

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 6, 2013

EIGHTY-SIXTH SESSION DAY

ONE HUNDRED EIGHTY-SIXTH 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, June 6, 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 Chau 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.

Quorum Present

At 9:02 a.m., Speaker pro Tempore Campos declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—75:

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

PRAYER

Upon invitation of Speaker pro Tempore Campos, the following prayer was offered by Assembly Member Ken Cooley, of the 8th Assembly District:

Gracious God, We ask You to bless us and to enliven us with the power of Your Spirit. Grant us wisdom to deliberate with honesty and courage. Grant us strength to lead with integrity and patience. And grant us open hearts to serve Your people with hope and love. In this season of spring, fill us with hope to recognize Your compassionate hand in guiding us to do Your will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Campos, Assembly Member Brown 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 Ting, seconded by Assembly Member Hagman.

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 Gray and Salas.

Because of illness: Assembly Members Holden and Logue.

EXPLANATIONS OF ABSENCE

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

June 4, 2013

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

Honorable Speaker Pérez: I respectfully ask to be excused from Session on June 6, 2013, for legislative business.

Sincerely,

ADAM C. GRAY, Assembly Member
Twenty-first District

<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
48	U. & C.
155	Jud. and Trans.
302	Ed.
309	A.,E.,S.,T., & I. M. and B.,P. & C.P.
313	Pub. S.
327	Pub. S.
354	V.A. and L. & E.
360	E. & R.
361	E. & R.
368	Ed.
505	Ed.
606	Pub. S.
660	Ed.
682	Ed.
788	Trans. and Nat. Res.
801	A. & A.R.
806	Trans.
822	B.,P. & C.P.
825	L. Gov. and Rev. & Tax.
826	Jud.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
30	Rls.
41	Rls.

REQUEST FOR PHOTOGRAPHER

Assembly Members Frazier, Chávez, Gomez, and Yamada were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Members Frazier, Chávez, Gomez, and Yamada were granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber.

JOINT RULE 62(a) SUSPENDED BY UNANIMOUS CONSENT

Assembly Member Atkins was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Appropriations to hear Senate Bills Nos. 106 and 509 on Monday, June 10, 2013, upon adjournment of Floor Session, in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 9:06 a.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Frazier introduced musician Chuck Billy, descendent of the Pomo Native Americans. Chuck Billy is featured in *Up Where We Belong*, a Native American display at the Smithsonian Institute. Assembly Member Frazier recognized Chuck Billy as an exceptionally talented artist who embodies the strength and enduring spirit of Native Americans, whereupon he presented a Members' Resolution.

* * *

Assembly Member Yamada introduced Isabella Bosetti, a student at Justin-Siena High School in Napa, who maintained a 4.61 grade point average and will attend Princeton University in the fall. Assembly Member Yamada noted that Isabella Bosetti earned the Most Valuable Player award in her freshman year on the golf team, was Captain of the Justin-Siena High School Varsity Golf Team in 2012, and developed Healthy Eyes for Our Veterans, a program at the Veterans Home of California in Yountville, whereupon Assembly Member Yamada presented a Members' Resolution congratulating Isabella Bosetti on being named the 2013 California Interscholastic Federation/Farmers Female Scholar-Athlete of the Year.

Assembly Member Chávez introduced Brandon Miller, a student at La Costa Canyon High School who maintained a 4.6 grade point average, earned a perfect ACT score of 36, and who will attend the University of California, Los Angeles in the fall. Assembly Member Chávez noted that Brandon Miller is a standout varsity basketball and baseball player who volunteers in his community as a youth camp instructor, whereupon Assembly Member Chávez presented a Members' Resolution congratulating Brandon Miller on being named the 2013 California Interscholastic Federation/Farmers Male Scholar-Athlete of the Year.

Assembly Members Yamada and Chávez recognized the 2013 California Interscholastic Federation/Farmers Scholar-Athletes of the Year for their exemplary academic, athletic, and volunteer service records.

RECONVENED

At 9:15 a.m., the Assembly reconvened.

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

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

ASSEMBLY BILL NO. 300 (Perea)—An act to amend Sections 224.4 and 431 of, and to add Section 316 to, the Public Utilities Code, and to amend Sections 41020 and 41030 of, to add Part 21 (commencing with Section 42000) to, and to add Part 21.1 (commencing with Section 42100) to, Division 2 of, the Revenue and Taxation Code, relating to telecommunications, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—65

Achadjian	Dahle	Jones	Perea
Alejo	Daly	Jones-Sawyer	Pérez, V.M.
Allen	Dickinson	Levine	Quirk
Atkins	Eggman	Linder	Quirk-Silva
Bigelow	Fong	Lowenthal	Rendon
Blumenfield	Frazier	Maienschein	Stone
Bocanegra	Gaines	Mansoor	Ting
Bonilla	Garcia	Melendez	Wagner
Bonta	Gatto	Mitchell	Waldron
Bradford	Gomez	Morrell	Weber
Brown	Gonzalez	Mullin	Wieckowski
Buchanan	Gorell	Muratsuchi	Wilk
Calderon	Grove	Nazarian	Williams
Campos	Hagman	Nestande	Mr. Speaker
Chau	Hall	Olsen	
Conway	Harkey	Pan	
Cooley	Hernández	Patterson	

NOES—1

Donnelly

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—65

Achadjian	Dahle	Jones	Perea
Alejo	Daly	Jones-Sawyer	Pérez, V.M.
Allen	Dickinson	Levine	Quirk
Atkins	Eggman	Linder	Quirk-Silva
Bigelow	Fong	Lowenthal	Rendon
Blumenfield	Frazier	Maienschein	Stone
Bocanegra	Gaines	Mansoor	Ting
Bonilla	Garcia	Melendez	Wagner
Bonta	Gatto	Mitchell	Waldron
Bradford	Gomez	Morrell	Weber
Brown	Gonzalez	Mullin	Wieckowski
Buchanan	Gorell	Muratsuchi	Wilk
Calderon	Grove	Nazarian	Williams
Campos	Hagman	Nestande	Mr. Speaker
Chau	Hall	Olsen	
Conway	Harkey	Pan	
Cooley	Hernández	Patterson	

NOES—1

Donnelly

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 880 (Gomez)—An act to add Section 230.9 to the Labor Code, to amend Sections 1088.5 and 1095 of, and to add Section 976.7 to, the Unemployment Insurance Code, and to amend Section 11025 of, and to add Article 7 (commencing with Section 14199) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care coverage, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Gomez moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

HOUSE RESOLUTION NO. 17 (Medina)—Relative to Small Business Month. Resolution read.

Motion to Amend by Assembly Member Allen

Assembly Member Allen moved the adoption of amendments.

Assembly Rule 112 Suspended

Assembly Member Allen was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

Motion to Table Allen Amendments to House Resolution No. 17

Assembly Member Atkins moved that the amendments offered by Assembly Member Allen to House Resolution No. 17 be laid upon the table.

Assembly Member V. Manuel Pérez seconded the motion.

Motion carried by the following vote:

AYES—49

Alejo	Chesbro	Hernández	Quirk-Silva
Atkins	Cooley	Jones-Sawyer	Rendon
Bloom	Daly	Levine	Skinner
Blumenfield	Dickinson	Lowenthal	Stone
Bocanegra	Fong	Medina	Ting
Bonilla	Fox	Mitchell	Weber
Bonta	Frazier	Mullin	Wieckowski
Bradford	Garcia	Muratsuchi	Williams
Brown	Gatto	Nazarian	Yamada
Buchanan	Gomez	Pan	Mr. Speaker
Calderon	Gonzalez	Perea	
Campos	Gordon	Pérez, V.M.	
Chau	Hall	Quirk	

NOES—26

Achadjian	Donnelly	Jones	Olsen
Allen	Eggman	Linder	Patterson
Ammiano	Gaines	Maienschein	Wagner
Bigelow	Gorell	Mansoor	Waldron
Chávez	Grove	Melendez	Wilk
Conway	Hagman	Morrell	
Dahle	Harkey	Nestande	

**Members Made Coauthors of
House Resolution No. 17**

Assembly Member Medina was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of House Resolution No. 17.

Additional Coauthors

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

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

Request for Unanimous Consent

Assembly Member Medina was granted unanimous consent to take up House Resolution No. 17, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 17, as Amended

HOUSE RESOLUTION NO. 17—Relative to Small Business Month.

Resolution read, as amended, and adopted.

ASSEMBLY JOINT RESOLUTION NO. 20 (John A. Pérez)—Relative to student loan interest rates.

Resolution read third time, and adopted by the following vote:

AYES—73

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

NOES—1

Donnelly

**BILLS STRICKEN FROM FILE
PURSUANT TO ASSEMBLY RULE 98**

Without objection, Assistant Speaker pro Tempore Mullin was granted unanimous consent that Assembly Bill No. 618 be stricken from file (A-15, inactive file).

ADJOURN IN MEMORY

Assembly Member Bonta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of David Glover of Oakland.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cooley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Staff Sergeant Richard A. Dickson, United States Air Force, resident of Rancho Cordova.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Campos announced the following session schedule:

Friday, June 7, 2013, No session;

Monday, June 10, 2013, Floor Session, 12 noon;

Tuesday, June 11, 2013, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon call of the Speaker;

Wednesday, June 12, 2013, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon call of the Speaker;

Thursday, June 13, 2013, Floor Session, 9:00 a.m.;

Friday, June 14, 2013, Floor Session, upon call of the Speaker;

Saturday, June 15, 2013, Floor Session, upon call of the Speaker.

ADJOURN IN MEMORY

Assembly Member Alejo was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donna Vaughan, Salinas City Elementary School District Superintendent, resident of Salinas.

Assembly Members Bigelow and Patterson were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cherrie Pistorosi of Fresno.

Assembly Member Fong was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kenneth Hayes of San Jose.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 669 and 1199 were continued until the next legislative day.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 300 and Urgency: Brown, Jones, and Nazarian—Aye; Donnelly—No.

House Resolution No. 17, Atkins Motion to Lay on the Table Allen Amendments: Brown—Aye; Chávez and Melendez—No.

Assembly Joint Resolution No. 20: Chávez, Morrell, and Williams—Aye.

MOTION TO ADJOURN

At 9:37 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 9:37 a.m., Assistant Speaker pro Tempore Mullin declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 64—Allen (Coauthors: Achadjian, Bigelow, Bradford, Chávez, Dickinson, Grove, Hagman, Harkey, Jones, Maienschein, Mansoor, Nazarian, Patterson, Waldron, and Wilk). (Coauthors: Senators Beall, Nielsen, Wyland, and Yee). Relative to Little Saigon.

AUTHOR'S AMENDMENTS**Committee on Labor and Employment**

June 6, 2013

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Senate Bill No. 558

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

ROGER HERNÁNDEZ, Chair

SENATE BILL NO. 558—An act to amend Section 1094 of the Unemployment Insurance Code, relating to unemployment 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 Environmental Safety and Toxic Materials

June 6, 2013

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 429

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

ALEJO, Chair

SENATE BILL NO. 429—An act to amend Section 1 of Chapter 776 of the Statutes of 1992, relating to the San Gabriel Basin Water Quality Authority Act.

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 Revenue and Taxation

June 6, 2013

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1077

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

BOCANEGRA, Chair

ASSEMBLY BILL NO. 1077—An act to add and repeal Sections 6011.3, 6012.4, and 10759.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Governmental Organization

June 6, 2013

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Senate Bill No. 31

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

HALL, Chair

SENATE BILL NO. 31—An act to amend Section 5272 of the Business and Professions Code, relating to outdoor advertising.

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 Rules

Date of Hearing: June 6, 2013

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 17

With the recommendation: Be adopted.

SKINNER, Chair

Above resolution ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, June 6, 2013

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

Assembly Bill No. 805

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, June 6, 2013

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

Senate Concurrent Resolution No. 40

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

INTRODUCTION OF GUESTS

Assembly Member Buchanan, of the 16th Assembly District, introduced guests from the Dorris-Eaton School in Walnut Creek.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 12 noon, Monday, June 10, 2013, out of respect to the memory of David Glover on motion of Assembly Member Bonta; out of respect to the memory of Staff Sergeant Richard A. Dickson, United States Air Force, on motion of Assembly Member Cooley; out of respect to the memory of Donna Vaughan on motion of Assembly Member Alejo; out of respect to the memory of Cherrie Pistoressi on motion of Assembly Members Bigelow and Patterson; and out of respect to the memory of Kenneth Hayes on motion of Assembly Member Fong.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 6, 2013

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

AB	RN
880	1319554
1077	1319849

SB	RN
31	1319363
429	1316224
558	1319846

Daily Total: 6

Cumulative Total: 1689

Amendments were considered by the Assembly, but not adopted, to the following measures:

HR

17 (Allen amendments—Set 1, RN1319721, laid upon the table)

O