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.
Legislative Intent—Assembly Bill No. 1309
September 12, 2013

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

Dear Members: This letter is to clarify my intent regarding the provisions of AB 1309 and specifically those relating to the definition of a “duty day”. AB 1309 establishes jurisdictional thresholds, based in part on duty day contacts with the state, for California to consider the occupational disease and cumulative injury claims of professional athletes.

The definition of a duty day requires services performed under the direction and control of the employer, which necessarily includes control over the time, place, manner and other circumstances of the employee’s daily work activities. It is not my intent that all service activities satisfy the definition of a duty day simply because they are consistent with a professional athlete’s contractual obligations. It is instead my intent that a qualifying duty day must also involve work activities performed under the direction and control of the professional athlete’s employer.

By way of illustration, a player playing for an out-of-state minor league team, who plays a game outside of California would qualify for an out-of-state duty day, but not qualify for either a California duty day or one for a California-based team. Further, the same player who works in California during an offseason day, including training and medical rehabilitation service days, would qualify for a California duty day provided his employer exercised direction and control over those services.

Sincerely,
HENRY T. PEREA, Assembly Member
Thirty-first District

Legislative Intent—Assembly Bill No. 127

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

Dear Mr. Wilson: Assembly Bill 127 requires the State Fire Marshal to review the flammability standards for building insulation materials and to propose new flammability standards. The phrase “review the flammability standards” should not imply that the State Fire Marshal must generate new data or research. Rather, my intent in drafting the bill is for the State Fire Marshal to rely on existing information related to building materials.

Sincerely,
NANCY SKINNER, Assembly Member
Fifteenth District