Pérez*

*Speaker of the Assembly*

*State Capitol, Room 219*

*Sacramento, California*

Dear Speaker Pérez: I am respectfully requesting to be excused from Check-in Session on Tuesday, February 26, 2013, as I have legislative business to attend to in my district. Should you have any questions, please contact Allison Wescott in my office at (916) 319-2073.

Sincerely,

DIANE L. HARKEY, Assembly Member  
Seventy-third District

February 25, 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 legislative business on February 26, 2013, as I will be attending a funeral for a formerly well-known community leader, Mr. Cravens. If you have any questions, please call me at (916) 319-2064. Thank you for your prompt attention.

Sincerely,

BRIAN NESTANDE, Assembly Member  
Forty-second District

**COMMUNICATIONS**

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

February 26, 2013

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

Dear Dotson: Please be advised that Budget Subcommittee No. 3 on Resources and Transportation will now meet on Wednesdays at 9 a.m.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

February 20, 2013

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

Dear Speaker Pérez: The Senate Rules Committee appointed Senator Price as a member to the Joint Committee on Arts to replace Senator Calderon.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

**SPECIAL COMMITTEE MEETINGS**

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

Utilities and Commerce, on Wednesday, March 6, 2013, at 2 p.m., in Room 4202;

Utilities and Commerce, on Monday, March 11, 2013, at 1:30 p.m., in Room 437.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 26, 2013

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

Assembly Bill No. 20

Assembly Bill No. 65

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1377—Committee on Public Employees, Retirement and Social Security (Assembly Members Bonta (Chair), Jones-Sawyer, Mullin, Rendon, and Wieckowski).** An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 1378—Committee on Public Employees, Retirement and Social Security (Assembly Members Bonta (Chair), Jones-Sawyer, Mullin, Rendon, and Wieckowski).** An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 1379—Committee on Public Employees, Retirement and Social Security (Assembly Members Bonta (Chair), Jones-Sawyer, Mullin, Rendon, and Wieckowski).** An act to amend Sections 22007.5, 22134.5, 22135, 22164.5, 22303, 22461, 22662, 22663, 22664, 22717, 22717.5, 22801, 22829, 23001, 23104, 23202, 23300, 24002, 24005, 24102, 24105, 24201.5, 24203.5, 24203.6, 24204, 24208, 24209, 24209.3, 24211, 24212, 24213, 24214.5, 24300.2, 24301, 24306.5, 24306.7, 24307, 24309, 24311, 24312, 24312.1, 24613, 25011.5, 25018.2, 25022, 25940, and 26911 of, and to add Section 22175 to, the Education Code, relating to state teachers' retirement.

**ASSEMBLY BILL NO. 1380—Committee on Public Employees, Retirement and Social Security (Assembly Members Bonta (Chair), Jones-Sawyer, Mullin, Rendon, and Wieckowski).** An act to amend Sections 31663.25 and 31672 of, and to add Section 31672.3 to, the Government Code, relating to county employees' retirement.

**ASSEMBLY BILL NO. 1381—Committee on Public Employees, Retirement and Social Security (Assembly Members Bonta (Chair), Jones-Sawyer, Mullin, Rendon, and Wieckowski).** An act to amend Sections 22115, 22119.2, 22134.5, 22135, 22148, 22327, 22664, 22826, 22901, 22901.3, 22905, 22909, 23855, 24202, 24202.5, 24202.6, 24202.7, 24203, 24205, 24206, 24209, 24210, 24214, 24214.5, 24600, 26139, 26503.5, 26504, 26800, 26810, 26812, and 26813 of, to add Sections 22109.8, 22160.5, 24252, 26132.5, 26135.5, 26135.7, and 26139.5 to, and to repeal and add Section 22119.3 of, the Education Code, relating to public employees' retirement.

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 26—Wilk.** Relative to Colorectal Cancer Awareness Month.

**AUTHOR'S AMENDMENTS  
Committee on Higher Education**

February 26, 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.

**Committee on Rules**

February 26, 2013

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

Assembly Concurrent Resolution No. 15

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

SKINNER, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 15**—Relative to wineries.  
Resolution read.

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

**Committee on Public Safety**

February 26, 2013

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 36

Assembly Bill No. 68

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

AMMIANO, Chair

**ASSEMBLY BILL NO. 36**—An act to amend Section 1203.6 of the Penal Code, and to amend Section 270 of the Welfare and Institutions Code, relating to probation.

Bill read second time.

**ASSEMBLY BILL NO. 68**—An act to amend Section 3550 of the Penal Code, relating to parole.

Bill read second time.

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

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 27, 2013.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 26, 2013**

The following measures were amended in the Assembly on this day:

**AB RN**

36 1309241

51 1309081

68 1309245

**ACR RN**

15 1309063

**Daily Total: 4****Cumulative Total: 26**

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