

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, January 14, 2011

TENTH SESSION DAY

FORTIETH 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
Friday, January 14, 2011

The Assembly met at 9 a.m.
Hon. Mike Gatto, Assistant Speaker pro Tempore of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Reading Clerk Russell C. Tomas reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Swanson moved a quorum call of the Assembly. Motion carried. Time, 9 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:06 a.m., Assistant Speaker pro Tempore Gatto declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—63:

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

PRAYER

Upon invitation of Assistant Speaker pro Tempore Gatto, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, When You said, "Let there be light," it came—at 186,000 miles per second! When You command something to happen, it happens. If we get into agreement with You, Lord, and stay with You, then we will see Your commanded blessing take us further than we ever thought possible. Help us to set our heart and mind on Your goodness, and to declare that Your will be done in our life.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Gatto, Assembly Member Olsen then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Allen, seconded by Assembly Member Hagman.

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, Buchanan, Galgiani, Harkey, Hayashi, Hill, Jones, Ma, Smyth, and Williams.

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

Because of illness: Assembly Members Bonilla, Davis, and Hall.

*Because of illness in his family, and waiving per diem: Assembly Member Jeffries.**

* (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. This day's Journal corrected to show Assembly Member Jeffries excused on this day because of illness in his family, and waiving per diem pursuant to further explanation of absence received January 19, 2011. See Assembly Journal, page 190.)

EXPLANATIONS OF ABSENCE

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

January 5, 2011

*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 Floor Session on Friday, January 14, 2011, due to legislative business in my district.

Thank you for your consideration of this request. Please contact me should you have any questions.

Sincerely,

**BOB BLUMENFIELD, Assembly Member
Fortieth District**

January 5, 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 Floor Session on Friday, January 14th for legislative business in my district.

Thank you for your understanding and assistance. If you have any concerns or questions, please contact myself or my Chief of Staff, Michelle Henry at (916) 319-2015.

Sincerely,

JOAN BUCHANAN, Assembly Member
Fifteenth District

January 5, 2011

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 Session on Friday, January 14, 2011 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 12, 2011

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

Dear Speaker Pérez: I would like to request that I be excused from Session on Friday, January 14, 2011, for legislative business.

If you need further information or have any questions, please contact Victoria Grajek of my staff at (916) 319-2017. Thank you.

Sincerely,

CATHLEEN GALGIANI, Assembly Member
Seventeenth District

January 7, 2011

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

Dear Speaker Pérez: I am respectfully requesting to be excused from Session on Friday, January 14, 2011 due to legislative business that I will be attending to. I will be presenting a Resolution to the outgoing Chair of the Chamber of Commerce from Laguna Niguel. I will also be attending the swearing in of Sheriff Sandra Hutchens. These are both events that I will be speaking and presenting at.

Should you have any questions please contact me or Sharon Gonsalves in my office at (916) 319-2073.

Sincerely,

DIANE L. HARKEY, Assembly Member
Seventy-third District

January 14, 2011

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

Dear Mr. Speaker: I respectfully request permission to be excused from Floor Session on Friday, January 14, 2011, for the purpose of conducting legislative business in my District.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or to have your designated staff person contact Sandy King at (916) 319-2018.

Sincerely,

MARY HAYASHI, Assembly Member
Eighteenth District

January 13, 2011

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

Dear Mr. Speaker: I respectfully request permission to be excused from Session on legislative business on Friday, January 14, 2011 for a legislative budget briefing with local elected officials in my district.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

JERRY HILL, Assembly Member
Nineteenth District

January 12, 2011

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

Dear Mr. Speaker: I am respectfully asking to be excused from Floor Session on Friday, January 14th as I have meetings scheduled in my district.

Thank you for your kind consideration.

Sincerely,

BRIAN JONES, Assembly Member
Seventy-seventh District

January 4, 2011

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

Dear Speaker Pérez: I am respectfully requesting an excused absence from the Friday, January 14, 2011 Assembly Session on legislative business. I will be speaking at the JITI High Speed Rail Conference in Los Angeles.

Should you have any questions, please feel free to contact Patty Schapiro in my office at (916) 319-2511.

In Peace and Friendship,

FIONA MA, Assembly Member
Twelfth District

January 4, 2011

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

Dear Mr. Speaker: I am respectfully requesting to be excused from Floor Session on Friday, January 14, 2011, due to legislative business in my district office.

Should you have any questions, please contact Donda Scholl in my office at 319-2038. Thank you for your attention to this matter.

Sincerely,

CAMERON M. SMYTH, Assembly Member
Thirty-eighth District

December 16, 2010

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

Dear Mr. Speaker: I respectfully request permission to be excused from Floor Session on Friday, January 14, 2010 due to legislative business in my district.

Your consideration of this request is greatly appreciated.

Sincerely,

DAS WILLIAMS, Assembly Member
Thirty-fifth District

REQUEST FOR PHOTOGRAPHER

Assembly Member Olsen was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Olsen was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor to permit a guest to sit at her desk in the Assembly Chamber, whereupon she introduced her son Grady.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 14, 2011

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

Dear Dotson: This is to advise you that I have appointed the following members to the Joint Committee on the Arts for the 2011–12 Regular Session:

- Assemblymember Katcho Achadjian
- Assemblymember Tom Ammiano
- Assemblymember Betsy Butler
- Assemblymember Nora Campos
- Assemblymember Kristin Olsen
- Assemblymember Jim Silva

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

January 14, 2011

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

Dear Dotson: This is to advise you that I have appointed the following members to the Joint Committee on Fisheries and Aquaculture for the 2011–12 Regular Session:

Assemblymember Wesley Chesbro, Chair
 Assemblymember Curt Hagman
 Assemblymember Jared Huffman
 Assemblymember Bonnie Lowenthal

Sincerely,

JOHN A. PÉREZ
 Speaker of the Assembly

January 14, 2011

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

Dear Dotson: This is to advise you that I have appointed the following members to the Joint Legislative Budget Committee for the 2011–12 Regular Session:

Assemblymember Bob Blumenfield, Vice Chair
 Assemblymember Bill Berryhill
 Assemblymember Julia Brownley
 Assemblymember Wesley Chesbro
 Assemblymember Felipe Fuentes
 Assemblymember Diane Harkey
 Assemblymember Holly Mitchell
 Assemblymember Jim Nielsen

Sincerely,

JOHN A. PÉREZ
 Speaker of the Assembly

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1 (John A. Pérez)—An act relating to education finance, and making an appropriation therefor, to take effect immediately as an appropriation for the usual and current expenses of the state.

Bill read third time.

Motion to Amend

Assembly Member John A. Pérez moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SPECIAL RECOGNITION

Assembly Member Hagman was joined by the Members of the Assembly in recognizing Assistant Speaker pro Tempore Gatto on his new leadership position.

ANNOUNCEMENTS

Assistant Speaker pro Tempore Gatto announced the following session schedule:

Monday, January 17, 2011, Holiday in observance of Martin Luther King, Jr. Day;

Tuesday, January 18, 2011, Floor Session, 12 noon;

Wednesday, January 19, 2011, Check-in Session, 7 a.m.–3 p.m.;

Thursday, January 20, 2011, Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Allen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ed West, former City Councilman and resident of American Canyon.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dickinson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Greg Bunker of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Eng was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Katherine Tellez Andrade of Monterey Park.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Garrick was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peter Toberman Fletcher of Rancho Santa Fe.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Monning was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Private First Class Conrado D. Javier, Jr., United States Army, resident of Marina.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Brownley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alan Means MacGregor of Agoura Hills, Thomas Henry McVicar of Los Angeles, and Julie Randall of Basking Ridge, New Jersey.

Assembly Member Chesbro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wilburn “Webb” Brown of Potter Valley and Jim Harris of Lucerne.

Assembly Member Feuer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Beatrice Lightman of Sherman Oaks.

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Abbot Reverend Chhean Kong, Ph.D. and Dorothy Baker of Long Beach.

MOTION TO ADJOURN

At 9:25 a.m., Assembly Member Allen moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 147—Dickinson. An act to amend Section 66484 of the Government Code, relating to subdivisions.

ASSEMBLY BILL NO. 148—Smyth. An act to amend Sections 53234 and 53235.2 of, and to add Section 53232.5 to, the Government Code, relating to local government.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Allen, the Assembly adjourned until 12 noon, Tuesday, January 18, 2011, out of respect to the memory of Ed West on motion of Assembly Member Allen; out of respect to the memory of Greg Bunker on motion of Assembly Member Dickinson; out of respect to the memory of Katherine Tellez Andrade on motion of Assembly Member Eng; out of respect to the memory of Peter Toberman Fletcher on motion of Assembly Member Garrick; out of respect to the memory of Private First Class Conrado D. Javier, Jr. on motion of Assembly Member Monning; out of respect to the memory of Alan Means MacGregor, Thomas Henry McVicar, and Julie Randall on motion of Assembly Member Brownley; out of respect to the memory of Wilburn “Webb” Brown and Jim Harris on motion of Assembly Member Chesbro; out of respect to the memory of Beatrice Lightman on motion of Assembly Member Feuer; and out of respect to the memory of Abbot Reverend Chhean Kong and Dorothy Baker on motion of Assembly Member Lowenthal.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 14, 2011**

The following measure was amended in the Assembly on this day:

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1	1102127
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Daily Total:	1
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Cumulative Total:	1
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