

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 14, 2013
TWENTY-FIFTH SESSION DAY
SEVENTY-FOURTH 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.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

(Corrected 8-21-15)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 14, 2013

The Assembly met at 7 a.m.

Hon. Rocky J. Chávez, Assembly Member, 76th 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—71:

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

Quorum present.

At 11:50 a.m., Hon. Susan Talamantes Eggman, 13th 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 Blumenfield, Hall, Jones, Morrell, and Waldron.

On legislative business, per diem waived for the 2013–14 Session (Assembly Journal, page 69): Assembly Members Beth Gaines and Yamada.

Because of illness: Assembly Members Bigelow and Logue.

EXPLANATIONS OF ABSENCE

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

February 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 today, Thursday, February 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

February 4, 2013

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

Dear Speaker Pérez: I am writing to respectfully request to be excused from Check-in Session on Thursday, February 14, 2013, for legislative business. Thank you for your prompt attention to this matter.

Sincerely,

ISADORE HALL, III, Assembly Member
Sixty-fourth District

February 5, 2013

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

Dear Mr. Speaker: I am writing to respectfully request permission to be excused from Check-in Session due to legislative travel on Thursday, February 14, 2013. I will be traveling to my district for the State of the County and will not return in time for Check-in that day. Your attention to this matter is greatly appreciated. Thank you for your consideration.

Sincerely,

BRIAN W. JONES, Assembly Member
Seventy-first District

February 13, 2013

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

Dear Mr. Speaker: This letter is to respectfully request that I be excused from Check-in Session on Thursday, February 14, 2013, as I will be in my district for legislative business. Thank you for your consideration of this matter. If there are any questions, please contact Abi Stewart at (916) 319-2040.

Sincerely,

MIKE MORRELL, Assembly Member
Fortieth District

February 5, 2013

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

Dear Speaker Pérez: I respectfully request that I be excused from Check-in Session on February 14, 2013, due to legislative business in the district. Thank you for your consideration of this request. If you have any questions concerning this request, please contact my District Scheduler, Donna Thompson, at (760) 533-6447.

Sincerely,

MARIE WALDRON, Assembly Member
Seventy-fifth District

February 13, 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 Thursday, February 14, 2013, due to legislative business in my district.

Sincerely,

MARIKO YAMADA, Assembly Member
Fourth District

(NOTE: For letter explaining the absence of Assembly Member Blumenfield on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for February 13, 2013.)

SPECIAL COMMITTEE MEETINGS

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

Business, Professions and Consumer Protection, on Tuesday, March 5, 2013, at 9 a.m., in Room 447.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 14, 2013

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

Assembly Bill No. 51

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 356—Waldron. An act to amend Section 19801 of the Business and Professions Code, relating to gaming.

ASSEMBLY BILL NO. 357—Pan. An act to add Article 7.5 (commencing with Section 124167) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, relating to child health.

ASSEMBLY BILL NO. 358—Holden. An act to amend Section 105280 of the Health and Safety Code, relating to lead poisoning.

ASSEMBLY BILL NO. 359—Holden (Principal coauthor: Allen). An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

ASSEMBLY BILL NO. 360—Alejo. An act to amend Section 3353 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 361—Mitchell. An act to add Article 3.9 (commencing with Section 14127) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 362—Ting. An act relating to taxation.

ASSEMBLY BILL NO. 363—Grove. An act to amend Sections 11553 and 11553.5 of the Government Code, and to amend Section 401 of the Unemployment Insurance Code, relating to state government.

ASSEMBLY BILL NO. 364—Ian Calderon. An act to amend Section 1534 of the Health and Safety Code, relating to community care facilities.

ASSEMBLY BILL NO. 365—Mullin. An act to amend Sections 273 and 2025.510 of the Code of Civil Procedure, and to amend Section 69957 of the Government Code, relating to court reporting.

ASSEMBLY BILL NO. 366—Holden. An act to amend Section 8282 of the Public Utilities Code, relating to women, minority, and disabled veteran business enterprises.

ASSEMBLY BILL NO. 367—Brown. An act to amend Section 17060 of the Corporations Code, relating to limited liability companies.

ASSEMBLY BILL NO. 368—Morrell. An act to amend Section 42238.5 of the Education Code, relating to education finance.

ASSEMBLY BILL NO. 369—Pan. An act to amend Section 100503 of the Government Code, relating to health care coverage.

ASSEMBLY BILL NO. 370—Muratsuchi. An act relating to consumers.

ASSEMBLY BILL NO. 371—Salas. An act to amend Section 120392.2 of the Health and Safety Code, relating to health.

ASSEMBLY BILL NO. 372—Eggman. An act to amend Section 18973.5 of the Government Code, relating to civil service.

ASSEMBLY BILL NO. 373—Mullin. An act to amend Section 21661 of the Government Code, relating to public employee health benefits.

ASSEMBLY BILL NO. 374—Wagner. An act to amend Section 1263.510 of the Code of Civil Procedure, relating to eminent domain.

ASSEMBLY BILL NO. 375—Buchanan. An act to amend Section 44932 of the Education Code, relating to school employees.

ASSEMBLY BILL NO. 376—Donnelly. An act to add Section 11344.5 to the Government Code, relating to regulations.

ASSEMBLY BILL NO. 377—Grove. An act to amend Section 51747.3 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 378—Hueso. An act to add Chapter 6 (commencing with Section 85285) to Part 3 of Division 35 of the Water Code, relating to resources.

ASSEMBLY BILL NO. 379—Brown. An act to amend Section 18551 of the Health and Safety Code, relating to manufactured housing.

ASSEMBLY BILL NO. 380—Dickinson. An act to amend Sections 21080.5, 21083.9, 21092, 21092.2, 21092.3, 21108, 21152, and 21161 of the Public Resources Code, relating to the California Environmental Quality Act.

ASSEMBLY BILL NO. 381—Chau. An act to amend Sections 859 and 4231.5 of the Probate Code, relating to estates and trusts.

ASSEMBLY BILL NO. 382—Mullin. An act to amend Sections 6254.26, 54956.81, and 54957.5 of the Government Code, relating to state and local government.

ASSEMBLY BILL NO. 383—Wagner. An act to amend Sections 1202, 4836.1, 4999.32, 5096.10, 21609.1, 23958.4, 25502.2, and 25600.2 of the Business and Professions Code, to amend Sections 55.56, 56.16, 1195, 1950.5, 2877, 2923.55, 2924.8, 2924.19, 2950, and 3509 of the Civil Code, to amend Sections 116.940, 425.50, 684.115, and 1282.4 of the Code of Civil Procedure, to amend Section 7237 of, and to amend and renumber the heading of Chapter 5.5 (commencing with Section 15900) of Title 2 of, the Corporations Code, to amend Sections 15282, 17193.5, 17250.25, 18720, 22138.5, 33195, 35583, 38000, 41320.1, 41326, 47660, 48853, 48853.5, 48900, 48902, 48911, 49076, 49548, 52052, 60200.8, 60209, 60605.87, 60852.1, 66407, 81378.1, and 88620 of the Education Code, to amend Sections 2162, 2224, 2225, 3111, 13115, and 21000 of the Elections Code, to amend Sections 3047, 3200.5, and 4055 of the Family Code, to amend Sections 1587 and 15100 of the Fish and Game Code, to amend Sections 4101.3, 4106, 14611, 19447, 55527.6, and 64101 of the Food and Agricultural Code, to amend Sections 3513, 3527, 7522.20, 7522.56, 7522.57, 7522.72, 8164.1, 11019, 11020, 11435.15, 11552, 12460, 12838.14, 12926, 14837, 15820.922, 19815, 20391, 20410, 20516, 20677.7, 25060, 25062, 65040.7, 65302.5, and 65915 of, to amend the heading of Chapter 3.1 (commencing with Section 8240) of Division 1 of Title 2 of, to amend and renumber Sections 15606.5, 15814.25, and 15819.30 of, to repeal Section 7480 of, and to repeal the heading of Chapter 3 (commencing with Section 15570) of Part 8.5 of Division 3 of Title 2 of, the Government Code, to amend Sections 80.2 and 82 of, and to amend the heading of Chapter 3 (commencing with Section 80) of Division 1 of, the Harbors and Navigation Code, to amend Sections 1339.40, 1339.41, 1367.65, 1531.15, 11378, 11755, 25110.11, 34177, 34183.5, 39053, 39510, 39710, 39712, 39716, 39718, 106985, 114365.5, 114380, 116565, 120365, 123327, 123940, 123955, 125286.20, 128570, 129725, and 136000 of the Health and Safety Code, to amend Sections 676.75, 922.41, 1063.1, 1754, 10113.71, 10124, 10271, 11665, and 12694.1 of the Insurance Code, to amend Sections 980, 4709, and 5502 of the Labor Code, to amend Sections 136.2, 289.6, 496a, 781, 830.41, 830.55, 1001.20, 1170, 1203.097, 1230, 1370.1, 2602, 3000.08, 3060.7, 4024.2, 4115.55, 5072, 6030, 11165.7, 11166, 12022, and 12022.1 of, and to repeal the heading of Title 4.5 (commencing with Section 13600) of Part 4 of, the Penal Code, to amend Sections 10295.6 and 20651.7 of the Public Contracts Code, to amend Sections 4629.5, 4629.9, 6224.5, 21080.37, 21080.5, 21084, and 72410 of the Public Resources Code, to amend Sections 2827.10, 2862, 5142, 5143, 9506, and 185035 of the Public Utilities Code, to amend Sections 2188.6, 7285.3, 17276.20, 18152.5, 18738, 23685, 24416.20 of, and to amend and renumber Section 24900 of, the Revenue and Taxation Code, to amend

Sections 1755 and 14211 of the Unemployment Insurance Code, to amend Sections 11205, 12804.11, 16028, 23612, 34510.5, and 40000.20 of the Vehicle Code, to amend Section 85057.5 of the Water Code, to amend Sections 366.21, 366.22, 366.25, 4141, 4427.5, 4648, 4684.53, 5008, 5328.03, 6254, 7295, 12306, 14005.27, 14043.25, 14043.7, 14132.275, 14132.276, 14169.32, 14182, 14182.16, 15630, 15650, and 18969 of, and to repeal Section 4792.1 of, the Welfare and Institutions Code, to amend Section 1 of Chapter 357 of the Statutes of 2012, to amend Section 1 of Chapter 513 of the Statutes of 2012, to amend Section 1 of Chapter 541 of the Statutes of 2012, and to amend Section 2 of Chapter 719 of the Statutes of 2012, relating to maintenance of the codes.

ASSEMBLY BILL NO. 384—Waldron. An act to amend Section 25203 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 385—Dickinson. An act to add Division 23 (commencing with Section 80000) to the Financial Code, relating to financial institutions.

The following resolutions were offered:

HOUSE RESOLUTION NO. 6—Lowenthal. Relative to Women’s History Month.

HOUSE RESOLUTION NO. 7—Levine. Relative to Rare Disease Day.

AUTHOR’S AMENDMENTS
Committee on Elections and Redistricting

February 14, 2013

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports: Assembly Bill No. 193

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

FONG, Chair

ASSEMBLY BILL NO. 193—An act to amend Section 9287 of the Elections Code, relating to elections.

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.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 21—An act to add Section 116760.46 to the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

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.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Friday, February 15, 2013.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 14, 2013**

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

AB	RN	
21	1308893	
193	1308609	
Daily Total:		2
Cumulative Total:		14

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