

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 15, 2013**

**SEVENTY-SECOND SESSION DAY**

**ONE HUNDRED SIXTY-FOURTH 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  
Wednesday, May 15, 2013

The Assembly met at 7 a.m.

Hon. Rocky J. Chávez, Assembly Member, 76th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Timothy Morland reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

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

Quorum present.

**At 12:05 p.m., Hon. Steven Bradford, 62nd 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 Morrell.*

*On personal business, and waiving per diem: Assembly Members Allen and Melendez.*

*Because of a death in his family: Assembly Member Holden.*

*Because of illness in her family, and waiving per diem: Assembly Member Grove.*

**EXPLANATIONS OF ABSENCE**

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

May 9, 2013

*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 Check-in Session on Wednesday, May 15, 2013, as I will be in my District for legislative business. Thank you for your consideration of this matter. If there are any questions please contact Abi Stewart at (916) 319-2040.

Sincerely,

**MIKE MORRELL**, Assembly Member  
Fortieth District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 15, 2013

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

Assembly Bill No. 256  
Assembly Bill No. 354  
Assembly Bill No. 446

Assembly Bill No. 715  
Assembly Bill No. 817  
Assembly Bill No. 1005

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 15, 2013

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

Assembly Bill No. 299  
Assembly Bill No. 479

Assembly Bill No. 914  
Assembly Bill No. 928

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 15, 2013

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

Assembly Concurrent Resolution No. 39

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 15, 2013

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

Assembly Bill No. 626

Assembly Bill No. 812

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

GATTO, Chair

**ASSEMBLY BILL NO. 626**—An act to amend Sections 8482.3, 35182.5, 38091, 38100, 49430, 49431, 49431.2, 49431.5, 49431.7, and 49432 of, to repeal Sections 38092, 38102, 49433, 49433.5, 49433.7, 49433.9, 49435, and 49436 of, and to repeal and add Section 49434 of, the Education Code, relating to school nutrition.

Bill read second time.

**ASSEMBLY BILL NO. 812**—An act to amend Sections 8257, 8402, 8403, 8406.6, 8406.7, 8406.9, 8407, and 8408 of, and to add Section 8401.5 to, the Education Code, relating to child care.

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.

May 15, 2013

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

Assembly Bill No. 933

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

GATTO, Chair

**ASSEMBLY BILL NO. 933**—An act to amend Section 23363.1 of, and to add Section 23363.3 to, the Business and Professions Code, relating to alcoholic beverages.

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**

May 15, 2013

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

Assembly Bill No. 947

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

BUCHANAN, Chair

**ASSEMBLY BILL NO. 947**—An act to amend Sections 44955 and 44956 of, and to add Section 44955.2 to, the Education Code, relating to school employees.

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 Natural Resources**

Date of Hearing: May 14, 2013

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Concurrent Resolution No. 52

With the recommendation: Be adopted.

CHESBRO, Chair

Above resolution ordered to third 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. 817, 256, 446, 715, and 1005, ordered to third reading.

(NOTE: Later this day Assembly Bill No. 446 was re-referred to the Committee on Appropriations.)

Assembly Bill No. 354, ordered to the Consent Calendar.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 884**—An act to amend Section 3081 of the Penal Code, relating to county parole.

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.

**ASSEMBLY BILL NO. 739**—An act to amend Section 830.35 of the Penal Code, relating to peace officers.

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, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 986**—An act to amend Sections 3453 and 3454 of the Penal Code, relating to flash incarceration.

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, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 1004**—An act to amend Section 817 of the Penal Code, relating to crimes.

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, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 187**—An act to amend Section 1656.1 of the Civil Code, to add Title 7 (commencing with Section 14001) to Part 4 of the Penal Code, and to add Part 14.5 (commencing with Section 33001) to Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 280**—An act to amend Section 53260 of and to add Section 53260.3 to, the Government Code, relating to employment.

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.

**ASSEMBLY BILL NO. 296**—An act to amend Section 6062 of the Business and Professions Code, relating to attorneys.

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. 1289**—An act to add Section 429.9 to the Government Code, relating to state government.

Bill read second time; amendments proposed by the Committee on Governmental Organization 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. 446.

#### **ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, May 16, 2013.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 15, 2013**

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

<b>AB</b>	<b>RN</b>
187	1315432
280	1315232
296	1314862
626	1315453
739	1314571
812	1315343
884	1314257
933	1315068
947	1313462
986	1315061
1004	1315080
1289	1315254

<b>Daily Total:</b>	<b>12</b>
<b>Cumulative Total:</b>	<b>1480</b>

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