

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 23

SUMMER RECESS

Assembly Chamber, Sacramento
Wednesday, July 30, 2014

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2013–14 Regular Session was printed while the Assembly was in Summer Recess.

COMMUNICATIONS

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

July 8, 2014

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 Assembly Members as the official delegation to the funeral of former Assembly Member Ira Ruskin:

Hon. Paul Fong
Hon. Rich Gordon
Hon. Kevin Mullin
Hon. John A. Pérez
Hon. Nancy Skinner

The services will be held on Wednesday, July 9, 2014, at temple Beth Jacob in Redwood City.

Sincerely,

TONI G. ATKINS
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

2013-126
July 8, 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 requested by the Joint Legislative Audit Committee (committee), the California State Auditor presents this audit report concerning the rates charged by four water utilities in the Antelope Valley (valley). Specifically, we were asked to audit the rates that three government-owned utilities (public utilities)—Los Angeles County Waterworks, District 40 (LA District 40), Palmdale Water District, Quartz Hill Water District (Quartz Hill)—and one investor-owned utility (investor utility), California Water Service Company (Cal Water) charge their respective customers. In addition, the committee requested that we identify and evaluate significant factors contributing to each water utility's rates.

This report concludes that water rates differ considerably among the four water utilities and that various cost factors affect the water rates that each of them charges. For example, investor utilities incur costs that public utilities do not, including property and franchise taxes. In addition, each utility has access to different revenue sources, with public utilities receiving revenues in addition to monthly water rates, primarily property taxes, which help them cover their costs and contribute to lower rates. A utility's sources of water also contribute to cost variations.

Our review also found that all four utilities increased their water rates between 2011 and 2013 and the utilities were generally able to substantiate reasons for their increases. Furthermore, processes are in place to protect consumers from unreasonable rate increases, which each water utility could demonstrate it followed, with some exceptions for Quartz Hill and LA District 40. However, the requirements for notice under Proposition 218 could be clarified by the Legislature to provide further guidance to public utilities. In addition, a constitutional provision under that same law allowing parcel owners to protest a rate increase is unlikely to prohibit increased rates because it requires that a majority of parcel owners submit a written request.

Finally, the utilities attested to a variety of cost saving efforts to keep their water rates reasonable, but were not always able to demonstrate that these efforts generated any quantifiable cost savings to their customers. Additionally, Cal Water offers two rate assistance programs to qualified customers in the valley while the three other utilities do not currently offer rate assistance programs or discounts to their customers' monthly water bills.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Utilities and Commerce.

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Coastal Protection, on Tuesday, August 12, 2014, at 9 a.m.;

Select Committee on Local Emergency Preparedness, on Thursday, July 31, 2014, at 9:30 a.m., in Los Angeles;

Select Committee on Addressing Out of School and Unemployed Youth, on Wednesday, July 30, 2014, at 9 a.m., in Pacoima;

Select Committee on Mental and Behavioral Health, to convene jointly with the Select Committee on Justice Reinvestment, on Tuesday, July 29, 2014;

Aging and Long-Term Care, to convene jointly with the Senate Select Committee on Aging and Long-Term Care, on Tuesday, August 12, 2014, at 2 p.m., in Room 113;

Governmental Organization, on Monday, August 11, 2014, upon adjournment of Floor Session, in Room 4202;

Human Services, on Tuesday, August 5, 2014, at 1:30 p.m., in Room 127.

MESSAGES FROM THE OFFICE OF THE GOVERNOR

The following message from the Office of the Governor was received and ordered printed in the Journal:

July 25, 2014

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

Dear Speaker Atkins: Governor Brown will be out of the state beginning July 27, 2014, at approximately 1:00 p.m., and will return at approximately 5:15 p.m., on July 30, 2014. During Governor Brown's absence, Lieutenant Governor Gavin Newsom will act as Governor beginning July 27, 2014, at 1:00 p.m., until his own departure from the state on July 29, 2014, at approximately 9:00 a.m. (Cal. Const., art. 5, § 10; Gov. Code, § 12059.)

Senator Steinberg, President pro Tempore of the Senate, will then act as Governor when Lieutenant Governor Newsom leaves the state on July 29, 2014, at 9:00 a.m., until Senator Steinberg also leaves the state on July 30, 2014. (Cal. Const., art. 5, § 10; Gov. Code, § 12059.)

During the absences of Governor Brown, Lieutenant Governor Newsom and Senator Steinberg, you will act as Governor beginning on July 30, 2014, at approximately 8:00 a.m., until Governor Brown's return to the state later that day. (Cal. Const., art. 5, § 10; Gov. Code, § 12059.)

All relevant agencies and departments have been notified that you will be serving as Acting Governor during the final part of Governor Brown's absence.

Please call if you have any questions.

Sincerely,

JONATHAN K. RENNER
Legal Affairs Secretary

MESSAGES FROM THE ACTING GOVERNOR

The following message from the Acting Governor was received and ordered printed in the Journal:

A PROCLAMATION

In 1987 Jess Jessop first incorporated what would ultimately become Lambda Archives of San Diego using materials that he and Doug Moore had collected. In the intervening 27 years Lambda Archives of San Diego has become one of the nation's premier resources regarding LGBT history and culture.

The mission of Lambda Archives of San Diego is to collect, preserve, and teach the history of lesbian, gay, bisexual, and transgender people in the San Diego and Northern Baja California region.

The Lambda Archives of San Diego collections include both recent materials, such as items related to protesting Proposition 8, and items dating back to the 1930s, documenting the growth and evolution of San Diego's dynamic LGBT community. The Lambda Archives of San Diego collections have proven invaluable in educating and empowering the community and in providing source material for researchers. Lambda Archives of San Diego also provides educational displays and exhibits for San Diego Pride, the San Diego Public Library, local colleges and universities and other community organizations.

Because they play such a vital role in preserving the history of the LGBT community so we have a guide to help us in building the future, I congratulate Lambda Archives of San Diego on 27 years of valuable service, urge all Californians to help celebrate the 27th anniversary of Lambda Archives of San Diego, and wish them many more years of success.

NOW THEREFORE I, TONI G. ATKINS, Acting Governor of the State of California, do hereby officially commemorate the 27th anniversary of Lambda Archives of San Diego.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of the State of California
to be affixed this 30th day of July, 2014.

TONI G. ATKINS
Acting Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State



A PROCLAMATION

In July 1982 Tony Gwynn began his Major League Baseball career with the San Diego Padres. He played his entire career with the team, once stating, "One of the things I'm proudest about is that I played for one team. My baseball card looks awesome because it has San Diego all the way down. I grew up in an environment where that kind of stuff was important."

In his 20 years with the Padres, Tony Gwynn had 3,141 hits and a .338 batting average. He represented the Padres in the All-Star Game 15 times and was inducted into the National Baseball Hall of Fame in 2007.

Over the course of his career Tony Gwynn earned the affectionate nickname "Mr. Padre." The Padres retired his jersey, No. 19, in 2004.

After retiring from baseball, Tony Gwynn became head baseball coach for his alma mater, San Diego State University, where he shared his love of the game with a new generation. "I love being on the field, coaching kids and bus rides," he said. "I am made to be a college coach. And it's all right here in my hometown."

In addition to his formidable skills on the field, Tony Gwynn was also admired for his kindness and graciousness and for his exuberant personality.

Tony Gwynn and his wife Alicia established the Tony Gwynn Foundation, which helps fund many organizations supporting children. Tony Gwynn was also active in the Padres Scholars program, which provides college scholarships to middle school students who go on to graduate high school.

On June 16, 2014 Tony Gwynn passed away at the too-young age of 54. On June 26, 2014, more than 23,000 fans attended a memorial for Tony Gwynn at Petco Park.

Today, when the sights and sounds of the game he loved still fill the summer air, I ask all Californians to join in honoring the memory of someone whose talent, sportsmanship and humanity represent the very best of our state. As one sports journalist recently wrote, the late, great and thoroughly decent Tony Gwynn will never stop being honored and that's exactly how it should be.

NOW THEREFORE I, TONI G. ATKINS, Acting Governor of the State of California, do hereby proclaim July 30, 2014, as "Tony Gwynn Day."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 30th day of July, 2014.

TONI G. ATKINS
Acting Governor of California

ATTEST:
DEBRA BOWEN
Secretary of State



TONI G. ATKINS, Speaker

CRESTON WHITING-CASEY, Assistant Minute Clerk