

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, May 13, 2014

**ONE HUNDRED NINETY-EIGHTH SESSION DAY
FIVE HUNDRED TWENTY-SEVENTH 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
Tuesday, May 13, 2014

The Assembly met at 7 a.m.
Hon. Melissa A. Melendez, Assembly Member, 67th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Reading Clerk Kathleen M. Lewis reading.

ROLL CALL

The following were placed upon the morning roll call—75:

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

Quorum present.

At 12:58 p.m., Hon. Mariko Yamada, 4th 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 Levine.

On jury duty, per diem waived for the 2013–14 Session (Assembly Journal, page 69): Assembly Member Eggman.

On personal business, and waiving per diem: Assembly Member V. Manuel Pérez.

On paternity leave: Assembly Member Mansoor.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

May 6, 2014

*The Honorable Toni G. Atkins
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Atkins: I am writing to respectfully request that I be excused from Check-in Session on Tuesday, May 13, 2014. I will be in my district on legislative business, attending the Statewide Agricultural Commissioner's Conference and addressing the conference as keynote speaker. Thank you for your consideration of this request.

Sincerely,

MARC LEVINE, Assembly Member
Tenth District

COMMUNICATIONS

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

May 13, 2014

*The Honorable Darrell Steinberg
President pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, California*

*The Honorable Toni G. Atkins
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

*The Honorable Bob Huff
Minority Leader
California State Senate
State Capitol, Room 305
Sacramento, California*

*The Honorable Connie Conway
Minority Leader
California State Assembly
State Capitol, Room 3104
Sacramento, California*

RE: Tentative Agreement/Memorandum of Understanding (MOU) for Bargaining Unit 13, Stationary Engineers, Exclusive Employee Representative—International Union of Operating Engineers (IUOE)

Dear Senators Steinberg and Huff, and Assembly Members Atkins and Conway:

Recently, the Department of Human Resources (CalHR) reached a new Tentative Agreement/MOU with Bargaining Unit 13. Upon approval of the Legislature and the Governor, and ratification by the membership, this agreement will be effective July 2, 2013, through July 1, 2016.

This agreement rolls over language from past agreements and makes changes primarily in the area of employee compensation.

In accordance with Government Code Sections 3517.5, 19829.5, and Senate Rule 29.4, I am forwarding copies of this tentative agreement, including a legislative and fiscal summary. The Legislative Analyst will be forwarded a copy for analysis, and the Secretary of the Senate and the Clerk of the Assembly will be forwarded copies to make them noted as available for review in the daily journals.

The above mentioned tentative agreement and summary can also be found by going to the following link:

calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx.

CalHR is working to secure a legislative vehicle to approve the terms of this agreement.

Respectfully,

RICHARD GILLIHAN
Acting Director

Above report referred to the Committee on Public Employees, Retirement and Social Security.

SPECIAL COMMITTEE MEETINGS

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

Aging and Long-Term Care, on Tuesday, June 10, 2014, at 2 p.m., in Room 447;

Select Committee on Campus Climate, on Thursday, June 5, 2014, at 3 p.m., in Davis.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 13, 2014

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

Assembly Concurrent Resolution No. 146

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 13, 2014

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

Assembly Bill No. 1515

Assembly Bill No. 1548

Assembly Bill No. 2397

And reports the same correctly engrossed.

Assembly Bill No. 2479

Assembly Bill No. 2610

Assembly Bill No. 2746

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 13, 2014

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

Assembly Bill No. 1699

Assembly Bill No. 1814

Assembly Bill No. 2529

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 149—Weber (Principal coauthor: Lowenthal) (Principal coauthors: Senators Jackson and Mitchell). Relative to Femicide and Gendercide Prevention and Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 150—Bocanegra. Relative to journeyman linemen.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 13, 2014

Mme. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 2292

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

GATTO, Chair

ASSEMBLY BILL NO. 2292—An act to add Section 53395.3.10 to the Government Code, relating to local government.

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.

May 13, 2014

Mme. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 1930

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

GATTO, Chair

ASSEMBLY BILL NO. 1930—An act to add Section 18901.11 to the Welfare and Institutions Code, relating to public social services.

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

May 13, 2014

Mme. Speaker: The Chair of your Committee on Rules reports:
Assembly Bill No. 2065

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

GORDON, Chair

ASSEMBLY BILL NO. 2065—An act to amend Sections 8547.2 and 8547.3 of, and to add Section 8547.14 to, the Government Code, relating to the Legislature.

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 Elections and Redistricting

Date of Hearing: May 6, 2014

Mme. Speaker: Your Committee on Elections and Redistricting reports:
Assembly Bill No. 1817

With amendments with the recommendation: Amend, and do pass as amended.

FONG, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: May 7, 2014

Mme. Speaker: Your Committee on Education reports:

Assembly Bill No. 1851

Assembly Bill No. 1971

With amendments with the recommendation: Amend, and do pass as amended.

BUCHANAN, Chair

Above bills ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing: May 5, 2014

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1760

Assembly Bill No. 2119

With amendments with the recommendation: Amend, and do pass as amended.

BOCANEGRA, Chair

Above bills ordered to second reading.

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

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1515, 2746, 1548, 2397, and 2479, ordered to third reading.

(NOTE: Later this day, Assembly Bill No. 1548 was re-referred to the Committee on Appropriations.)

Assembly Bill No. 2610, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2008—An act to amend Section 65460.2 of the Government Code, relating to local planning.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2561—An act to add Sections 1940.10 and 4750 to the Civil Code, relating to land use.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2755—An act to amend Section 5047 of the Corporations Code, relating to corporations.

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

ASSEMBLY BILL NO. 1873—An act to amend Sections 4004 and 10703 of, and to add Section 4000.5 to, the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1922—An act to amend Section 815.3 of the Civil Code, to amend Section 65560 of the Government Code, and to add Chapter 10.5 (commencing with Section 5845) to Division 5 of the Public Resources Code, relating to open-space lands.

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

ASSEMBLY BILL NO. 2081—An act to amend Section 5021 of, and to add Section 5027.5 to, the Public Resources Code, relating to historical resources.

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

ASSEMBLY BILL NO. 2139—An act to amend Sections 442, 442.5, and 442.7 of the Health and Safety Code, relating to terminal illness.

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

ASSEMBLY BILL NO. 1858—An act to amend Section 9503 of the Commercial Code, relating to secured transactions.

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

ASSEMBLY BILL NO. 1981—An act to amend Section 1936 of the Civil Code, relating to rental vehicles.

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

ASSEMBLY BILL NO. 2370—An act to amend Section 68561 of the Government Code, relating to court interpreters.

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

ASSEMBLY BILL NO. 2151—An act to add Sections 26614.6 and 26614.7 to the Government Code, relating to local government.

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

ASSEMBLY BILL NO. 1752—An act to amend Section 13108 of the Elections Code, relating to elections.

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

ASSEMBLY BILL NO. 2093—An act to amend Section 9014 of the Elections Code, relating to elections.

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

ASSEMBLY BILL NO. 2233—An act to add Section 8106.5 to the Elections Code, relating to elections.

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

ASSEMBLY BILL NO. 1890—An act to add Chapter 2.7 (commencing with Section 18898) to Division 8 of the Business and Professions Code, relating to athletic trainers.

Bill read second time; amendments proposed by the Committee on Business, Professions and Consumer Protection read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY CONCURRENT RESOLUTION NO. 128—Relative to Living Schoolyard Month.

Resolution read; amendments proposed by the Committee on Education read and adopted; resolution ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 2481—An act relating to elementary and secondary education.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 2108—An act to amend Section 65962 of the Government Code, relating to flood management.

Bill read second time; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted; bill ordered reprinted and to be returned to the second reading file.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bill was ordered re-referred to the Committee on Appropriations:

Assembly Bill No. 1548.

MESSAGES FROM THE SENATE

Senate Chamber, May 12, 2014

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

Senate Bill No. 1037
Senate Bill No. 1116
Senate Bill No. 1117
Senate Bill No. 1151
Senate Bill No. 1171
Senate Bill No. 1219

Senate Bill No. 1220
Senate Bill No. 1273
Senate Bill No. 1380
Senate Bill No. 1404
Senate Bill No. 1441

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

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 1037—An act to amend Section 130350.6 of the Public Utilities Code, relating to transportation.

SENATE BILL NO. 1116—An act to amend Sections 2436.5 and 2455.1 of the Business and Professions Code, relating to physicians and surgeons, and making an appropriation therefor.

SENATE BILL NO. 1117—An act to amend Sections 13142, 13144, 13145, 13148, 13149, and 13152 of the Food and Agricultural Code, relating to pesticides.

SENATE BILL NO. 1151—An act to add Section 42011 to the Vehicle Code, relating to vehicles.

SENATE BILL NO. 1171—An act to amend Section 2079.13 of, and to amend the heading of Article 2 (commencing with Section 2079) of Chapter 3 of Title 6 of Part 4 of Division 3 of, the Civil Code, relating to real property transactions.

SENATE BILL NO. 1219—An act to amend Sections 19144 and 21202 of, and to repeal and add Article 8 (commencing with Section 21220) of Chapter 12 of Part 3 of Division 5 of Title 2 of, the Government Code, relating to public employees' retirement.

SENATE BILL NO. 1220—An act to amend Sections 22109.5, 22119.3, 22121, 22131, 22134, 22134.5, 22135, 22136, 22146.2, 22516, 22655, 22662, 22663, 22664, 22801, 22826, 22828, 22905, 22909, 23104, 24001, 24101, 24105, 24107, 24201.5, 24203.5, 24203.6, 24204, 24205, 24210, 24211, 24212, 24213, 24214.5, 24300, 24300.1, 24307, 24309, 24310, 24402, 24412, 24415, 24600, 25015, 25100, 26113, 26803, 27201, and 33050 of, to amend and renumber Sections 22106.2, 24300.2, 24300.5, 24300.6, 24301, 24302, 24303, 24304, 24305, 24305.5, 24306, 24306.5, 24306.7, 24308, 24311, 24312, 24312.1, and 24313 of, to amend, renumber, and add Section 22106.1 of, to amend and repeal Section 22119.5 of, to amend, renumber, and repeal Section 24305.3 of, and to add Sections 24347 and 24348 to, the Education Code, and to amend Section 1 of Chapter 559 of the Statutes of 2013, relating to state teachers' retirement.

SENATE BILL NO. 1273—An act to amend Sections 11629.7, 11629.71, 11629.72, 11629.73, 11629.745, 11629.75, 11629.76, 11629.77, 11629.81, 11629.84, 11629.85, and 11629.87 of the Insurance Code, relating to insurance.

SENATE BILL NO. 1380—An act to amend Section 51226.3 of, and to add Sections 51221.45 and 51226.4 to, the Education Code, relating to pupil instruction.

SENATE BILL NO. 1404—An act to amend Sections 33333.7 and 34180 of the Health and Safety Code, relating to redevelopment.

SENATE BILL NO. 1441—An act to amend Section 82015 of the Government Code, relating to the Political Reform Act of 1974.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, May 14, 2014.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 13, 2014**

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

AB RN

1752	1411317
1858	1410398
1890	1411333
1922	1411417
1930	1411793
1981	1411372
2065	1412076
2081	1411416
2093	1411358
2108	1411506
2139	1411390
2151	1411452
2233	1411316
2292	1410999
2370	1411373
2481	1410935
2755	1411433

ACR RN

128	1411012
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Daily Total:	18
Cumulative Total:	4030

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