

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 20, 2013

**ONE HUNDRED THIRTEENTH SESSION DAY
TWO HUNDRED SIXTY-FIRST 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
Tuesday, August 20, 2013

The Assembly met at 7 a.m.

Hon. Brian Dahle, Assembly Member, 1st 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—78:

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

Quorum present.

At 2:16 p.m., Hon. Das Williams, 37th District, presiding

REGULAR BUSINESS DISPENSED WITH

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

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2012-108
August 20, 2013

*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, the California State Auditor presents this audit report concerning the implementation of school safety and nondiscrimination laws and programs by local educational agencies (LEAs) and the California Department of Education (Education).

This report concludes that the three LEAs we visited—the Fresno, Los Angeles, and Sacramento City unified school districts—as well as 80 percent of the LEAs responding to our survey, have policies and procedures that comply with recent changes in state law. However, the three LEAs we visited failed to maximize the use of readily available data—such as survey data, student behavior data, or complaint logs—to evaluate how effective their programs and workshops are in preventing and addressing incidents of discrimination, harassment, intimidation, and bullying. Similarly, over half of the LEAs and school sites responding to our survey reported that they did not formally evaluate the effectiveness of their programs and workshops after implementation. The three LEAs we visited also had weaknesses in their handling of student complaints of discrimination, harassment, intimidation, and bullying. For example, one LEA did not always ensure the complainant’s right to an unbiased decision, as it sometimes assigned the responsibility for the investigation to a school site administrator who was named as a party to the complaint. In addition, two LEAs exceeded the 60-day time limit to resolve complaints established under state regulations. Further, the six school sites that we reviewed at the three LEAs did not adequately document complaints, limiting their ability to track the frequency and volume of these activities.

We also found that Education needs to demonstrate more state leadership over school safety. Specifically, Education’s Office of Equal Opportunity failed to monitor LEAs’ compliance with state discrimination and bullying laws for four years and it did not always resolve appeals of LEAs’ decisions on discrimination complaints in a timely manner. In addition, state law requires that Education make available certain resources to LEAs and schools on its Web site, yet many LEAs responding to our survey were unaware of these resources. Education also could improve the quality of the resources by updating them to address cyberbullying and expanding the information aimed at incidents related to protected characteristics. Moreover, Education does not formally evaluate statewide data available to inform its decision making on how to guide the State and LEAs to reduce and address

incidents of discrimination, harassment, intimidation, and bullying in California's schools. Finally, California law does not include some key components of anti-bullying legislation that the U.S. Department of Education has identified; therefore, the State could benefit from including these missing components in law.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Education.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Public Safety, on Tuesday, August 27, 2013, at 9 a.m., in Room 126.

AUTHOR'S AMENDMENTS

Committee on Banking and Finance

August 20, 2013

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Concurrent Resolution No. 73

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

DICKINSON, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 73—Relative to the Glass-Steagall Act.

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 Appropriations

August 20, 2013

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 361
Senate Bill No. 516

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

GATTO, Chair

SENATE BILL NO. 361—An act to amend Sections 2102, 2146, 2196, 3017, and 14310 of, to add Sections 2101.5, 2169, and 2228 to, and to add Chapter 7 (commencing with Section 2500) to Division 2 of, the Elections Code, relating to elections.

Bill read second time.

SENATE BILL NO. 516—An act to amend Sections 9998.1, 9998.6, and 9998.8 of, to add Sections 9998.1.5, 9998.2.5, 9998.10, and 9998.11 to, and to repeal and add Section 9998.2 of, the Business and Professions Code, relating to foreign labor contractors.

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 Rules

August 20, 2013

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

House Resolution No. 22

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

GORDON, Chair

HOUSE RESOLUTION NO. 22—Relative to the March on Washington 50th anniversary.

Resolution read.

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

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

Date of Hearing: August 12, 2013

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 447

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

CHESBRO, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: August 13, 2013

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 145

Senate Bill No. 755

Senate Bill No. 762

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

AMMIANO, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing: August 20, 2013

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 239

Senate Bill No. 332

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

PAN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: August 15, 2013

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 345

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

WIECKOWSKI, Chair

Above bill ordered to second reading.

**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. 510 and 465, ordered to third reading;
Senate Bill No. 760, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 804—An act to amend Sections 40106 and 40116.1 of the Public Resources Code, relating to solid waste.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 630—An act to amend Section 66801 of, to add Section 66802 to, and to add and repeal Section 67126 of, the Government Code, relating to the California Tahoe Regional Planning Agency.

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

SENATE BILL NO. 195—An act to add Chapter 13 (commencing with Section 67050) to Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

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

SENATE BILL NO. 591—An act to amend Section 399.30 of the Public Utilities Code, relating to renewable energy resources.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted; bill ordered reprinted and to be returned to the second reading file.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 21, 2013.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 20, 2013**

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

ACR RN

73 1324024

HR RN

22 1324041

SB RN

195 1324239

361 1324025

516 1324092

591 1324132

630 1324016

804 1323904

Daily Total: 8

Cumulative Total: 2222

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