

CALIFORNIA LEGISLATURE
2015–16 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, June 19, 2015

FIRST SESSION DAY

FIRST 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.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

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(Corrected 3-21-16)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, June 19, 2015

At 9:13 a.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Edmund G. Brown Jr., Governor of the State of California, dated June 16, 2015, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 2015–16 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk; Amy Leach, Minute Clerk; and Ronald E. Pane, Chief Sergeant at Arms.

Hon. Kevin Mullin, Speaker pro Tempore of the Assembly for the 2015–16 Regular Session, presiding.

Reading Clerk Kathleen M. Lewis, reading.

ROLLCALL

The roll was called, and the following answered to their names—80:

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

Quorum present.

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

PRAYER

Upon invitation of Speaker pro Tempore Mullin, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, If we are going to ascend to You, we need to have higher thoughts every day, by standing against dark influences and by actually guarding our thoughts. We can't just watch any old thing on TV. We can't just listen to any old conversation. We have to make sure that what we allow into our mind is pleasing to You, Lord, because what we allow into our mind will eventually affect our heart. Help us to choose higher thoughts and to ascend to a higher path in life and receive the blessings You have in store for us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Mullin, Assembly Member Eggman then led the Assembly in the pledge of allegiance to the Flag.

PROCLAMATION BY THE GOVERNOR

Speaker pro Tempore Mullin directed the Clerk to read the following proclamation by the Governor convening the Legislature in extraordinary session:

A PROCLAMATION**BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS, the state's recent expansion of health care coverage has resulted in more than four million additional Californians receiving coverage through Medi-Cal; and

WHEREAS, to date, the managed care organization tax has provided a stable source of funding to help pay for the costs of the health care expansion; and

WHEREAS, the federal government has issued guidance to the state that it cannot extend the managed care organization tax in its current format; and

WHEREAS, the state will be forced to make more than \$1 billion in program cuts beginning next year if the managed care organization tax is not extended; and

WHEREAS, the state's General Fund cannot afford to provide additional rate increases for providers of services for Medi-Cal recipients and consumers with developmental disabilities; and

WHEREAS, the state's General Fund cannot afford to permanently maintain a restoration of 7 percent of hours in the In-Home Supportive Services program; and

WHEREAS, these extraordinary circumstances require the Legislature of the State of California to be convened in a special session.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with Section 3(b) of Article IV of the Constitution of the State of California, hereby convene the Legislature of the State of California to assemble in extraordinary session in Sacramento, California, on the 19th day of June, 2015, at a time to be determined, for the following purposes:

To consider and act upon legislation necessary to enact permanent and sustainable funding from a new managed care organization tax and/or alternative fund sources to provide:

- a. At least \$1.1 billion annually to stabilize the General Fund's costs for Medi-Cal; and
- b. Sufficient funding to continue the 7 percent restoration of In-Home Supportive Services hours beyond 2015–16; and
- c. Sufficient funding to provide additional rate increases for providers of Medi-Cal and developmental disability services.

To consider and act upon legislation necessary to:

- a. Establish mechanisms so that any additional rate increases expand access to services; and
- b. Increase oversight and the effective management of services provided to consumers with developmental disabilities through the regional center system; and
- c. Improve the efficiency and efficacy of the health care system, reduce the cost of providing health care services, and improve the health of Californians.

I FURTHER DIRECT that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of June, 2015.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Receipt of Proclamation

I acknowledge receipt this 16th day of June, 2015, at 3:25 p.m., of a proclamation by the Governor, regarding health care, delivered to me personally by Michael Mullaney.

SUE PARKER
Assistant Chief Clerk of the Assembly

ELECTION OF SPEAKER

Assembly Member Holden moved that the election of Speaker Toni G. Atkins by voice vote of the Members of the Assembly on December 1, 2014, to the Office of Speaker of the Assembly for the 2015–16 Regular Session, and the Oath of Office administered (Assembly Journal, page 7), be substituted in the 2015–16 Second Extraordinary Session.

Assembly Member Ridley-Thomas seconded the motion.
Motion carried.

OATH OF OFFICE

The following oath of office was administered to Speaker-elect Toni G. Atkins, on Monday, December 1, 2014, by the Honorable Goodwin Liu, Associate Justice of the Supreme Court of California, and without objection was substituted in the Second Extraordinary Session:

OATH

for the Office of Speaker of the California Assembly

I, Toni G. Atkins, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

ELECTION OF OFFICERS OF THE ASSEMBLY

Assembly Member Holden moved that the non-member officers in the Assembly for the 2015–16 Regular Session be deemed the non-member officers in the 2015–16 Second Extraordinary Session and that the rollcall vote and their Oaths of Office in the Regular Session be substituted: E. Dotson Wilson, Chief Clerk; Ronald E. Pane, Chief Sergeant at Arms; and Father Constantine C. Pappademos, Chaplain.

Assembly Member Ridley-Thomas seconded the motion.
Motion carried.

OATHS OF OFFICE ADMINISTERED

The following Oath of Office was administered to Chief Clerk-elect E. Dotson Wilson, Chief Sergeant at Arms-elect Ronald E. Pane, and Chaplain-elect Father Constantine C. Pappademos, on December 3, 2012, by the Honorable Goodwin Liu, Associate Justice of the Supreme Court of California, and without objection was substituted in the Second Extraordinary Session:

OATH

I do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

MOTION RELATIVE TO ORGANIZATION OF THE ASSEMBLY

Assembly Member Holden moved that the provisions of House Resolution No. 3 in the 2015–16 Regular Session, relative to the payment of Members, officers, and attachés of the Assembly; and distribution of Weekly Histories, be deemed adopted in the 2015–16 Second Extraordinary Session.

Assembly Member Ridley-Thomas seconded the motion.

Motion carried.

(NOTE: For the text of House Resolution No. 3, see Assembly Daily Journal for December 1, 2014, for the 2015–16 Regular Session, page 58.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 19, 2015

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following Democratic Leadership for the 2015–16 Second Extraordinary Session:

Speaker pro Tempore	Hon. Kevin Mullin
Assistant Speaker pro Tempore	Hon. David Chiu
Majority Floor Leader	Hon. Chris R. Holden
Assistant Majority Floor Leader	Hon. Cristina Garcia
Majority Whip	Hon. Miguel Santiago
Assistant Majority Whip	Hon. Evan Low
Assistant Majority Whip	Hon. Jim Cooper
Democratic Caucus Chair	Hon. Susan Talamantes Eggman

Sincerely,

TONI G. ATKINS
Speaker of the Assembly

June 19, 2015

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: This letter is to notify you of the following Republican Leadership Team for the 2015–16 Second Extraordinary Session:

Assemblywoman Kristin Olsen	Republican Floor Leader
Assemblyman Scott Wilk	2nd Ranking Republican and Caucus Chair
Assemblyman Travis Allen	Assistant Republican Leader, Strategic Advancement
Assemblyman Frank Bigelow	Assistant Republican Leader, Finance

Assemblyman Jay Obernolte	Assistant Republican Leader, Innovation and the New Economy
Assemblywoman Marie Waldron	Republican Floor Manager
Assemblyman James Gallagher	Deputy Republican Floor Manager
Assemblyman Chad Mayes	Chief Republican Whip
Assemblywoman Ling Ling Chang	Republican Whip
Assemblywoman Beth Gaines	Republican Whip

If you have any questions regarding this letter, please contact Jim Richardson at (916) 319-2012. It is an honor working with you in the California State Assembly.

Sincerely,

KRISTIN OLSEN
Assembly Republican Leader

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

PER DIEM WAIVERS

December 1, 2014

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

Dear Mr. Wilson: I am writing to advise that I will be waiving per diem for the 2015–16 Session as allowed by the California State Assembly. Should you have any questions, please feel free to contact me via my Chief of Staff, Jillena Hernandez, at 916-319-2008.

Sincerely,

KEN COOLEY, Assembly Member
Eighth District

December 1, 2014

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

Dear Madame Speaker: I'm writing to let you know that I would like to waive per diem for the 2015–16 Session. Thank you for your consideration of my request.

Sincerely,

JIM COOPER, Assembly Member
Ninth District

December 1, 2014

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

Dear Mr. Wilson: This is to inform you that I would like to waive per diem for the 2014 through 2016 Assembly Session years. If you have any questions, please feel free to contact me at 916-319-2013.

Sincerely,
SUSAN TALAMANTES EGGMAN, Assembly Member
Thirteenth District

December 1, 2014

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

Dear Speaker Atkins: This letter is to notify you that I would like to waive per diem for the entirety of the 2015–16 Legislative Session. Please contact my Chief of Staff, Dave Titus at 319-2006 should you have any questions.

Best regards,

BETH GAINES, Assembly Member
Sixth District

December 1, 2014

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

Dear Mr. Wilson: I respectfully decline the \$26.14 increase to my legislative per diem that began in October 2014. I would like to keep my per diem level the same as when I was sworn into office in December 2012, \$141.86. If you have any questions or need any additional information, please contact me at (916) 319-2060.

In service,

ERIC LINDER, Assembly Member
Sixtieth District

December 1, 2014

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

Dear Madame Speaker: The purpose of this letter is to confirm that I am waiving per diem for the upcoming two-year legislative session, effective today. Thank you for your attention to this matter. If you have questions or require additional information, please do not hesitate to contact Karla J. Mendoza, in my office at (916) 319-2007.

Sincerely,

KEVIN MCCARTY, Assembly Member
Seventh District

(NOTE: For further communication relative to the acceptance of per diem for the remainder of the 2015–16 Legislative Session by Assembly Member McCarty effective January 14, 2016, see the Assembly Journal for the Regular Session for January 14, 2016, page 3415.)

December 2, 2014

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

Dear Mr. Wilson: This letter is to notify you that I would like to waive per diem for the entirety of the 2015–16 Legislative Session. Please contact my Chief of Staff, Nanette Farag, at 916-319-2016 should you have any questions.

Sincerely,

CATHARINE B. BAKER, Assembly Member
16th District

RECESS

By unanimous consent, at 9:17 a.m., Speaker pro Tempore Mullin declared the Assembly recessed to reconvene Regular Session.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon call of the Speaker.

TONI G. ATKINS, Speaker

AMY LEACH, Minute Clerk