

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 21, 2013**

**ONE HUNDRED FOURTEENTH SESSION DAY**

**TWO HUNDRED SIXTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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 21, 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—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	Logue	Salas
Bonilla	Frazier	Lowenthal	Skinner
Bonta	Garcia	Maienschein	Stone
Bradford	Gatto	Mansoor	Ting
Brown	Gomez	Medina	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 12:52 p.m., Hon. Isadore Hall III, 64th 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 Melendez.*

**EXPLANATIONS OF ABSENCE**

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

August 21, 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 21, 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 communications were presented by the Speaker, and ordered printed in the Journal:

August 21, 2013

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

Dear Dotson: Please be advised that I have appointed Assembly Member Travis Allen to replace Assembly Member Kristin Olsen on the Assembly Insurance Committee for the 2013–14 Regular Session.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

August 20, 2013

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

RE: Appointment of Shirley Friedman to  
California Council for Interstate Adult Offender Supervision

Dear Mr. Wilson: Please be advised that I have appointed Ms. Shirley Friedman to the California Council for Interstate Adult Offender Supervision. This is a term appointment starting August 20, 2013, and the expiration date is August 20, 2017.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

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

August 21, 2013

*The Honorable Darrell Steinberg*  
*President pro Tempore*  
*California State Senate*  
*State Capitol, Room 205*  
*Sacramento, California*

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

*The Honorable Bob Huff*  
*Minority Leader*  
*California State Senate*  
*State Capitol, Room 305*  
*Sacramento, California*

*The Honorable Connie Conway*  
*Minority Leader*  
*California State Assembly*  
*State Capitol, Room 3104*  
*Sacramento, California*

RE: Tentative Agreement/ Memorandum of  
 Understanding (MOU) for Bargaining Unit 12,  
 International Union of Operating Engineers (IUOE)  
 (Craft and Maintenance)

Dear Senators Steinberg and Huff, and Assembly Members John A. Pérez and Conway: Recently, the Department of Human Resources (CalHR) reached a new Tentative Agreement/MOU with Bargaining Unit 12, the International Union of Operating Engineers (IUOE, Craft and Maintenance). Upon approval of the Legislature and the Governor, and ratification by the membership, this agreement will be effective July 1, 2013, through July 1, 2015.

The agreement will roll over language from past agreements and make changes primarily in the area of employee compensation. This agreement provides a one-time bonus, and a prudent general salary increase contingent upon the projected revenues of the 2014–2015 budget. There are no mandatory furloughs or Personal Leave Program (PLP) days in this contract.

In accordance with Government Code Sections 3517.5, 19829.5, and Senate Rule 29.4, I am forwarding copies of this tentative agreement, including a legislative and fiscal summary. The Legislative Analyst will be forwarded a copy for analysis, and the Secretary of the Senate and the Clerk of the Assembly will be forwarded copies to make them noted as available for review in the daily journals.

The above mentioned tentative agreement and summaries can also be found by going to the following link: <http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx>.

Currently, there is not a vehicle to approve the terms of this agreement.

Respectfully,

JULIE CHAPMAN  
 Director

#### **MEMORANDUM OF UNDERSTANDING**

Tentative Agreements/Memoranda of Understanding (MOU) with Bargaining Unit 12, dated August 21, 2013, was received in the Senate from the Department of Personnel Administration and filed pursuant to Senate Rule 29.4, and is hereby noted in the Assembly Journal. (See Senate Journal for August 21, 2013, page 1933.)

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 21, 2013

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

Assembly Concurrent Resolution No. 73

House Resolution No. 22

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

**RESOLUTIONS**

The following resolution was offered:

**HOUSE RESOLUTION NO. 25—Bigelow.** Relative to the 361st Infantry Regiment Day.

**AUTHOR’S AMENDMENTS  
Committee on Appropriations**

August 21, 2013

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

Senate Bill No. 468

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

GATTO, Chair

**SENATE BILL NO. 468**—An act to add Section 4685.8 to the Welfare and Institutions Code, relating to developmental services.

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 21, 2013

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

Senate Bill No. 594

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

GATTO, Chair

**SENATE BILL NO. 594**—An act to add Sections 8314.1, 8314.2, and 54964.5 to the Government Code, relating to campaign activity.

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 21, 2013

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

Senate Bill No. 27

Senate Bill No. 155

Senate Bill No. 470

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

GATTO, Chair

**SENATE BILL NO. 27**—An act to amend Section 9084 of the Elections Code, and to amend Sections 81004, 82048.7, 84105, 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.

**SENATE BILL NO. 155**—An act to amend Sections 3006, 3008, 3012, 3050, 3050.7, 3052, 3056, 3057, 3062, 3063, 3064, 3065, 3065.1, 3066, 3067, 3069.1, 11713.3, and 11713.13 of the Vehicle Code, relating to vehicles.

Bill read second time.

**SENATE BILL NO. 470**—An act to add Part 4 (commencing with Section 52200) to Division 1 of Title 5 of the Government Code, and to amend Sections 33459, 33459.1, 33459.3, and 33459.8 of the Health and Safety Code, relating to community development.

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 Public Safety**

August 21, 2013

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

Senate Bill No. 255

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

AMMIANO, Chair

**SENATE BILL NO. 255**—An act to amend Section 647 of the Penal Code, relating to crimes, 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.

#### **Committee on Appropriations**

August 21, 2013

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

Senate Bill No. 54

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

GATTO, Chair

**SENATE BILL NO. 54**—An act to add Section 25536.7 to 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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Appropriations**

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

- |                     |                     |
|---------------------|---------------------|
| Senate Bill No. 2   | Senate Bill No. 563 |
| Senate Bill No. 118 | Senate Bill No. 590 |
| Senate Bill No. 131 | Senate Bill No. 598 |
| Senate Bill No. 205 | Senate Bill No. 606 |
| Senate Bill No. 323 | Senate Bill No. 620 |
| Senate Bill No. 348 | Senate Bill No. 665 |
| Senate Bill No. 360 | Senate Bill No. 670 |
| Senate Bill No. 472 | Senate Bill No. 672 |

With the recommendation: Do pass.

GATTO, Chair

Above bills ordered to second reading.

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

- |                     |                     |
|---------------------|---------------------|
| Senate Bill No. 36  | Senate Bill No. 676 |
| Senate Bill No. 126 | Senate Bill No. 684 |
| Senate Bill No. 322 | Senate Bill No. 758 |
| Senate Bill No. 359 | Senate Bill No. 759 |
| Senate Bill No. 392 | Senate Bill No. 814 |
| Senate Bill No. 460 | Senate Bill No. 825 |

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 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

- Senate Bill No. 142
- Senate Bill No. 435
- Senate Bill No. 666

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

GATTO, Chair

Above bills ordered to second reading.

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

- Senate Bill No. 380
- Senate Bill No. 726

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 bills be placed on the Consent Calendar.

GATTO, Chair

Above bills ordered to second reading.

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Concurrent Resolution No. 65

With the recommendation: Be adopted.

GATTO, Chair

Above resolution ordered to third reading.

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 68

Assembly Concurrent Resolution No. 69

Assembly Concurrent Resolution No. 70

With the recommendation: Be adopted.

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

GATTO, Chair

Above resolutions ordered to the Consent Calendar.

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 27

Senate Concurrent Resolution No. 13

Senate Concurrent Resolution No. 45

Senate Concurrent Resolution No. 23

With the recommendation: Be adopted.

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

GATTO, Chair

Above resolutions ordered to the Consent Calendar.

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 43

With the recommendation: Be adopted, as amended.

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

GATTO, Chair

Above resolution ordered to second reading.

Date of Hearing: August 21, 2013

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 571

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

GATTO, 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 bill was this day on the second reading file:

Senate Bill No. 591, ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 447**—An act to amend Section 10295.5 of the Public Contract Code, and to amend Sections 2717 and 2774.1 of the Public Resources Code, relating to surface mining.

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. 145**—An act to amend Section 311.11 of, and to repeal and add Section 288.2 of, the Penal Code, relating to sex offenders.

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

**SENATE BILL NO. 755**—An act to amend Section 29805 of the Penal Code, and to amend Section 8103 of the Welfare and Institutions Code, relating to firearms.

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

**SENATE BILL NO. 762**—An act to amend Section 21647 of the Business and Professions Code, to amend Section 21206.8 of the Financial Code, and to amend Sections 186.2, 186.8, 1411, and 11108.5 of the Penal Code, relating to secondhand goods.

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

**SENATE BILL NO. 345**—An act to amend Section 6140 of the Business and Professions Code, relating to attorneys.

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

#### ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 9 a.m., Thursday, August 22, 2013.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 21, 2013**

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

<b>SB</b>	<b>RN</b>
27	1324262
54	1324144
145	1323990
155	1324474
255	1324501
345	1324452
447	1323993
468	1324300
470	1324039
594	1324289
755	1323989
762	1323982

<b>Daily Total:</b>	<b>12</b>
<b>Cumulative Total:</b>	<b>2234</b>

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