

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 10, 2015

THIRTY-NINTH SESSION DAY

ONE HUNDREDTH 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, March 10, 2015

The Assembly met at 7 a.m.

Hon. Jim Wood, Assembly Member, 2nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The following were placed upon the morning rollcall—78:

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

Quorum present.

At 1:38 p.m., Hon. Jimmy Gomez, 51st 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 personal business, and waiving per diem: Assembly Member Travis Allen.

Because of illness: Assembly Member Roger Hernández.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 10, 2015

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

Dear Dotson: Please be advised that I have appointed alternates to the following Budget Subcommittees for the 2015–16 Regular Session:

- Budget Subcommittee No. 1 on Health and Human Services*
Assemblymember Shirley Weber, Democratic Alternate
Assemblymember Melissa Melendez, Republican Alternate
- Budget Subcommittee No. 2 on Education Finance*
Assemblymember Shirley Weber, Democratic Alternate
Assemblymember Melissa Melendez, Republican Alternate
- Budget Subcommittee No. 3 on Resources and Transportation*
Assemblymember Shirley Weber, Democratic Alternate
Assemblymember Melissa Melendez, Republican Alternate
- Budget Subcommittee No. 4 on State Administration*
Assemblymember Shirley Weber, Democratic Alternate
Assemblymember Melissa Melendez, Republican Alternate
- Budget Subcommittee No. 5 on Public Safety*
Assemblymember Shirley Weber, Democratic Alternate
Assemblymember Melissa Melendez, Republican Alternate

Sincerely,

TONI G. ATKINS
Speaker of the Assembly

REPORTS

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

California State Auditor

2014-105
March 10, 2015

*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 requested by the Joint Legislative Audit Committee, the California State Auditor (state auditor) presents this audit report concerning the Los Angeles Department of Water and Power (department) and its implementation of its customer information system (CIS).

This report concludes that the premature launch of CIS may cause the department to spend in excess of \$200 million on the project, which is significantly more than the department's original budget of roughly \$87 million and its more recent November 2014 budget of nearly \$181 million. The growth in actual project costs over budgeted costs results from higher than expected spending on consultants, materials, and the department's own employees who worked on CIS, as well as the estimated costs associated with outstanding customer accounts that may now be too old (greater than 470 days past due) to collect.

More than a year after launching CIS in September 2013, the department is still struggling to normalize important business practices and to collect unpaid accounts. Its customers owe the department more than \$681 million as of November 2014—an increase of more than \$245 million under its prior billing system—and the department's efforts to collect on these accounts have been tempered by a desire to manage call wait times in its call centers. The department attempts to limit call wait times, in part, by managing how many of its customers enter its collections process and then call the department to discuss their accounts.

The department's executive management was well aware of the significant problems associated with CIS and yet made the questionable decision to launch the new system. In October 2011—nearly two years before the department launched CIS—the department's quality assurance consultant rated the CIS project as needing "immediate attention" and warned that no aspect of the project was ready. In fact, the quality assurance expert reported that the project's scope, quality, and schedule were all at the lowest possible rating. The department's own reports also showed numerous defects that remained unresolved, both before and after launch. Finally, we found that the department's executive management provided little to no specific information to the Los Angeles Board of Water and Power Commissioners (board) about the CIS project, effectively denying the board the opportunity to delay CIS's implementation.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Utilities and Commerce.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 10, 2015

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

Assembly Concurrent Resolution No. 26

Assembly Concurrent Resolution No. 27

Assembly Concurrent Resolution No. 28

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, March 10, 2015

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

Assembly Bill No. 31

Assembly Bill No. 265

Assembly Bill No. 59

Assembly Bill No. 436

Assembly Bill No. 60

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. 1517—Committee on Banking and Finance (Assembly Members Dababneh (Chair), Travis Allen (Vice Chair), Achadjian, Brown, Chau, Gatto, Kim, Low, Perea, and Mark Stone). An act to amend Section 17511.1 of the Business and Professions Code, to amend Sections 1632.5, 1748.13, 1789.12, 1812.201, and 2923.3 of the Civil Code, to amend Sections 1101.1, 2207, 2510, 3100, 17713.12, 25207, 25243.5, 25247, 25254, 25401, 25604, 25607, 25612.5, 25614, 25702, 29542, 31408, 31503, and 31513 of the Corporations Code, to amend Sections 620, 622, 1070, 2105, 4057, 12104, 17210.2, 17214, 17311, 17320, 17331, 18405, 22105.1, 22159.5, 22160, 22756, 23070, 23071, 23072, 23073, 23074, 23102, 30217, 50140, 50303, 50307.1, and 50316.5 of, and to amend the heading of Article 4 (commencing with Section 670) of Chapter 7 of Division 1 of, and to repeal Section 1008 of, the Financial Code, to amend Sections 5970, 6254.5, 6254.12, 6254.22, 11840, 53344.1, 53638, and 54956.87 of the Government Code, to amend Sections 1341.10, 1341.11, 1341.12, and 1341.14 of, and to repeal Section 1341.9 of, the Health and Safety Code, to amend Sections 1280.7, 12693.35, 14053, and 15036 of the Insurance Code, to amend Section 4600.5 of the Labor Code, to amend Section 11604.5 of the Probate Code, to amend Section 408 of the Revenue and Taxation Code, and to amend Section 22005.1 of the Welfare and Institutions Code, relating to business.

ASSEMBLY BILL NO. 1518—Committee on Aging and Long-Term Care (Assembly Members Brown (Chair), Gipson, Levine, and Lopez). An act to amend Section 14132.99 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 1519—Committee on Judiciary (Assembly Members Mark Stone (Chair), Alejo, Chau, Chiu, Cristina Garcia, Holden, and O'Donnell). An act to amend Sections 2104 and 17325 of the Family Code, and to add Section 69619 to the Government Code, relating to family law.

ASSEMBLY BILL NO. 1520—Committee on Judiciary (Assembly Members Mark Stone (Chair), Alejo, Chau, Chiu, Cristina Garcia, Holden, and O'Donnell). An act to amend Section 51.7 of the Civil Code, and to repeal Section 1 of Chapter 1293 of the Statutes of 1976, relating to civil rights.

ASSEMBLY BILL NO. 1521—Committee on Judiciary (Assembly Members Mark Stone (Chair), Alejo, Chau, Chiu, Cristina Garcia, Holden, and O'Donnell). An act to amend Sections 17, 581d, 582, and 1003 of the Code of Civil Procedure, relating to civil procedure.

ASSEMBLY BILL NO. 1522—Committee on Judiciary (Assembly Members Mark Stone (Chair), Alejo, Chau, Chiu, Cristina Garcia, Holden, and O'Donnell). An act to amend Sections 3485 and 3486.5 of the Civil Code, relating to real property.

ASSEMBLY BILL NO. 1523—Committee on Judiciary (Assembly Members Mark Stone (Chair), Alejo, Chau, Chiu, Cristina Garcia, Holden, and O'Donnell). An act to amend Section 6213 of the Business and Professions Code, relating to attorneys.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 44—Dodd (Principal coauthor: Senator Wolk) (Coauthors: Achadjian, Alejo, Bigelow, Cooper, Eggman, Levine, Mullin, Olsen, Mark Stone, and Wood) (Coauthor: Senator McGuire). Relative to California Wines: Down to Earth Month.

REPORTS OF STANDING COMMITTEES
Committee on Water, Parks, and Wildlife

Date of Hearing: March 10, 2015

Mme. Speaker: Your Committee on Water, Parks, and Wildlife reports:

Assembly Bill No. 96

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LEVINE, Chair

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 10, 2015.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk