CALIFORNIA LEGISLATURE 2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 14, 2013 ONE HUNDRED TENTH SESSION DAY TWO HUNDRED FIFTY-FIFTH 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 14, 2013

The Assembly met at 7 a.m.

Hon. Melissa A. Melendez, Assembly Member, 67th 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—76:

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

Quorum present.

At 12:14 p.m., Hon. Anthony Rendon, 63rd 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, per diem waived for the 2013–14 Session (Assembly Journal, page 69): Assembly Member Beth Gaines.

On personal business, and waiving per diem: Assembly Member Logue.

EXPLANATIONS OF ABSENCE

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

August 14, 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 today, August 14, 2013, so I may tend to legislative business in my district. If you have any questions, please contact my scheduler, Daniel Outlaw at 319-2006. Your consideration of this request would be greatly appreciated.

Best regards,

BETH GAINES, Assembly Member Sixth District

COMMUNICATIONS

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

August 14, 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 Nancy Skinner as the Democratic Alternate to the following Budget Subcommittees for the 2013–14 Regular Session:

Budget Subcommittee No. 1 on Health and Human Services

Budget Subcommittee No. 2 on Education Finance

Budget Subcommittee No. 3 on Resources and Transportation

Budget Subcommittee No. 4 on State Administration

Budget Subcommittee No. 5 on Public Safety

Sincerely,

JOHN A. PÉREZ Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Small Business and Development Opportunities, on Friday, October 4, 2013, in San Bernardino;

Health, on Tuesday, August 20, 2013, at 1:30 p.m., in Room 4202; Budget Subcommittee No. 6 on Budget Process, Oversight and Program Evaluation, on Thursday, August 22, 2013, upon call of the Chair in Room 444.

MESSAGES FROM THE SENATE

August 14, 2013

The Honorable E. Dotson Wilson Chief Clerk of the Assembly

Assembly Chamber

Dear Dotson: By order of the Senate, I am requesting that Senate Bill 613 be withdrawn from Engrossing and Enrolling, and returned to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT Secretary of the Senate

Above bill held at Desk.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 24—Bradford. Relative to Hall of Fame baseball player Jackie Robinson.

AUTHOR'S AMENDMENTS Committee on Natural Resources

August 14, 2013

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1102

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

CHESBRO, Chair

ASSEMBLY BILL NO. 1102—An act to add Section 38572 to the Health and Safety Code, relating to air resources.

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 14, 2013

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

Senate Bill No. 2
Senate Bill No. 3
Senate Bill No. 3
Senate Bill No. 323
Senate Bill No. 788

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

GATTO, Chair

SENATE BILL NO. 2—An act to amend Sections 84107, 84305.5, 84510, 85704, 91000, 91005, and 91005.5 of, and to add Section 84503.5 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

SENATE BILL NO. 3—An act to amend Sections 84100, 84101, 84200.6, 84203, 84203.3, 84204, 84220, 84300, 84602, 84605, and 91013 of, to amend and renumber Sections 82036 and 82036.5 of, and to add Section 84620 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

SENATE BILL NO. 323—An act to amend Sections 6361 and 23701d of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy. Bill read second time.

SENATE BILL NO. 338—An act to add Section 5374.3 to the Public Utilities Code, and to add Section 34500.4 to the Vehicle Code, relating to charter-party carriers of passengers, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

SENATE BILL NO. 353—An act to add Section 1367.041 to the Health and Safety Code, and to add Sections 10127.45 and 10133.10 to the Insurance Code, relating to health care coverage.

Bill read second time.

SENATE BILL NO. 788—An act to amend Section 21080 of the Public Resources Code, to amend Section 6480.1 of the Revenue and Taxation Code, to amend Sections 301, 319, 325, 339, 349, 358, 366, 368, 374, 382, 386, 430, 622.1, and 890.4 of, and to repeal Section 301.2 of, the Streets and Highways Code, and to amend Sections 585, 5022, 5023, 5068, 5072, 5101.7, 5106, 12517.1, 14606, and 42007 of, to add Sections 385.2 and 385.3 to, and to repeal Sections 378 and 379 of, the Vehicle Code, relating to transportation.

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.

August 14, 2013

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

Senate Bill No. 479

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

GATTO, Chair

SENATE BILL NO. 479—An act to amend Sections 6204, 12153, 12168.7, 12224, 12225, 12227, 12228, 12229, 12230, 12231, 12232, 12233, 12236, 14740, 14745, and 14746 of, to add Article 7 (commencing with Section 12270) to Chapter 3 of Part 2 of Division 3 of Title 2 of, to repeal Sections 12234 and 12235 of, and to repeal Article 3 (commencing with Section 14750), Article 4 (commencing with Section 14755), Article 6 (commencing with Section 14765), and Article 7 (commencing with Section 14769) of, Chapter 5 of Part 5.5 of Division 3 of Title 2 of, the Government Code, and to amend Section 135 of the Labor Code, relating to state records.

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 14, 2013

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

Senate Bill No. 590

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

GATTO, Chair

SENATE BILL NO. 590—An act to add Article 9.5 (commencing with Section 45390) to Chapter 5 of part 25 of Division 3 of Title 2 of the Education Code, relating to school personnel.

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 14, 2013

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Senate Bill No. 108

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

AMMIANO, Chair

SENATE BILL NO. 108—An act to amend Sections 16520, 16540, 16750, 16850, and 23510 of, to add Sections 17060 and 27881 to, and to add Chapter 4 (commencing with Section 25235) to Division 4 of Title 4 of Part 6 of, the Penal Code, relating to firearms.

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 Health

August 14, 2013

Mr. Speaker: The Chair of your Committee on Health reports: Senate Bill No. 239

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

PAN, Chair

SENATE BILL NO. 239—An act to amend Section 14167.35 of, and to add Article 5.230 (commencing with Section 14169.51) and Article 5.231 (commencing with Section 14169.71) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

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 Environmental Safety and Toxic Materials

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports: Assembly Joint Resolution No. 30

With the recommendation: Be adopted.

ALEJO, Chair

Above resolution ordered to third reading.

Committee on Judiciary

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 655

With the recommendation: Do pass.

WIECKOWSKI, Chair

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 310

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.

WIECKOWSKI, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 460

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

PAN, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 568

With amendments with the recommendation: Amend, and do pass as amended.

WIECKOWSKI, Chair

Above bill ordered to second reading.

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 669

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

WIECKOWSKI, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 28
Senate Bill No. 294
Senate Bill No. 353
Senate Bill No. 353
Senate Bill No. 800

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

Appropriations.
PAN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 155
Senate Bill No. 251
Senate Bill No. 251
Senate Bill No. 323
Senate Bill No. 397
Senate Bill No. 397

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

WIECKOWSKI, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Senate Joint Resolution No. 6

With the recommendation: Be adopted.

FONG, Chair

Above resolution ordered to second reading.

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Senate Bill No. 2
Senate Bill No. 3
Senate Bill No. 361
Senate Bill No. 27

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

FONG, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Accountability and Administrative Review

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Accountability and Administrative Review reports: Senate Bill No. 176

Senate Bill No. 486

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

FRAZIER, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Senate Bill No. 594

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

FONG. Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Public Safety

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 326

With the recommendation: Do pass.

AMMIANO, Chair

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 555

With amendments with the recommendation: Amend, and do pass as amended.

STONE, Chair

Above bill ordered to second reading.

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 367

With amendments with the recommendation: Amend, and do pass as amended.

STONE, Chair

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 347 Senate Bill No. 522 Senate Bill No. 468 Senate Bill No. 672

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

STONE, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 759

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

AMMIANO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 47 Senate Bill No. 569 Senate Bill No. 374 Senate Bill No. 683 Senate Bill No. 396 Senate Bill No. 716 Senate Bill No. 567

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

AMMIANO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 55

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

AMMIANO, Chair

Above bill re-referred to the Committee on Transportation.

Committee on Higher Education

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Concurrent Resolution No. 71 With the recommendation: Be adopted.

WILLIAMS, Chair

Above resolution ordered to third reading.

Committee on Appropriations

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 234

With the recommendation: Do pass.

GATTO, Chair

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 379
Senate Bill No. 484
Senate Bill No. 557
Senate Bill No. 585
Senate Bill No. 694
Senate Bill No. 753
Senate Bill No. 821

With the recommendation: Do pass.

GATTO, Chair

Above bills ordered to second reading.

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 59	Senate Bill No. 407
Senate Bill No. 122	Senate Bill No. 425
Senate Bill No. 203	Senate Bill No. 427
Senate Bill No. 220	Senate Bill No. 483
Senate Bill No. 272	Senate Bill No. 504
Senate Bill No. 341	Senate Bill No. 535
Senate Bill No. 399	Senate Bill No. 553
Senate Bill No. 401	

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 bills be placed on the Consent Calendar.

GATTO, Chair

Above bills ordered to second reading.

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 595	Senate Bill No. 743
Senate Bill No. 609	Senate Bill No. 752
Senate Bill No. 651	Senate Bill No. 801
Senate Bill No. 679	Senate Bill No. 816
Senate Bill No. 720	

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 bills be placed on the Consent Calendar.

GATTO, Chair

Above bills ordered to second reading.

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 806

With amendments with the recommendation: Amend, and do pass as amended.

GATTO, Chair

Above bill ordered to second reading.

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 364

With the recommendation: Do pass, as amended.

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.

GATTO, Chair

Committee on Health

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 570

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

PAN, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 472

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

HALL, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: August 12, 2013

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Joint Resolution No. 12

With amendments with the recommendation: Amend, and be adopted as amended.

MEDINA, Chair

Above resolution ordered to second reading.

Committee on Veterans Affairs

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Veterans Affairs reports:

Senate Bill No. 290

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

MURATSUCHI, Chair

Above bill ordered to second reading.

Committee on Agriculture

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 667

With the recommendation: Do pass.

EGGMAN, Chair

Above bill ordered to second reading.

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 566

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

EGGMAN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 348

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

EGGMAN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 14, 2013

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 250

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

EGGMAN, Chair

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal, and Assembly Bill No. 926 ordered to the unfinished business file:

Veto Message—Assembly Bill No. 926

Governor's Office, Sacramento August 13, 2013

To the Members of the California State Assembly:

Not everything in life is for sale nor should it be.

This bill would legalize the payment of money in exchange for a woman submitting to invasive procedures to stimulate, extract and harvest her eggs for scientific research.

The questions raised here are not simple; they touch matters that are both personal and philosophical.

In medical procedures of this kind, genuinely informed consent is difficult because the long-term risks are not adequately known. Putting thousands of dollars on the table only compounds the problem.

Six years ago the Legislature, by near unanimity, enacted the prohibition that this bill now seeks to reverse. After careful review of the materials which both supporters and opponents submitted, I do not find sufficient reason to change course.

I am returning this bill without my signature.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 13th day of August, 2013, at 7:20 p.m., of the following Assembly Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

AB 926

SUE PARKER Assistant Chief Clerk of the Assembly

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

SENATE BILL NO. 789—An act to amend Section 5074 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 135—An act to add and repeal Section 8587.8 of the Government Code, relating to earthquake safety.

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

SENATE BILL NO. 691—An act to amend Sections 42400.7, 42402, 42402.1, 42402.2, 42402.3, and 42403 of, and to add Section 42402.6 to, the Health and Safety Code, relating to nonvehicular air pollution.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 757—An act to amend Sections 21608.6 and 21626.5 of the Business and Professions Code, relating to business.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 491—An act to add Section 2835.3 to the Business and Professions Code, relating to healing arts.

Bill read second time; amendments proposed by the Committee on Business, Professions and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 9 a.m., Thursday, August 15, 2013.

JOHN A. PÉREZ, Speaker

CRESTON WHITING-CASEY, Assistant Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON AUGUST 14, 2013

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

AB	RN
1102	1323522
SB	RN
2	1323863
3	1323786
108	1323830
135	1323620
239	1323854
323	1323721
338	1323708
353	1323907
479	1323161
491	1323719
590	1323717
788	1323462

Daily Total: 13 Cumulative Total: 2178