

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, March 3, 2014**

**ONE HUNDRED SIXTY-FIRST SESSION DAY  
FOUR HUNDRED FIFTY-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  
Monday, March 3, 2014

The Assembly met at 12 noon.  
Hon. Nora Campos, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Reading Clerk Timothy Morland reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Atkins 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 Campos declared a quorum of  
the Assembly present.

The roll call was completed, and the following answered to their  
names—76:

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

**PRAYER**

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

*Lord,* The two words that most of us would probably use to describe our lives are “too busy.” With emails, errands, and work, we are in a state of perpetual motion—often too busy for You, Lord, and our spiritual life. Scripture is always calling us to slow down so that we can turn to You. Help us to say “no” to the non-essential demands on our time and to simplify our schedules to leave us more time for You. —AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Campos, Assembly Member Quirk-Silva 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 Atkins, seconded by Assembly Member Hagman.

**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 Logue, John A. Pérez, Rendon, and Williams.*

**EXPLANATIONS OF ABSENCE**

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

March 3, 2014

*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 Floor Session on Monday, March 3, 2014, due to legislative business. If you have any questions, please contact Megan D'Angelo at 916-319-2003. Thank you for your consideration of this request.

Sincerely,

DAN LOGUE, Assembly Member  
Third District

March 3, 2014

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

Dear Dotson: This is to advise you that I will not be in attendance for Floor Session on Monday, March 3, and Check-in Session on Tuesday, March 4, due to Legislative Business.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

February 27, 2014

*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 Session on Monday, March 3, 2014, for legislative business. I will be meeting with the Los Angeles Times Editorial Board to discuss the water bond. Thank you for your consideration of this request.

Sincerely,

ANTHONY RENDON, Assembly Member  
Sixty-third District

March 3, 2014

*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 Session on Monday, March 3, 2014, due to legislative business. Your consideration of this request is greatly appreciated.

Sincerely,

DAS WILLIAMS, Assembly Member  
Thirty-seventh District

**SPECIAL COMMITTEE MEETINGS**

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

Water, Parks and Wildlife, to convene jointly with Budget Subcommittee No. 3 on Resources and Transportation, on Tuesday, March 11, 2014, at 9 a.m., in Room 437;

Select Committee on Higher Education in San Diego County, on Friday, March 28, 2014, at 4 p.m., at Point Loma Nazarene University, Mission Valley Campus.

**REPORTS**

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2013-046

February 27, 2014

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As required by Chapter 20, Statutes of 2013, the California State Auditor presents this audit report concerning local education agencies' (LEAs) uses of their cafeteria funds in operating their child nutrition programs and the California Department of Education's (CDE) oversight of those funds.

This report concludes that from fiscal years 2010–11 through 2012–13, each of the 18 LEAs we visited used all or most of their cafeteria funds for allowable purposes. Specifically, of \$32 million in cafeteria fund expenditures we tested, \$31 million was for expenditures that were necessary and reasonable for the operation or improvement of the child nutrition programs and complied with federal administrative requirements. Of the \$1 million in unallowable expenditures, nearly half were for facility costs that four LEAs should not have charged to their cafeteria funds. We also identified five LEAs that charged more than \$171,000 in interest charges to their cafeteria funds, despite a federal regulation prohibiting such charges, and seven LEAs that inappropriately charged more than \$94,000 in utilities and other support costs. In addition, 14 of the LEAs had payroll expenditures that lacked federally required documentation, resulting in unallowable charges to their cafeteria funds. The most common reason LEAs cited for these unallowable expenditures was a lack of awareness of program requirements.

Further, LEAs did not always meet certain requirements concerning their financial resources. For example, nine LEAs we visited had net cash resources in their cafeteria funds that exceeded the federal limit of an amount equal to three months' average expenditures. In addition, 10 LEAs did not maintain sufficient records to determine whether their food sales using cafeteria funds—such as vending machines or catering—that were unrelated to meals served in the child nutrition programs generated the minimum amount of revenue required by a federal regulation. As a result, these LEAs cannot determine if their cafeteria funds are subsidizing those nonprogram activities.

Finally, before fiscal year 2013–14, CDE reviewed certain aspects of the child nutrition programs but it was not expressly required to review LEAs’ cafeteria fund expenditures to determine if they were allowable. However, in fiscal year 2013–14, CDE started implementing new federal guidelines that require it to examine the cafeteria fund expenditures of LEAs that meet certain risk criteria. These reviews will provide CDE with some assurance that LEAs are spending cafeteria funds appropriately.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Education.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 3, 2014

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

Assembly Concurrent Resolution No. 91

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution 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>
1731	W.,P. & W.
1738	H. & C.D. and Jud.
1756	Pub. S.
1826	Nat. Res.
1833	Rev. & Tax.
1856	B. & F. and Jud.
1888	L. Gov.
1902	Ed.
1904	B.,P. & C.P.
1905	W.,P. & W.
1906	Higher Ed.
1907	B.,P. & C.P. and Rev. & Tax.
1908	Trans.
1912	Ed.
1914	W.,P. & W.
1915	Ed.
1916	G.O.
1917	Health
1918	B.,P. & C.P. and U. & C.
1920	Pub. S.
1921	A. & A.R.
1923	Jud.
1924	Higher Ed.
1925	Higher Ed.
1926	B.,P. & C.P.
1927	Higher Ed. and B. & F.
1928	G.O.
1929	H. & C.D.

1930	-----	Hum. S.
1931	-----	Ed.
1932	-----	Jud.
1933	-----	L. Gov. and B. & F.
1934	-----	B. & F. and Jud.
1937	-----	U. & C.
1938	-----	Jud.
1940	-----	Ed.
1941	-----	L. Gov.
1942	-----	Higher Ed.
1943	-----	L. Gov.
1944	-----	Ed.
1946	-----	Ed.
1948	-----	E. & R.
1950	-----	Ed.
1951	-----	Health
1952	-----	Health
1953	-----	Higher Ed.
1954	-----	Rev. & Tax.
1956	-----	Rev. & Tax.
1957	-----	Trans.
1958	-----	Pub. S.
1960	-----	Pub. S.
1961	-----	L. Gov. and Agri.
1962	-----	Health
1963	-----	L. Gov.
1964	-----	Pub. S.
1965	-----	Health and L. Gov.
1970	-----	Nat. Res. and L. Gov.
1972	-----	B.,P. & C.P.
1973	-----	G.O.
1974	-----	E. & R.
1976	-----	Higher Ed.
1977	-----	Higher Ed.
1979	-----	Ed.
1980	-----	L. Gov.
1982	-----	Pub. S.
1983	-----	H. & C.D. and W.,P. & W.
1985	-----	Pub. S.
1986	-----	Trans.
1989	-----	G.O.
1990	-----	Agri.
1993	-----	Ed.
1995	-----	L. Gov.
1996	-----	Health
1998	-----	Trans.
2000	-----	Higher Ed.
2002	-----	Pub. S.
2003	-----	E. & R.
2004	-----	G.O.
2010	-----	G.O.
2012	-----	Rev. & Tax.
2013	-----	Trans.
2015	-----	Health

2016	-----	Ed.
2017	-----	U. & C.
2018	-----	B.,P. & C.P.
2019	-----	W.,P. & W.
2021	-----	Trans. and L. Gov.
2022	-----	A. & A.R. and J., E.D., & E.
2023	-----	Jud.
2024	-----	B.,P. & C.P.
2025	-----	Health
2026	-----	H. & C.D.
2027	-----	Nat. Res.
2028	-----	E. & R.
2030	-----	L. & E.
2031	-----	Rev. & Tax.
2032	-----	P.E.,R. & S.S.
2034	-----	Jud.
2035	-----	Nat. Res.
2037	-----	A. & A.R.
2039	-----	Jud.
2040	-----	L. Gov.
2042	-----	Jud.
2044	-----	Hum. S.
2046	-----	L. Gov.
2048	-----	Nat. Res.
2049	-----	E.S. & T.M.
2050	-----	Nat. Res.
2051	-----	Health
2052	-----	Ins.
2053	-----	L. & E.
2057	-----	Ed.
2058	-----	G.O.
2059	-----	Health and Jud.
2062	-----	Health
2064	-----	Ins.
2065	-----	Rev. & Tax.
2066	-----	G.O.
2067	-----	W.,P. & W.
2069	-----	Health
2070	-----	Jud.
2071	-----	W.,P. & W. and E.S. & T.M.
2074	-----	L. & E.
2078	-----	Trans.
2080	-----	Rev. & Tax.
2081	-----	W.,P. & W.
2082	-----	Nat. Res.
2084	-----	Ed.
2085	-----	Pub. S. and Trans.
2087	-----	Higher Ed.
2089	-----	Jud.
2090	-----	Trans.
2095	-----	L. & E. and Jud.
2096	-----	B. & F.
2097	-----	Rev. & Tax.
2098	-----	Pub. S.



- 2099 ----- Higher Ed.
- 2100 ----- H. & C.D. and L. Gov.

*Assembly Concurrent*

- | <i>Resolution No.</i> | <i>Committee</i> |
|-----------------------|------------------|
| 106 -----             | Rls.             |
| 107 -----             | Health           |
| 108 -----             | Ed.              |
| 109 -----             | Rls.             |

*Assembly Joint*

- | <i>Resolution No.</i> | <i>Committee</i> |
|-----------------------|------------------|
| 40 -----              | Hum. S.          |

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Quirk-Silva was granted unanimous consent that photographers be permitted on the Floor of the Assembly.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

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

**ACTION REVISED ON ASSEMBLY BILL NO. 485**

Speaker pro Tempore Campos revised the action whereby on February 27, 2014 (Assembly Journal, page 3965), Speaker Pérez re-referred Assembly Bill No. 485 to the Committee on Human Services, and that the bill be re-referred to the Committees on Human Services and Appropriations.

**RECESS**

By unanimous consent, at 12:09 p.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Quirk-Silva introduced members of the California Teachers Association in conjunction with Read Across America Day, whereupon she presented a Members’ Resolution.

**RECONVENED**

At 12:10 p.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Nora Campos, 27th District, presiding.

**ADJOURN IN MEMORY**

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jackie Billings of Santee.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Wilk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Jim Keysor, Member of the Assembly representing Santa Clarita and the San Fernando Valley from 1970 to 1978, resident of Santa Clarita.

(Assembly Rule 45.5 suspended.)

**SPECIAL RECOGNITION**

The Members of the Assembly joined Assembly Member Atkins in extending best wishes to Assembly Member Eggman on the occasion of her birthday today, and to Assembly Member Rendon on his birthday tomorrow, and to Chief Sergeant at Arms Ron Pane on his recent birthday.

**ANNOUNCEMENTS**

Speaker pro Tempore Campos announced that today, Monday, March 3, 2014, is the deadline for Members to file their Statement of Economic Interests—Form 700 with the Fair Political Practices Commission. The completed Form 700 must be filed with the Office of the Chief Clerk, attention Assistant Chief Clerk, Brian Ebbert, by 5 p.m. today.

Speaker pro Tempore Campos announced the following session schedule:

Tuesday, March 4, 2014, Check-in Session, 7 a.m.–3 p.m.;  
Wednesday, March 5, 2014, Check-in Session, 7 a.m.–3 p.m.;  
Thursday, March 6, 2014, Floor Session, 9 a.m.;  
Friday, March 7, 2014, No session;  
Monday, March 10, 2014, Floor Session, 11:30 a.m., Women of the Year Ceremony.

**COMMITTEE MEETING ANNOUNCEMENTS**

Speaker pro Tempore Campos announced that the Committee on Transportation would meet today, at 1 p.m., in Room 4202.

Speaker pro Tempore Campos announced that Budget Subcommittee No. 1 on Health and Human Services would meet today, in Room 126 instead of Room 127.

**MOTION TO ADJOURN**

At 12:18 p.m., Assembly Member V. Manuel Pérez moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:18 p.m., Speaker pro Tempore Campos declared the quorum call of the Assembly dispensed with.

**AUTHOR'S AMENDMENTS****Committee on Accountability and Administrative Review**

March 3, 2014

Mr. Speaker: The Chair of your Committee on Accountability and Administrative Review reports:

Assembly Bill No. 1503

Assembly Bill No. 1612

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

FRAZIER, Chair

**ASSEMBLY BILL NO. 1503**—An act to add Section 14672.54 to the Government Code, relating to state government.

Bill read second time.

**ASSEMBLY BILL NO. 1612**—An act to amend Section 11344 of the Government Code, relating to state government.

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.

#### **Committee on Rules**

March 3, 2014

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

Assembly Concurrent Resolution No. 109

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

GORDON, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 109**—Relative to Latino Education and Advocacy Days.

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**

March 3, 2014

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

Assembly Bill No. 1545

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

AMMIANO, Chair

**ASSEMBLY BILL NO. 1545**—An act to amend Sections 11106, 27570, and 28000 of, and to add Section 27965 to, the Penal Code, relating to firearms.

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 Rules**

Date of Hearing: March 3, 2014

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 124

With the recommendation: That the bill be re-referred to the Committee on Business, Professions and Consumer Protection.

GORDON, Chair

Above bill re-referred to the Committee on Business, Professions and Consumer Protection.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 3, 2014

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

Assembly Bill No. 1124

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 3, 2014

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

Senate Concurrent Resolution No. 88

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 88**—Relative to Multiple Sclerosis Awareness Week.

**INTRODUCTION OF GUESTS**

Assembly Member Fox, of the 36th Assembly District, introduced Dr. Nancy Bednar, Professor of Social and Behavioral Sciences at Antelope Valley Community College in Lancaster; Nathan Skadsen, Associated Students Organization Senator at Antelope Valley Community College, accompanied by his mother Laura Skadsen.

Assembly Member Nestande, of the 42nd Assembly District, welcomed members of the Associated Student Body of the College of the Desert and their President, Eleanor Campbell, who is also an intern in his Palm Desert office.

Assembly Member Quirk-Silva, of the 65th Assembly District, welcomed the Honors Students from Fullerton College.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member V. Manuel Pérez, the Assembly adjourned until 7 a.m., Tuesday, March 4, 2014, out of respect to the memory of Jackie Billings on motion of Assembly Member Jones; and out of respect to the memory of Hon. Jim Keysor on motion of Assembly Member Wilk.

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NORA CAMPOS, Speaker pro Tempore

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 3, 2014**

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

**AB RN**

1503 1405903

1545 1403445

1612 1406571

**ACR RN**

109 1406542

**Daily Total: 4**

**Cumulative Total: 2690**

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