

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Thursday, January 13, 2011**

**NINTH SESSION DAY**

**THIRTY-NINTH 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. A list of all measures amended and on which amendments were offered 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 1-19-11)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, January 13, 2011

The Assembly met at 7 a.m.

Hon. Jerry Hill, Assembly Member, 19th 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—74:

Achadjian	Conway	Hernández	Norby
Alejo	Cook	Hill	Olsen
Allen	Dickinson	Huber	Pan
Ammiano	Donnelly	Hueso	Perea
Atkins	Eng	Huffman	Pérez, V. Manuel
Beall	Feuer	Jones	Portantino
Berryhill	Fong	Knight	Silva
Block	Fuentes	Lara	Skinner
Blumenfield	Furutani	Logue	Smyth
Bonilla	Galgiani	Lowenthal	Solorio
Bradford	Garrick	Ma	Swanson
Brownley	Gatto	Mansoor	Torres
Buchanan	Gordon	Mendoza	Valadao
Butler	Gorell	Miller	Wagner
Calderon	Grove	Mitchell	Wieckowski
Campos	Hagman	Monning	Yamada
Carter	Halderman	Morrell	Mr. Speaker
Cedillo	Harkey	Nestande	
Chesbro	Hayashi	Nielsen	

Quorum present.

**At 12:45 p.m., Hon. Roger Dickinson, 9th 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 Jeffries and Williams.*

*On personal business, and waiving per diem: Assembly Members Davis and Fletcher.\**

*Because of illness: Assembly Member Hall.*

\* (NOTE: This day's Journal corrected to show Assembly Member Fletcher excused on this day on personal business, and waiving per diem pursuant to further explanation of absence received January 19, 2011. See Assembly Journal, page 189.)

**EXPLANATIONS OF ABSENCE**

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

January 6, 2011

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

Dear Speaker Pérez: I respectfully request an excuse from session check-in on Thursday, January 13th due to legislative business in my District. If there are any questions regarding this request please contact my Capitol Office at (916) 319-2075.

Thank you for your prompt attention to this request.

Sincerely,

NATHAN FLETCHER, Assembly Member  
Seventy-fifth District

(NOTE: This day's Journal corrected to show Assembly Member Fletcher excused on this day on personal business, and waiving per diem pursuant to further explanation of absence received January 19, 2011. See Assembly Journal, page 189.)

January 5, 2011

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

Dear Speaker Pérez: This letter is to request permission to be excused from Check-In on Thursday, January 13, 2011, due to legislative business within my District.

This request is so that I may attend the Riverside Police Department Commemoration for Detective Doug Jacobs who was killed in the line of duty.

Thank you for your consideration.

Sincerely,

KEVIN D. JEFFRIES, Assembly Member  
Sixty-sixth District

January 13, 2011

*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, January 13, 2011 due to legislative business in my district.

Sincerely,

DAS WILLIAMS, Assembly Member  
Thirty-fifth District

**COMMUNICATIONS**

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

January 11, 2011

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

RE: Appointment of David Allgood  
to California Coastal Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. David Allgood to the California Coastal Commission. This is a term appointment starting January 11, 2011 and the expiration date is May 20, 2011. Mr. Allgood will be replacing Mr. Pat Kruer.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

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

Utilities and Commerce, on Monday, February 28, 2011.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 138—Beall.** An act to amend Sections 9100 and 9400 of, and to add Section 9009 to, the Welfare and Institutions Code, relating to aging.

**ASSEMBLY BILL NO. 139—Fuentes.** An act relating to state claims, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 140—Fuentes.** An act relating to the payment of claims against the state, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 141—Fuentes.** An act to amend Sections 611, 613, and 1209 of the Code of Civil Procedure, and to amend Sections 166, 1122, and 1128 of the Penal Code, relating to jurors.

**ASSEMBLY BILL NO. 142—Fuentes.** An act to amend Section 1016.5 of the Penal Code, relating to criminal procedure.

**ASSEMBLY BILL NO. 143—Fuentes.** An act to amend Sections 49075 and 49076 of the Education Code, relating to pupil records.

**ASSEMBLY BILL NO. 144—Portantino.** An act to amend Sections 7574.14 and 7582.2 of the Business and Professions Code, and to amend Sections 626.9, 16520, 17510, 25595, 25605, and 29805 of, to add Sections 17040, 17295, and 25590 to, and to add Chapter 6 (commencing with Section 26350) to Division 5 of Title 4 of Part 6 of, the Penal Code, relating to firearms.

**ASSEMBLY BILL NO. 145—Galgiani.** An act to repeal and add Division 19.5 (commencing with Section 185000) of the Public Utilities Code, relating to high-speed rail.

**ASSEMBLY BILL NO. 146—Dickinson.** An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Friday, January 14, 2011.

---

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

O