CALIFORNIA LEGISLATURE 2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 7, 2013 ONE HUNDRED SIXTH SESSION DAY TWO HUNDRED FORTY-EIGHTH 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 Wednesday, August 7, 2013

The Assembly met at 7 a.m.

Hon. Tim Donnelly, Assembly Member, 33rd 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—73:

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

Quorum present.

At 11:34 a.m., Hon. Brian Maienschein, 77th 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 Members Alejo, Chau, and Muratsuchi.

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

EXPLANATIONS OF ABSENCE

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

August 7, 2013

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

Dear Speaker Pérez: I respectfully request permission to be excused from Check-in Session on legislative business to attend a community meeting in my district on August 7, 2013. Thank you for your attention and consideration to this request. Should you have any questions or need additional information, please contact my scheduler, Hilda Escobar in my office at (916) 319-2030.

Sincerely,

LUIS A. ALEJO, Assembly Member Thirtieth District

August 7, 2013

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Session on August 7, 2013, due to legislative business. Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

ED CHAU, Assembly Member Forty-Ninth District

August 5, 2013

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

Dear Speaker Pérez: I respectfully request to be excused from Check-in Session on Wednesday, August 7, 2013, due to legislative business in my district. Thank you for your consideration of this request. Please contact me at (916) 319-2006 should you have any questions.

Sincerely,

AL MURATSUCHI, Assembly Member Sixty-sixth District

COMMUNICATIONS

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

August 7, 2013

E. Dotson Wilson

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

Dear Dotson: Please be advised that I have made changes to the following committees for the 2013–14 Regular Session, effective immediately:

Banking and Finance

I have appointed Assemblymember Das Williams to the Assembly Banking and Finance Committee.

Utilities and Commerce

I have removed Assemblymember Das Williams from the Assembly Utilities and Commerce Committee, creating a Democratic vacancy.

Sincerely,

JOHN A. PÉREZ Speaker of the Assembly

August 7, 2013

E. Dotson Wilson

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

Dear Dotson: Please be advised that I have appointed Assemblymember Das Williams to fill the Democratic vacancy on the Assembly Water, Parks and Wildlife Committee for the Tuesday, August 13, 2013, hearing only.

Sincerely,

JOHN A. PÉREZ Speaker of the Assembly The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Votes—August 5, 2013

August 7, 2013

E. Dotson Wilson

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

Dear Mr. Wilson: On August 5, 2013, I was excused from Floor Session due to an untimely travel delay. Regrettably, I missed eight votes. Although my absence was excused, I would like to share how I would have voted if I was present.

Bill	Vote
AB 1005 (Alejo)	Concur
AJR 3 (Alejo)	Concur
ACR 17 (Wieckowski)	Aye
ACR 25 (Wieckowski)	Aye
SB 680 (Wolk)	Aye
SCR 29 (Liu)	Aye
AJR 21 (Olsen)	Aye
AJR 22 (Gorell)	Aye
Sincerely,	

CHRIS R. HOLDEN, Assembly Member Forty-first District

SPECIAL COMMITTEE MEETINGS

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

Business, Professions and Consumer Protection, on Tuesday, August 13, 2013, at 8:30 a.m., in Room 447;

Water, Parks and Wildlife, on Thursday, August 15, 2013, upon adjournment of Floor Session, in Room 4202.

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

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

Senate Bills Nos. 513, 380, 238, and 286, ordered to third reading.

(NOTE: Later this day Senate Bill No. 380 was re-referred to the Committee on Appropriations.)

AUTHOR'S AMENDMENTS Committee on Utilities and Commerce

August 7, 2013

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Senate Bill No. 699 Senate Bill No. 740

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

BRADFORD, Chair

SENATE BILL NO. 699—An act to add Section 353.17 to the Public Utilities Code, relating to electricity.

Bill read second time.

SENATE BILL NO.740—An act to amend Section 281 of the Public Utilities Code, relating to telecommunications, and declaring the urgency thereof, to take effect immediately.

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.

Committee on Education

August 7, 2013

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

Senate Bill No. 594

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

BUCHANAN, Chair

SENATE BILL NO. 594—An act to add Part 38 (commencing with Section 64200) to Division 4 of Title 2 of the Education Code, and to add Sections 17057.6 and 23610.6 to the Revenue and Taxation Code, relating to education.

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 Human Services

August 7, 2013

Mr. Speaker: The Chair of your Committee on Human Services reports:

Senate Bill No. 443

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

STONE, Chair

SENATE BILL NO. 443—An act to amend Section 18897 of, and to add Sections 18897.8 and 18897.9 to, the Health and Safety Code, relating to housing.

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 Public Safety

August 7, 2013

Mr. Speaker: The Chair of your Committee on Public Safety reports: Senate Bill No. 683

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

AMMIANO, Chair

SENATE BILL NO. 683—An act to amend Sections 27540, 27875, 27880, 27920, and 27925 of, to amend the heading of Chapter 4 (commencing with Section 31500) of Division 10 of Title 4 of Part 6 of, to amend the heading of Article 2 (commencing with Section 31610) of Chapter 4 of Division 10 of Title 4 of Part 6 of, and to amend, repeal, and add Sections 16670, 26840, 31610, 31615, 31620, 31625, 31630, 31635, 31640, 31645, 31650, 31655, 31660, and 31700 of, the Penal Code, relating to firearms, and making an appropriation therefor.

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 Appropriations

August 7, 2013

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

Senate Bill No. 609 Senate Bill No. 752

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

GATTO, Chair

SENATE BILL NO. 609—An act to amend Sections 9714, 9714.5, and 9732 of the Welfare and Institutions Code, relating to public social services.

Bill read second time.

SENATE BILL NO. 752—An act to amend Sections 10153.2, 11003, 11003.2, 11004.5, 11010.3, 23426.5, and 23428.20 of the Business and Professions Code, to amend Sections 714, 714.1, 782, 782.5, 783, 783.1, 1098, 1133, 1633.3, 2924b, 2955.1, and 4202 of, to add Part 5.3 (commencing with Section 6500) to Division 4 of, and to repeal Section 6870 of, the Civil Code, to amend Sections 86 and 116.540 of the Code of Civil Procedure, to amend Sections 12191, 12956.1, 12956.2, 53341.5, 65008, 66411, 66412, 66424, 66427, 66452.10, and 66475.2 of the Government Code, to amend Sections 13132.7, 19850, 25400.22, 25915.2, 33050, 33435, 33436, 35811, 37630, 50955, 51602, and 116048 of the Health and Safety Code, to amend Section 790.031 of the Insurance Code, to amend Section 2188.6 of the Revenue and Taxation Code, to amend Section 13553 of the Water Code, relating to common interest developments.

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.

Committee on Education

August 7, 2013

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

Senate Bill No. 344 Senate Bill No. 660

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

BUCHANAN, Chair

SENATE BILL NO. 344—An act to amend Section 52852 of, and to add Section 41976.3 to, the Education Code, relating to English learners.

Bill read second time.

SENATE BILL NO. 660—An act to add Sections 52334.7 and 52334.8 to the Education Code, relating to career technical education.

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.

Committee on Appropriations

August 7, 2013

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

Senate Bill No. 615

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

GATTO, Chair

SENATE BILL NO. 615—An act to add Section 1720.7 to the Labor Code, relating to public works.

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.

August 7, 2013

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

Senate Bill No. 483

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

GATTO, Chair

SENATE BILL NO. 483—An act to amend Sections 13143.9 and 25214.14 of, and to repeal and add Article 1 (commencing with Section 25500) of Chapter 6.95 of Division 20 of, the Health and Safety Code, relating to hazardous materials.

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 Transportation

August 7, 2013

Mr. Speaker: The Chair of your Committee on Transportation reports: Senate Bill No. 416

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

LOWENTHAL, Chair

SENATE BILL NO. 416—An act to amend Sections 54236 and 54237 of, and to add Sections 54237.3 and 54237.7 to, the Government Code, relating to surplus residential property, and making an appropriation therefor.

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 Appropriations

August 7, 2013

Mr. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 760

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

GATTO, Chair

SENATE BILL NO. 760—An act to add Section 40709.8 to the Health and Safety Code, relating to nonvehicular air pollution.

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 Local Government

August 7, 2013

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 246

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

ACHADJIAN, Chair

SENATE BILL NO. 246—An act to repeal Part 9.2 (commencing with Section 33300) of Division 12 of the Water Code, and to amend Sections 1, 2, 12, and 15 of, to amend and renumber Sections 5, 7, 8, 10, 11, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 42, 48, 50, 52, 53, 53.1, 53.2, and 54 of, to add Sections 8, 10, 11, and 30 to, to repeal Sections 3, 15.1, 15.2, 15.3, 16, 17, 18, 19.5, 21, 22, 36, 40, 41, 45, 46, 49, and 51 of, and to repeal and add Sections 9, 13, and 14 of, the Bighorn-Desert View Water Agency Law (Chapter 1175 of the Statutes of 1969), relating to water districts.

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 Labor and Employment

August 7, 2013

Mr. Speaker: The Chair of your Committee on Labor and Employment reports: Senate Bill No. 7

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

ROGER HERNÁNDEZ, Chair

SENATE BILL NO. 7—An act to add Section 1782 to the Labor Code, relating to public works.

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 Transportation

August 7, 2013

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

Senate Bill No. 604

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

LOWENTHAL, Chair

SENATE BILL NO. 604—An act to amend Section 22520.5 of the Vehicle Code, relating to vehicles.

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 Agriculture

August 7, 2013

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

Senate Bill No. 566

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

EGGMAN, Chair

SENATE BILL NO. 566—An act to add Division 24 (commencing with Section 81000) to, and to repeal Section 81009 of, the Food and Agricultural Code, and to amend Section 11018 of, and to add Section 11018.5 to, the Health and Safety Code, relating to industrial hemp.

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.

August 7, 2013

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

Senate Bill No. 348

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

EGGMAN, Chair

SENATE BILL NO. 348—An act to amend Sections 52322, 52323, 52324, and 52325 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

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 Elections and Redistricting

August 7, 2013

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports: Senate Bill No. 27

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

FONG, Chair

SENATE BILL NO. 27—An act to amend Section 9084 of the Elections Code, and to amend Sections 82015 and 88001 of, and to add Sections 84222 and 84223 to, the Government Code, relating to the Political Reform Act of 1974.

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 Accountability and Administrative Review

August 7, 2013

Mr. Speaker: The Chair of your Committee on Accountability and Administrative Review reports:

Senate Bill No. 176

Senate Bill No. 502

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

FRAZIER, Chair

SENATE BILL NO. 176—An act to amend Sections 11344.1, 11346, and 11346.45 of the Government Code, relating to administrative procedures.

Bill read second time.

SENATE BILL NO. 502—An act to amend Section 10504.5 of the Public Contract Code, relating to public contracts.

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.

Committee on Health

August 7, 2013

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

Senate Bill No. 28

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

PAN, Chair

SENATE BILL NO. 28—An act to amend Section 100503 of the Government Code, to amend Section 12739.53 of, and to add Section 12712.5 to, the Insurance Code, and to amend Section 14011.6 of the Welfare and Institutions Code, relating to health.

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

August 7, 2013

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

Assembly Constitutional Amendment No. 2

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

BUCHANAN, Chair

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8.7 to Article XVI thereof, relating to education finance.

Resolution read.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

Committee on Business, Professions and Consumer Protection

August 7, 2013

Mr. Speaker: The Chair of your Committee on Business, Professions and Consumer Protection reports:

Senate Bill No. 256

Senate Bill No. 465

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

BONILLA, Chair

SENATE BILL NO. 256—An act to add part 8.2 (commencing with Section 7940) to Division 5 of the Labor Code, relating to trampoline courts.

Bill read second time.

SENATE BILL NO. 465—An act to amend Sections 12606 and 12606.2 of the Business and Professions Code, and to amend Section 110375 of the Health and Safety Code, relating to packaging and labeling.

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.

REPORTS OF STANDING COMMITTEES Committee on Higher Education

Date of Hearing: August 6, 2013

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 21 Senate Bill No. 490 Senate Bill No. 681

With the recommendation: Do pass.

WILLIAMS, Chair

Above bills ordered to second reading.

Date of Hearing: August 6, 2013

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 290

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs.

WILLIAMS, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Date of Hearing: August 6, 2013

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 141 Senate Bill No. 440 Senate Bill No. 285 Senate Bill No. 595

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WILLIAMS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Insurance

Date of Hearing: August 7, 2013

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 258

With the recommendation: Do pass.

PEREA, Chair

Above bill ordered to second reading.

Date of Hearing: August 7, 2013

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 375

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PEREA, Chair

Above bill ordered to second reading.

Date of Hearing: August 7, 2013

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 36

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

PEREA, Chair

Above bill ordered to second reading.

Date of Hearing: August 7, 2013

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 281

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

PEREA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 7, 2013

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 770

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

PEREA, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Aging and Long-Term Care

Date of Hearing: August 6, 2013

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Senate Joint Resolution No. 11

With the recommendation: Be adopted.

YAMADA, Chair

Above resolution ordered to third reading.

Date of Hearing: August 6, 2013

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Senate Bill No. 534

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

YAMADA, Chair

Above bill re-referred to the Committee on Appropriations.

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:

Senate Bill No. 380.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 7, 2013

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

Assembly Concurrent Resolution No. 16

And reports the same correctly enrolled, and presented to the Secretary of State on the 7th day of August, 2013, at 3:40 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 4 p.m., the Assembly adjourned until 9 a.m., Thursday, August 8, 2013.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON AUGUST 7, 2013

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

ACA RN

2 1323260

SB RN

7 1322362

27 1323446

28 1316518

176 1323373

246 1323514

256 1323025

344 1323225

348 1323366

416 1323189

443 1321600

465 1322919

483 1323442

502 1323356

566 1323114

594 1323447

604 1323384

609 1323473

615 1323337

660 1322906

683 1323429

699 1323439

740 1323459

752 1323368

760 1323374

Daily Total: 25 **Cumulative Total:** 2130