

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, March 18, 2014**

**ONE HUNDRED SEVENTIETH SESSION DAY**

**FOUR HUNDRED SEVENTY-FIRST 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, March 18, 2014

The Assembly met at 7 a.m.

Hon. Brian Dahle, Assembly Member, 1st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Russell C. Tomas reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

**At 1:06 p.m., Hon. Luis A. Alejo, 30th 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 Member Gray.*

*On legislative business, per diem waived for the 2013–14 Session (Assembly Journal, page 69): Assembly Member Beth Gaines.*

*On personal business, and waiving per diem: Assembly Members Lowenthal and Waldron.*

**EXPLANATIONS OF ABSENCE**

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

March 18, 2014

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

Dear Speaker Pérez: I respectfully request to be excused from Check-in Session today, March 18, 2014, so I may tend to legislative business in my district. If you have any questions, please contact my scheduler, Jenna Chandler at 319-2006. Your consideration of this request would be greatly appreciated.

Best regards,

BETH GAINES, Assembly Member  
Sixth District

March 14, 2014

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

Dear Mr. Speaker: I am writing in request to be excused from Check-in Session on Tuesday, March 18, 2014, as I will be traveling to Firebaugh for legislative business. Thank you for your consideration of my request. If you have any questions, please contact Kristen Dyer at 319-2021.

Sincerely,

ADAM GRAY, Assembly Member  
Twenty-first District

**COMMUNICATIONS**

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

March 18, 2014

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

Dear Dotson: Please be advised that I have appointed Assemblymembers Ken Cooley and Phil Ting to replace Assemblymembers Steve Fox and V. Manuel Pérez on the Assembly Jobs, Economic Development, and the Economy Committee for today's hearing only.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

**REPORTS**

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

California State Auditor

2013-045  
March 18, 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 310, Statutes of 2009, the California State Auditor (state auditor) presents this audit report concerning the effectiveness and efficiency of the Bureau for Private Postsecondary Education's (bureau) operations.

This report concludes that the bureau has consistently failed to meet its responsibility to protect the public's interests. In fact, many of the State's long-standing problems with regulating private postsecondary educational institutions still persist today, four years after the bureau was established to fill the regulatory void left by the sunset of its predecessor. For example, the bureau had more than 1,100 license applications outstanding as of June 2013, some of which had been outstanding for more than three years. In addition, the bureau has struggled to proactively identify and effectively sanction unlicensed institutions. The bureau has performed only 456 announced compliance inspections since January 1, 2010, even though state law would suggest it might be responsible for performing an average of about 500 announced inspections per year. Moreover, the bureau failed to identify violations during the announced inspections that it did perform.

The bureau also failed to appropriately respond to complaints against institutions, even when students' safety was allegedly at risk. The bureau's data indicates that it had almost 780 complaints outstanding as of October 2013, and that 546 of these had been outstanding more than 180 days. Further, the bureau did not ensure that institutions provide students with accurate information that they can use for making enrollment decisions. For example, we visited five institutions and found that each institution either had errors or could not substantiate their student performance data, including job placement rates. The bureau conducted inspections for three of the five institutions but did not identify the discrepancies we found. We also noted weaknesses in the bureau's management of the Student Tuition Recovery Fund because, as of July 2013, roughly half of the 915 claims it received from fiscal years 2008–09 through 2012–13 were still outstanding.

The bureau is currently undergoing a sunset review and will cease to exist on January 1, 2015, unless the Legislature determines that it should continue its operations. We believe the Legislature has several options it can consider when deciding how best to regulate private postsecondary education in the future, including allowing the bureau to continue in its current form with significantly more assistance and oversight from the California Department of Consumer Affairs (Consumer Affairs),

reducing the bureau’s responsibilities by reassigning some of them to other entities that Consumer Affairs oversees, or transferring all of the bureau’s powers and duties from the director of Consumer Affairs to another state entity or entities.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Higher Education.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 18, 2014

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1446 | Assembly Bill No. 1566 |
| Assembly Bill No. 1454 | Assembly Bill No. 1658 |
| Assembly Bill No. 1455 | Assembly Bill No. 1677 |
| Assembly Bill No. 1513 | Assembly Bill No. 1850 |
| Assembly Bill No. 1524 | Assembly Bill No. 1892 |
| Assembly Bill No. 1527 | Assembly Bill No. 1940 |
| Assembly Bill No. 1534 | Assembly Bill No. 1951 |
| Assembly Bill No. 1556 |                        |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 18, 2014

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2000 | Assembly Bill No. 2021 |
| Assembly Bill No. 2013 | Assembly Bill No. 2574 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 18, 2014

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

- Assembly Bill No. 1511

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 18, 2014

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

- Assembly Concurrent Resolution No. 93

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 18, 2014

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

- Assembly Joint Resolution No. 5

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

March 18, 2014

Mr. Speaker: The Chair of your Committee on Health reports:  
Assembly Bill No. 2025

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

PAN, Chair

**ASSEMBLY BILL NO. 2025**—An act to amend Section 14005.40 of the Welfare and Institutions Code, relating to Medi-Cal.

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 18, 2014

Mr. Speaker: The Chair of your Committee on Agriculture reports:  
Assembly Bill No. 2730

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

EGGMAN, Chair

**ASSEMBLY BILL NO. 2730**—An act to add Article 7 (commencing with Section 9190) to Chapter 1 of Part 1 of Division 5 of the Food and Agricultural Code, relating to animals.

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**

March 18, 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 Utilities and Commerce**

March 18, 2014

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:  
Senate Bill No. 48

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

BRADFORD, Chair

**SENATE BILL NO. 48**—An act to add Section 740.5 to the Public Utilities Code, relating to public utilities.

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 Judiciary**

March 18, 2014

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

Assembly Bill No. 2256

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

WIECKOWSKI, Chair

**ASSEMBLY BILL NO. 2256**—An act to amend Sections 415.21, 415.95, 491.160, 684.115, 700.140, 708.170, and 1993 of, and to add Section 415.35 to, the Code of Civil Procedure, to amend Sections 6103.2, 6103.3, 6103.9, 26720.9, 26721, 26721.2, 26722, 26723, 26725.1, 26726, 26727, 26728.1, 26729, 26730, 26731, 26733.5, 26736, 26738, 26740, 26741, 26744.5, 26746, 26746.1, and 26750 of, to add Section 26725.2 to, and to repeal Section 26744 of, the Government Code, and to amend Section 166 of, and to amend, repeal, and add Section 1214.2 of the Penal Code, relating to civil procedure.

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 Health**

March 18, 2014

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

Assembly Bill No. 1644

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

PAN, Chair

**ASSEMBLY BILL NO. 1644**—An act to amend Section 14124.23 of, and to add Section 14124.27 to, the Welfare and Institutions Code, relating to Medi-Cal.

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 Public Safety**

March 18, 2014

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

Assembly Bill No. 2318

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

AMMIANO, Chair

**ASSEMBLY BILL NO. 2318**—An act to add Section 3055 to the Penal Code, relating to parole.

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 Water, Parks and Wildlife**

March 18, 2014

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Assembly Bill No. 2636

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

RENDON, Chair

**ASSEMBLY BILL NO. 2636**—An act to add Division 30 (commencing with Section 81000) to the Water Code, relating to water, and making an appropriation therefor.

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 Insurance**

March 18, 2014

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 2734

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

PEREA, Chair

**ASSEMBLY BILL NO. 2734**—An act to amend Section 1775.1 of the Insurance Code, and to amend Sections 12251 and 12260 of the Revenue and Taxation Code, relating to insurance.

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 Accountability and Administrative Review**

March 18, 2014

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

Assembly Bill No. 1568

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

FRAZIER, Chair

**ASSEMBLY BILL NO. 1568**—An act to amend Sections 14838.5 and 14838.64 of the Government Code, and to amend Sections 10508.5 and 20651.2 of the Public Contract Code, relating to public contracts.

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 Education**

March 18, 2014

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

Assembly Bill No. 1619

Assembly Bill No. 1912

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

BUCHANAN, Chair

**ASSEMBLY BILL NO. 1619**—An act to amend Sections 1296, 44908, 44910, 44929.21, and 44948.3 of, and to repeal Sections 44929.23, 44948, 44948.2, and 44948.5 of, the Education Code, relating to permanent school employees.

Bill read second time.

**ASSEMBLY BILL NO. 1912**—An act to add Section 33543 to the Education Code, relating to pupil instruction.

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 Business, Professions and Consumer Protection**

March 18, 2014

Mr. Speaker: The Chair of your Committee on Business, Professions and Consumer Protection reports:

Assembly Bill No. 1535

Assembly Bill No. 1627

Assembly Bill No. 1608

Assembly Bill No. 2605

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

BONILLA, Chair

**ASSEMBLY BILL NO. 1535**—An act to add Section 4052.01 to the Business and Professions Code, relating to pharmacists.

Bill read second time.

**ASSEMBLY BILL NO. 1608**—An act to amend, repeal, and add Sections 7512.3, 7525.1, 7529, 7538, 7538.5, and 7539 of, and to add and repeal Section 7520.3 of, the Business and Professions Code, relating to private investigators.

Bill read second time.

**ASSEMBLY BILL NO. 1627**—An act to add Section 6102 to the Government Code, relating to state government.

Bill read second time.

**ASSEMBLY BILL NO. 2605**—An act to amend Section 4127.2 of the Business and Professions Code, relating to pharmacy.

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.

**CONSIDERATION OF DAILY FILE  
SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 124, ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1512**—An act to amend Section 4115.5 of the Penal Code, relating to corrections.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ADJOURNMENT**

At 3:30 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 19, 2014.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 18, 2014**

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

**AB RN**

1512	1407497
1535	1407072
1568	1407041
1608	1407316
1619	1407487
1627	1407309
1644	1407190
1912	1407232
2025	1407027
2256	1406933
2318	1407126
2605	1406570
2636	1407346
2730	1406869
2734	1407172

**ACR RN**

109	1407549
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**SB RN**

48	1406775
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<b>Daily Total:</b>	<b>17</b>
<b>Cumulative Total:</b>	<b>2780</b>

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