

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 7, 2013
THIRTY-SEVENTH SESSION DAY
NINETY-FIFTH 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
Thursday, March 7, 2013

The Assembly met at 9 a.m.

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, 9 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

At 9:02 a.m., Assistant Speaker pro Tempore of the Assembly, Kevin Mullin, 22nd District, presiding

Quorum Present

At 9:08 a.m., Assistant Speaker pro Tempore Mullin declared a quorum of the Assembly present.

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

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

PRAYER

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

Lord, If we have Your love and Your peace in our heart, it shows, not only in our behavior, but in our appearance. Scripture tells us that when Moses came down from Mount Sinai with the Ten Commandments, “the skin of his face shone because he had been talking with God” (Exodus 34:29). Scripture also tells us that You want us to return to You, and to embrace You with our whole life. Help us do just that Lord, for when we do, it shows.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Mullin, Assembly Member Eggman 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 Conway.

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 Alejo and Stone.

Because of illness in her family, per diem waived for the 2013–14 Session (Assembly Journal, page 69): Assembly Member Beth Gaines.

EXPLANATIONS OF ABSENCE

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

March 5, 2013

*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 March 7, 2013, on legislative business, to travel to San Jose to attend the funeral for the two fallen Santa Cruz Police Officers. Thank you for your attention and consideration to this request. Should you have any questions or need additional information, please contact my scheduler, Hilda Escobar, in my office at (916) 319-2030.

Sincerely,

LUIS A. ALEJO, Assembly Member
Thirtieth District

March 1, 2013

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

Dear Mr. Speaker: I am respectfully requesting to be excused from Session on Thursday, March 7, 2013, on legislative business, due to the Memorial Service for the two fallen Santa Cruz Police Officers. I want to thank you in advance for your consideration of this request.

Sincerely,

MARK STONE, Assembly Member
Twenty-ninth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 7, 2013

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

Assembly Bill No. 139

Assembly Bill No. 251

Assembly Bill No. 156

Assembly Bill No. 253

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills 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>
24 -----	Budget
378 -----	A. & A.R. and W.,P. & W.
399 -----	B.,P. & C.P. and Health
554 -----	A. & A.R.
565 -----	Health
589 -----	Health
603 -----	A. & A.R. and L. Gov.
609 -----	A. & A.R.
709 -----	W.,P. & W.
738 -----	Jud. and L. Gov.
748 -----	Jud.
762 -----	U. & C. and Nat. Res.
774 -----	L. Gov. and Jud.
796 -----	U. & C. and Nat. Res.
818 -----	Jud. and Nat. Res.
826 -----	A. & A.R.
834 -----	Jud.
860 -----	Health
869 -----	U. & C.
870 -----	Jud.
871 -----	Pub. S.
872 -----	P.E.,R. & S.S.
875 -----	Nat. Res.
876 -----	U. & C.
877 -----	E. & R.
879 -----	Rev. & Tax.
881 -----	Nat. Res. and W.,P. & W.

882	-----	E. & R.
884	-----	Pub. S.
889	-----	Health
890	-----	B.,P. & C.P.
895	-----	Higher Ed.
896	-----	W.,P. & W.
897	-----	Jud.
899	-----	Ed.
900	-----	Health
901	-----	Rev. & Tax.
902	-----	Trans.
909	-----	Pub. S.
912	-----	Health
915	-----	Pub. S.
916	-----	B.,P. & C.P.
917	-----	Ed.
918	-----	G.O.
919	-----	Rev. & Tax.
920	-----	L. Gov.
921	-----	Jud. and Pub. S.
922	-----	U. & C.
925	-----	Jud.
926	-----	Health
927	-----	Rev. & Tax.
928	-----	Ed.
933	-----	G.O.
935	-----	L. Gov.
938	-----	E. & R.
939	-----	Ed. and Jud.
941	-----	L. Gov.
943	-----	Rev. & Tax.
944	-----	Higher Ed.
946	-----	L. Gov. and Trans.
948	-----	Ed.
950	-----	Higher Ed.
951	-----	Ed.
952	-----	H. & C.D. and Rev. & Tax.
953	-----	Nat. Res.
954	-----	Hum. S.
955	-----	Higher Ed.
956	-----	Pub. S.
957	-----	Jud.
958	-----	Jud.
959	-----	Ed.
960	-----	G.O.
961	-----	Health and Jud.
963	-----	A. & A.R.
967	-----	H. & C.D.
968	-----	H. & C.D.
969	-----	Jud.
971	-----	L. & E. and Pub. S.
973	-----	Health
974	-----	Health
975	-----	Health and Rev. & Tax.

976	-----	Nat. Res. and Jud.
978	-----	J., E.D., & E. and B. & F.
979	-----	Pub. S.
981	-----	L. Gov. and H. & C.D.
982	-----	Nat. Res.
983	-----	Jud. and B.,P. & C.P.
984	-----	H. & C.D.
985	-----	Hum. S.
986	-----	Pub. S.
988	-----	Trans.
989	-----	P.E.,R. & S.S.
992	-----	Pub. S.
993	-----	Jud. and B.,P. & C.P.
994	-----	Pub. S.
995	-----	U. & C.
997	-----	Nat. Res.
1001	-----	Nat. Res.
1002	-----	Trans. and L. Gov.
1003	-----	B.,P. & C.P.
1006	-----	Pub. S.
1007	-----	Jud.
1010	-----	Ins.
1011	-----	Jud.
1012	-----	Rev. & Tax.
1013	-----	B.,P. & C.P.
1015	-----	Ed. and Rev. & Tax.
1016	-----	Ed.
1017	-----	B.,P. & C.P.
1019	-----	Pub. S.
1020	-----	Pub. S.
1021	-----	Nat. Res. and U. & C.
1022	-----	Nat. Res.
1024	-----	H. & C.D. and Jud.
1027	-----	Pub. S.
1028	-----	B.,P. & C.P.
1029	-----	Jud.
1032	-----	Ed.
1033	-----	E. & R.
1035	-----	L. Gov.
1037	-----	H. & C.D. and Agri.
1038	-----	E. & R.
1039	-----	G.O.
1040	-----	Pub. S.
1041	-----	Hum. S.
1042	-----	G.O.
1043	-----	E.S. & T.M.
1048	-----	Trans.
1049	-----	Rev. & Tax.
1052	-----	L. Gov.
1053	-----	Ins.
1054	-----	Health
1057	-----	B.,P. & C.P.
1060	-----	Nat. Res.
1063	-----	B.,P. & C.P.

1065	-----	Pub. S.
1067	-----	J., E.D., & E.
1068	-----	Ed.
1069	-----	Agri.
1070	-----	Trans.
1072	-----	Pub. S.
1073	-----	G.O. and U. & C.
1074	-----	G.O.
1075	-----	E. & R.
1076	-----	Ed.
1080	-----	H. & C.D. and L. Gov.
1081	-----	Trans. and J., E.D., & E.
1084	-----	Pub. S.
1085	-----	Higher Ed.
1086	-----	Ed.
1089	-----	Hum. S.
1091	-----	Jud. and B. & F.
1093	-----	Higher Ed. and V.A.
1094	-----	Hum. S.
1100	-----	U. & C.
1107	-----	Hum. S.
1108	-----	Pub. S.
1112	-----	Hum. S.
1113	-----	Trans.
1115	-----	Trans.
1116	-----	G.O.
1118	-----	Pub. S.
1119	-----	Pub. S.
1120	-----	Pub. S.
1121	-----	Jud.
1122	-----	E. & R. and Trans.
1124	-----	Health and V.A.
1125	-----	Jud.
1128	-----	G.O. and Pub. S.
1129	-----	Rev. & Tax.
1132	-----	Agri.
1135	-----	E. & R.
1136	-----	Health and B.,P. & C.P.
1137	-----	Pub. S. and Agri.
1140	-----	L. & E.
1143	-----	Rev. & Tax.
1144	-----	P.E.,R. & S.S.
1147	-----	B.,P. & C.P.
1149	-----	L. Gov. and Jud.
1152	-----	Ed.
1153	-----	B.,P. & C.P.
1154	-----	G.O.
1157	-----	E. & R.
1158	-----	Trans. and L. Gov.
1159	-----	Ed.
1160	-----	Jud.
1161	-----	Nat. Res. and L. Gov.
1162	-----	Higher Ed.
1163	-----	P.E.,R. & S.S.

1165	-----	L. & E.
1167	-----	Jud.
1168	-----	Health
1170	-----	E. & R.
1171	-----	Hum. S.
1177	-----	B.,P. & C.P.
1178	-----	Ed.
1181	-----	P.E.,R. & S.S.
1183	-----	Jud.
1186	-----	Ed.
1187	-----	Hum. S.
1190	-----	E.S. & T.M.
1194	-----	Trans.
1195	-----	Jud.
1199	-----	Higher Ed.
1200	-----	W.,P. & W.
1202	-----	L. & E.
1203	-----	Rev. & Tax.
1208	-----	Health
1209	-----	Ed.
1212	-----	A. & A.R.
1213	-----	W.,P. & W.
1215	-----	B.,P. & C.P. and Health
1216	-----	Ed.
1221	-----	Ed.
1222	-----	Rev. & Tax.
1226	-----	G.O.
1228	-----	U. & C.
1229	-----	H. & C.D. and L. Gov.
1230	-----	W.,P. & W.

Assembly Concurrent

<i>Resolution No.</i>		<i>Committee</i>
26	-----	Rls.

House

<i>Resolution No.</i>		<i>Committee</i>
10	-----	Rls.

Senate

<i>Bill No.</i>		<i>Committee</i>
41	-----	Ed.

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

HOUSE RESOLUTION NO. 8 (Hall)—Relative to Problem Gambling Awareness Week.

Resolution read.

**Members Made Coauthors of
House Resolution No. 8**

Assembly Member Hall was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of House Resolution No. 8.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Hall was granted unanimous consent to take up House Resolution No. 8, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 8, as Amended

HOUSE RESOLUTION NO. 8—Relative to Problem Gambling Awareness Week.
Resolution read, as amended, and adopted.

ASSEMBLY JOINT RESOLUTION NO. 4 (Hueso)—Relative to the United States-Mexico border.

Resolution read.

**Members Made Coauthors of
Assembly Joint Resolution No. 4**

Assembly Member Hueso was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Joint Resolution No. 4.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Hueso was granted unanimous consent to take up Assembly Joint Resolution No. 4, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 4, as Amended

ASSEMBLY JOINT RESOLUTION NO. 4—Relative to the United States-Mexico border.

Resolution read, as amended, and adopted by the following vote:

AYES—75

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

NOES—None

Resolution ordered transmitted to the Senate.

RECESS

By unanimous consent, at 9:22 a.m., Assistant Speaker pro Tempore Mullin declared the Assembly recessed to convene the First Extraordinary Session.

RECONVENED

At 9:56 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Member Brown was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Douglas Stallworth of San Bernardino.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Pan and Dickinson were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wayne Hisashi Maeda and Lorrie Toohey Maeda of Sacramento.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Assistant Speaker pro Tempore Mullin announced the following session schedule:

- Friday, March 8, 2013, No session;
- Monday, March 11, 2013, Floor Session, 12 noon and the State of the Judiciary Address at 3:45 p.m.;
- Tuesday, March 12, 2013, Check-in Session, 7 a.m.–3 p.m.;
- Wednesday, March 13, 2013, Check-in Session, 7 a.m.–3 p.m.;
- Thursday, March 14, 2013, Floor Session, 9 a.m.;
- Friday, March 15, 2013, No session.

ADJOURN IN MEMORY

Assembly Member Bloom was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Colby Evett of Santa Monica.

Assembly Member Chesbro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carrie Hamburg and Robert Manogue of Ukiah.

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Thomas Takashi Sato and Constance Elizabeth Chace Townsend of Long Beach.

VOTE ADDS

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

Assembly Joint Resolution No. 4: Gomez and Roger Hernández—Aye.

MOTION TO ADJOURN

At 10:03 a.m., Assembly Member Atkins moved that the Assembly do now adjourn.

Assembly Member Conway seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:03 a.m., Assistant Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 31—V. Manuel Pérez (Principal coauthor: Senator Lara). Relative to Cinco de Mayo Week.

HOUSE RESOLUTION NO. 11—Eggman, Campos, Grove, and Melendez (Coauthor: Skinner). Relative to Women in the United States Armed Forces.

HOUSE RESOLUTION NO. 12—Bigelow. Relative to the University of California 4-H Youth Development Program.

AUTHOR'S AMENDMENTS**Committee on Public Safety**

March 7, 2013

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

Assembly Bill No. 560

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

AMMIANO, Chair

ASSEMBLY BILL NO. 560—An act to amend Section 422.55 of the Penal Code, relating to hate crimes.

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 Agriculture

March 7, 2013

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

House Resolution No. 9

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

EGGMAN, Chair

HOUSE RESOLUTION NO. 9—Relative to historic vineyards.

Resolution read.

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

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: March 7, 2013

Mr. Speaker: Your Committee on Rules reports:

- Assembly Concurrent Resolution No. 22
- Assembly Concurrent Resolution No. 23
- House Resolution No. 10

With the recommendation: Be adopted.

SKINNER, Chair

Above resolutions ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 7, 2013

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

Senate Bill No. 140

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

Senate Chamber, March 7, 2013

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

Senate Joint Resolution No. 1

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 140—An act to add Section 30015 to the Penal Code, relating to firearms, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

SENATE JOINT RESOLUTION NO. 1—Relative to firearms.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 12 noon, Monday, March 11, 2013, out of respect to the memory of Frank Douglas Stallworth on motion of Assembly Member Brown; out of respect to the memory of Wayne Hisashi Maeda and Lorrie Toohey Maeda on motion of Assembly Members Pan and Dickinson; out of respect to the memory of Colby Evett on motion of Assembly Member Bloom; out of respect to the memory of Carrie Hamburg and Robert Manogue on motion of Assembly Member Chesbro; and out of respect to the memory of Thomas Takashi Sato and Constance Elizabeth Chace Townsend on motion of Assembly Member Lowenthal.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 7, 2013**

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

AB	RN
560	1309694

HR	RN
9	1310115

Daily Total:	2
Cumulative Total:	46

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