

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 23, 2012**

**ONE HUNDRED THIRTY-EIGHTH SESSION DAY  
FOUR HUNDRED FOURTEENTH 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. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, January 23, 2012

The Assembly met at 1 p.m.  
Hon. Mike Gatto, Assistant Speaker pro Tempore of the Assembly, presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Reading Clerk Timothy Morland reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Knight moved a quorum call of the Assembly.  
Motion carried. Time, 1 p.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 1:03 p.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—75:

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

**PRAYER**

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

*Lord, You come to all of us who are tired of the shallowness of life. You come to all of us who are ready to hear about a different way—a way based on love and concern for others, not selfishness and cruelty. Grant us, Lord, opportunities to reinforce our faith in You. Let our heart continually experience the transformation that brings us closer to You every day, in everything we do.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Gatto, Assembly Member Miller 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 Charles Calderon, seconded by Assembly Member Conway.

**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 Member Cedillo.*

*On active duty military deployment, and waiving per diem (Assembly Journal, page 452): Assembly Member Gorell.*

*Because of a death in their families: Assembly Members Davis and Smyth.*

*Because of illness in her family, and waiving per diem: Assembly Member Halderman.*

**EXPLANATIONS OF ABSENCE**

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

January 11, 2012

*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 Session on Monday, January 23, 2012 on legislative business, to attend the memorial service of Dr. Winston Doby, UCLA Director for the Upward Program.

Sincerely,

GILBERT CEDILLO, Assembly Member  
Forty-fifth District

**COMMUNICATIONS**

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

January 23, 2012

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

Dear Dotson: Please be advised that I have appointed Assemblymember Nora Campos to replace Assemblymember Mike Davis on the Assembly Rules Committee for today's hearing only.

Sincerely,

JOHN A. PÉREZ  
 Speaker of the Assembly

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

January 20, 2012

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

*Mr. Gregory Schmidt*  
*Secretary of the Senate*  
*State Capitol, Room 400*  
*Sacramento, California*

Dear Mr. Wilson and Mr. Schmidt: Please be advised that the Assembly and Senate contingents of the Joint Committee on Rules have taken the following action:

Approve press credentials for 2012–2013 (18-0)

Please ensure that this action is printed in the Assembly and Senate Journals.

Sincerely,

NANCY SKINNER  
 Chair

**SPECIAL COMMITTEE MEETINGS**

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

Elections and Redistricting, on Thursday, January 26, 2012, upon adjournment of Floor Session.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 23, 2012

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

Assembly Concurrent Resolution No. 89

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered returned to third reading file.

**REQUEST FOR PHOTOGRAPHER**

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

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY JOINT RESOLUTION NO. 23—John A. Pérez and Conway** (Principal coauthors: Senators Huff and Steinberg). Relative to economic development.

**ASSEMBLY RULE 63 SUSPENDED BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Assembly Joint Resolution No. 23 without reference to file.

**DESK HELD OPEN**

Assembly Member Charles Calderon was granted unanimous consent that the Assembly Desk be held open today for the purpose of receiving and processing Senate Coauthors to Assembly Joint Resolution No. 23.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following resolution was referred to committee:

*Assembly Joint  
Resolution No.*

*Committee*

**23** ----- Rls.

**RE-REFERENCE OF BILLS TO COMMITTEE  
PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Assistant Speaker pro Tempore Gatto re-referred the following bills to committee as noted:

Assembly Bill No. 1413, to the Committee on Elections and Redistricting.

**RECESS**

By unanimous consent, at 1:10 p.m., Assistant Speaker pro Tempore Gatto declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Beall introduced Sister Mary Katherine Doyle and Sister Helen Maher Garvey of the Sisters of the Holy Family in San Francisco whereupon he presented a Members’ Resolution off the Assembly Floor.

**RECONVENED**

At 1:12 p.m., the Assembly reconvened.

Hon. Mike Gatto, Assistant Speaker pro Tempore of the Assembly, presiding.

**ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced that tomorrow, Tuesday, January 24, 2012, is the last day in the Assembly to notice intent to remove bills from the Inactive File to be returned to third reading for purposes of amendment by January 26, 2012.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Date of Hearing: January 23, 2012

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 23

With the recommendation: Be adopted.

SILVA, Vice Chair

Above resolution ordered to third reading.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 23  
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member John A. Pérez was permitted to take up Assembly Joint Resolution No. 23 without reference to file, for purpose of consideration.

**ASSEMBLY JOINT RESOLUTION NO. 23 (John A. Pérez)**—Relative to economic development.

Resolution read.

**Members Made Coauthors of  
Assembly Joint Resolution No. 23**

Assembly Member John A. Pérez was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Joint Resolution No. 23.

**Additional Coauthors**

The following Assembly Members requested to be listed as additional coauthors:

Achadjian, Alejo, Allen, Ammiano, Atkins, Beall, Bill Berryhill, Block, Blumenfield, Bonilla, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Campos, Carter, Chesbro, Cook, Dickinson, Eng, Feuer, Fong, Furutani, Beth Gaines, Galgiani, Garrick, Gatto, Gordon, Hagman, Harkey, Hayashi, Roger Hernández, Hill, Huber, Hueso, Huffman, Jeffries, Jones, Lara, Logue, Bonnie Lowenthal, Ma, Mansoor, Mitchell, Monning, Nestande, Nielsen, Olsen, Pan, Perea, V. Manuel Pérez, Portantino, Silva, Skinner, Solorio, Swanson, Torres, Valadao, Wagner, Wieckowski, Williams, and Yamada.

**Assembly Rule 69(a) Invoked**

Pursuant to Assembly Rule 69(a), and a request by Assembly Member Charles Calderon, Assembly Member John A. Pérez was granted unanimous consent to permit the following Senators to be listed as additional coauthors to Assembly Joint Resolution No. 23:

Alquist, Anderson, Tom Berryhill, Blakeslee, Ron Calderon, Cannella, Corbett, De León, DeSaulnier, Dutton, Emmerson, Fuller, Ted Gaines, Hancock, Harman, Kehoe, La Malfa, Leno, Lieu, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

**Request for Unanimous Consent**

Assembly Member John A. Pérez was granted unanimous consent to take up Assembly Joint Resolution No. 23, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Joint Resolution No. 23, as Amended**  
**ASSEMBLY JOINT RESOLUTION NO. 23**—Relative to economic development.  
Resolution read, as amended, and adopted by the following vote:

**AYES—70**

Achadjian	Conway	Hill	Olsen
Alejo	Cook	Huber	Pan
Allen	Dickinson	Hueso	Pera
Ammiano	Eng	Huffman	Pérez, V.M.
Atkins	Feuer	Jeffries	Portantino
Beall	Fletcher	Jones	Silva
Berryhill	Fong	Knight	Skinner
Block	Furutani	Lara	Solorio
Blumenfield	Gaines	Logue	Swanson
Bonilla	Garrick	Lowenthal	Torres
Bradford	Gatto	Ma	Valadao
Brownley	Gordon	Mansoor	Wagner
Buchanan	Grove	Miller	Wieckowski
Butler	Hagman	Mitchell	Williams
Calderon	Hall	Monning	Yamada
Campos	Harkey	Morrell	Mr. Speaker
Carter	Hayashi	Nestande	
Chesbro	Hernández	Nielsen	

**NOES—1**

Donnelly

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Joint Resolution No. 23: Assembly Member Norby from “No” to “Not Voting”.

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE**  
**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 89 (Ammiano)**—Relative to the Lunar New Year celebration.

Resolution read.

**Members Made Coauthors of**  
**Assembly Concurrent Resolution No. 89**

Assembly Member Ammiano was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 89.

**Additional Coauthors**

The following Assembly Members requested to be listed as additional coauthors:

Achadjian, Alejo, Allen, Atkins, Beall, Bill Berryhill, Block, Blumenfield, Bonilla, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Campos, Carter, Chesbro, Conway, Cook, Dickinson, Feuer, Beth Gaines, Galgiani, Garrick, Gatto, Gordon, Hagman, Hall, Harkey, Roger Hernández, Hill, Huber, Hueso, Huffman, Jeffries, Jones, Lara, Logue, Bonnie Lowenthal, Mansoor, Mendoza, Miller, Mitchell, Monning, Morrell, Nestande, Nielsen, Olsen, Pera, John A. Pérez, V. Manuel Pérez, Portantino, Silva, Skinner, Solorio, Swanson, Torres, Valadao, Wagner, and Wieckowski.

**Request for Unanimous Consent**

Assembly Member Ammiano was granted unanimous consent to take up Assembly Concurrent Resolution No. 89, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 89, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 89**—Relative to the Lunar New Year celebration.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 17**—An act to add and repeal Section 22204.5 of the Education Code, relating to retirement.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 53**—An act to add Article 10.2 (commencing with Section 927) to Chapter 1 of Part 2 of Division 1 of the Insurance Code, relating to insurers.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 327**—An act to amend Sections 667 and 1170.12 of the Penal Code, relating to sentencing.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 369**—An act to add Section 1367.243 to the Health and Safety Code, and to add Section 10123.192 to the Insurance Code, relating to health care coverage.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 526**—An act to amend Section 6027 of the Penal Code, relating to crime prevention.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 578**—An act to add Section 960 to the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 640**—An act to amend Section 13385 of the Water Code, relating to water quality.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 812**—An act to add Section 42704 to the Public Resources Code, relating to solid waste.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 819**—An act to amend Sections 890.6 and 890.8 of the Streets and Highways Code, relating to bikeways.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 838**—An act to amend Section 308 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 890**—An act to add and repeal Section 21080.37 of the Public Resources Code, relating to the environment.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 904**—An act to add Section 381.3 to the Public Utilities Code, relating to energy.

Bill read second time, and ordered to third reading.



**ASSEMBLY BILL NO. 1054**—An act to amend Section 6804.1 of the Public Resources Code, relating to public lands.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1124**—An act to amend Section 381.2 of the Public Utilities Code, relating to energy.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1145**—An act to amend Sections 4658.5 and 4658.6 of, and to add Section 4658.7 to, the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1148**—An act to amend Sections 84305.5, 84504, and 84505 of, to add Sections 84506.1, 84506.2, and 84506.3 to, to repeal Sections 84502, 84503, and 84506.5 of, and to repeal and add Sections 84501, 84506, 84507, and 84508 of, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1270**—An act to add Section 6357 to the Penal Code, relating to prisons.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1278**—An act to add Section 1286.5 to the Health and Safety Code, relating to health facilities.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1345**—An act to amend Section 12410.5 of, and to add Section 12410.6 to, the Government Code, relating to audits.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1432**—An act to add Section 273j to the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 232**—An act to amend Section 50832 of the Health and Safety Code, relating to economic development.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 318**—An act to add Section 18410 to the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 367**—An act to amend, repeal, and add Section 683 of the Business and Professions Code, relating to healing arts.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 495**—An act relating to state property.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 510**—An act to amend Sections 115111, 115112, and 115113 of the Health and Safety Code, relating to public health.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 658**—An act to amend Sections 30459.15, 50156.18, and 55332.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 737**—An act to repeal Part 7.5 (commencing with Section 36100) of Division 24 of the Health and Safety Code, relating to state government.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 843**—An act to amend Section 6355 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1157**—An act to amend Section 965 of the Government Code, relating to public entity liability.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1224**—An act to amend Section 10205 of the Unemployment Insurance Code, relating to the employment training panel.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1289**—An act to amend Section 70377 of the Government Code, relating to court facilities.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1325**—An act to amend Sections 17913 and 17916 of the Business and Professions Code, relating to business filings.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1359**—An act to amend Sections 14528.1, 14539, 14549.5, 14550, 14551, 14560.5, 14573.51, 14575, 14575.1, 14585.5, 19510, and 19511 of, and to repeal Sections 14523.5 and 19512 of, the Public Resources Code, relating to solid waste.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 154**—An act to add Section 22856 to the Government Code, to add Section 1374.74 to the Health and Safety Code, and to add Section 10144.8 to the Insurance Code, relating to health care coverage.

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

**ASSEMBLY BILL NO. 70**—An act to add Chapter 4.5 (commencing with Section 104250) to Part 1 of Division 103 of the Health and Safety Code, relating to public health.

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

**ASSEMBLY BILL NO. 137**—An act to amend Section 1367.65 of, and to add Section 1367.651 to, the Health and Safety Code, and to amend Section 10123.81 of, and to add Section 10123.815 to, the Insurance Code, relating to health care coverage.

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

**ASSEMBLY BILL NO. 171**—An act to add Section 1374.73 to the Health and Safety Code, and to add Section 10144.51 to the Insurance Code, relating to health care coverage.

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

**ASSEMBLY BILL NO. 441**—An act to amend Section 65040.2 of, and to add Sections 14522.3, 65040.13, and 65040.14 to, the Government Code, relating to state planning.

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

**ASSEMBLY BILL NO. 467**—An act to amend Section 75101 of the Public Resources Code, relating to the environment.

**Assembly Bill No. 467 Passed and Retained**

By unanimous consent, Assembly Bill No. 467 was passed on file, to retain its place on file.

**ASSEMBLY BILL NO. 744**—An act to add Chapter 2 (commencing with Section 13988) to Part 4.5 of Division 3 of Title 2 of the Government Code, relating to intellectual property.

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

**ASSEMBLY BILL NO. 761**—An act to amend Sections 1206.5, 1209, and 3041 of the Business and Professions Code, relating to optometrists.

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

**ASSEMBLY BILL NO. 969**—An act to add Section 14105.221 to the Welfare and Institutions Code, relating to Medi-Cal.

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

**ASSEMBLY BILL NO. 1000**—An act to add and repeal Section 1367.655 of the Health and Safety Code, and to add and repeal Section 10123.205 of the Insurance Code, relating to health care coverage.

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

**ASSEMBLY BILL NO. 1191**—An act to amend Sections 97.68 and 97.70 of the Revenue and Taxation Code, relating to local government finance.

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

**ASSEMBLY BILL NO. 1246**—An act to amend Sections 60200, 60203, and 60204 of the Education Code, relating to instructional materials.

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

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**ASSEMBLY BILL NO. 1126 (Charles Calderon)**—An act to amend Sections 7261 and 7262 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 317 (Charles Calderon)**—An act to amend Sections 798.21 and 798.74.5 of the Civil Code, relating to mobilehomes.

Bill read third time.

**Motion to Amend**

Assembly Member Charles Calderon moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 482 (Williams)**—An act to add Section 20751.2 to the Public Contract Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 43 (Monning)**—An act to add Section 14005.60 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

**AYES—49**

Alejo	Campos	Hernández	Pérez, V.M.
Allen	Carter	Hill	Portantino
Ammiano	Chesbro	Huber	Skinner
Atkins	Dickinson	Hueso	Solorio
Beall	Eng	Huffman	Swanson
Block	Feuer	Lara	Torres
Blumenfield	Fong	Lowenthal	Wieckowski
Bonilla	Furutani	Ma	Williams
Bradford	Galgiani	Mendoza	Yamada
Brownley	Gatto	Mitchell	Mr. Speaker
Buchanan	Gordon	Monning	
Butler	Hall	Pan	
Calderon	Hayashi	Perea	

**NOES—25**

Achadjian	Garrick	Logue	Olsen
Berryhill	Grove	Mansoor	Silva
Conway	Hagman	Miller	Valadao
Cook	Harkey	Morrell	Wagner
Donnelly	Jeffries	Nestande	
Fletcher	Jones	Nielsen	
Gaines	Knight	Norby	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1166 (Solorio)**—An act to add Section 49074.5 to the Education Code, relating to pupils.

Bill read third time.

**Motion to Amend**

Assembly Member Solorio moved the adoption of amendments.

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

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 880 (Corbett)**—An act to amend Sections 1353.9 and 1363.07 of the Civil Code, relating to common interest developments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Butler moved the adoption of amendments.

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

**CONSIDERATION OF CONSENT CALENDAR**

The Assistant Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Assembly Bills**

**ASSEMBLY BILL NO. 1405 (Committee on Judiciary)**—An act to amend Section 51.7 of the Civil Code, and to repeal Section 1 of Chapter 1293 of the Statutes of 1976, relating to civil rights.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day’s  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed by the following vote:

**AYES—74**

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

**NOES—None**

**ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced the following session schedule:

- Tuesday, January 24, 2012, Check-in Session, 7 a.m.–3 p.m.;
- Wednesday, January 25, 2012, Check-in Session, 7 a.m.–3 p.m.;
- Thursday, January 26, 2012, Floor Session, 9 a.m.;
- Friday, January 27, 2012, Floor Session, upon call of the Speaker.

**ADJOURN IN MEMORY**

Assembly Members Fuentes and Blumenfield were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dennis M. O’Sullivan of North Hollywood.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Knight was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lois Ledford of Palmdale.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Anna Louise Dewey of El Cajon.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Monning, Beall, and Alejo were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Bert Muhly, former Mayor of Santa Cruz, resident of Santa Cruz.

(Assembly Rule 45.5 suspended.)

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 923 was continued until January 26, 2012.

**ADJOURN IN MEMORY**

Assembly Member Bonnie Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Steven Nicholas Saggiani of Long Beach.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Assembly Joint Resolution No. 23:** Fletcher, Hall, Miller, Morrell, Nielsen, Skinner, and Williams—Aye.

**Assembly Bill No. 1126:** Chesbro, Fletcher, Garrick, Hall, Hayashi, Miller, Morrell, and Skinner—Aye.

**Assembly Bill No. 482 and Urgency:** Fletcher, Hall, Hayashi, and Skinner—Aye.

**Assembly Bill No. 43:** Hall and Skinner—Aye; Donnelly and Fletcher—No.

**Consent Calendar:** Donnelly, Fletcher, and Skinner—Aye.

**MOTION TO ADJOURN**

At 1:43 p.m., Assembly Member Charles Calderon moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 1:43 p.m., Assistant Speaker pro Tempore Gatto declared the quorum call of the Assembly dispensed with.



**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1527—Portantino and Ammiano.** An act to amend Sections 7574.14 and 7582.2 of the Business and Professions Code, to add Section 25841 to the Government Code, to amend Sections 626.92, 16520, 16750, 16850, 17295, 25850, 26035, 26040, 26055, and 26350 of, to add Sections 16505 and 26390 to, and to add Chapter 7 (commencing with Section 26400) to Division 5 of Title 4 of Part 6 of, the Penal Code, relating to firearms.

**ASSEMBLY BILL NO. 1528—Donnelly.** An act to amend Sections 647 and 647.7 of, and to add Section 647g to, the Penal Code, relating to disorderly conduct.

**ASSEMBLY BILL NO. 1529—Dickinson.** An act to amend Section 25762 of the Business and Professions Code, to amend Sections 116.940 and 631.2 of, to amend the heading of Article 7 (commencing with Section 116.710) of Chapter 5.5 of Title 1 of Part 1 of, to add Section 116.798 to, and to repeal Section 631.1 of, the Code of Civil Procedure, to amend Section 56159 of the Education Code, to amend Sections 731, 752, 753, and 754 of the Evidence Code, to amend Sections 1814, 1820, 1834, 1838, 1850, 3025.5, 3170, 3173, 3188, 6303, 7553, and 7556 of the Family Code, to amend Sections 1750, 23249, 23332, 23535, 24350, 24351, 24353, 25252.6, 27080.1, 29320, 29370, 29370.1, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29379, 29603, 31116, and 68098 of, and to add Sections 68083 and 68083.5 to, the Government Code, and to amend Section 1306 of, and to add Section 1305.5 to, the Penal Code, relating to courts.

**ASSEMBLY BILL NO. 1530—Huffman and Olsen.** An act relating to economic development.

**ASSEMBLY BILL NO. 1531—Fuentes.** An act relating to state claims, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 1532—John A. Pérez.** An act to add Section 38575 to the Health and Safety Code, relating to greenhouse gas emissions.

**ASSEMBLY BILL NO. 1533—Mitchell.** An act to add and repeal Section 2066.5 of the Business and Professions Code, relating to medicine.

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 93—Garrick.** Relative to Ronald Reagan Day.

**AUTHOR'S AMENDMENTS  
Committee on Public Safety**

January 23, 2012

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

Assembly Bill No. 1438

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

AMMIANO, Chair

**ASSEMBLY BILL NO. 1438**—An act to amend Section 11166 of the Penal Code, relating to child abuse reporting.

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: January 19, 2012

Mr. Speaker: Your Committee on Appropriations reports:  
 Assembly Bill No. 523

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

Above bill ordered to second reading.

Date of Hearing: January 19, 2012

Mr. Speaker: Your Committee on Appropriations reports:  
 Assembly Bill No. 1225

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

Above bill ordered to second reading.

Date of Hearing: January 19, 2012

Mr. Speaker: Your Committee on Appropriations reports:  
 Assembly Bill No. 1431

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 bill be placed on the Consent Calendar.

FUENTES, Chair

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, January 23, 2012

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1	Senate Bill No. 708
Senate Bill No. 118	Senate Bill No. 721
Senate Bill No. 255	Senate Bill No. 749
Senate Bill No. 345	Senate Bill No. 778
Senate Bill No. 447	Senate Bill No. 901
Senate Bill No. 625	Senate Bill No. 912
Senate Bill No. 633	Senate Bill No. 920
Senate Bill No. 691	

GREGORY P. SCHMIDT, Secretary of the Senate  
 By Bernadette McNulty, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following bills were read the first time:

**SENATE BILL NO. 1**—An act to amend Section 4351 of the Food and Agricultural Code, relating to the State Race Track Leasing Commission.

**SENATE BILL NO. 118**—An act to add Section 12427 to the Government Code, relating to state government.

**SENATE BILL NO. 255**—An act to amend Sections 1367.6 and 1367.635 of the Health and Safety Code, and to amend Sections 10123.8 and 10123.86 of the Insurance Code, relating to health care coverage.

**SENATE BILL NO. 345**—An act to amend Sections 9701, 9710.5, 9712, 9713, 9714, 9714.5, 9716, 9717, 9719, 9720, 9722, 9724, 9726, 9726.1, and 9740 of, and to add Sections 9716.10 and 9716.11 to, the Welfare and Institutions Code, relating to public social services.

**SENATE BILL NO. 447**—An act to add Section 50964 to the Health and Safety Code, relating to housing.

**SENATE BILL NO. 625**—An act to amend Sections 6701, 6722, 6727, 6728, 6761, 6901, 6902, 6903, 6904, 6921, 6922, 6923, 6925, 6961, and 6968 of the Food and Agricultural Code, relating to agriculture.

**SENATE BILL NO. 633**—An act to add Section 16728 to the Government Code, relating to bonds.

**SENATE BILL NO. 691**—An act to amend Section 1095 of the Unemployment Insurance Code, relating to unemployment insurance.

**SENATE BILL NO. 708**—An act to amend Sections 2923.5, 2923.6, 2924.8, and 2929.3 of the Civil Code, and to amend Section 1161b of the Code of Civil Procedure, relating to mortgages.

**SENATE BILL NO. 721**—An act to add Chapter 13 (commencing with Section 67050) to Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

**SENATE BILL NO. 749**—An act to add Section 14521.5 to the Government Code, relating to transportation.

**SENATE BILL NO. 778**—An act to add Section 25600.1 to the Business and Professions Code, relating to alcoholic beverages.

**SENATE BILL NO. 901**—An act to amend Section 44125 of, and to amend the heading of Article 11 (commencing with Section 44125) of Chapter 5 of Part 5 of Division 26 of, the Health and Safety Code, relating to air pollution.

**SENATE BILL NO. 912**—An act to repeal and add Section 9600.5 of the Unemployment Insurance Code, relating to employment.

**SENATE BILL NO. 920**—An act to amend Sections 14166.12, 14169.5, 14169.16, 14169.17, 14169.18, 14169.41, and 14169.42 of the Welfare and Institutions Code, relating to Medi-Cal.

#### **INTRODUCTION OF GUESTS**

Assembly Member Bill Berryhill, of the 26th Assembly District, introduced students from the leadership class of Sierra High School in Manteca, accompanied by their teacher, Anthony Chapman.

Assembly Member Allen, of the 7th Assembly District, introduced participants of the Aldea Art Therapy Program.

Assembly Member Buchanan, of the 15th Assembly District, introduced Boy Scout Troop No. 888 from San Ramon.

#### **ADJOURNMENT**

At 5 p.m., pursuant to the motion by Assembly Member Charles Calderon, the Assembly adjourned until 7 a.m., Tuesday, January 24, 2012, out of respect to the memory of Dennis M. O'Sullivan on motion of Assembly Members Fuentes and Blumenfield; out of respect to the memory of Lois Ledford on motion of Assembly Member Knight; out of respect to the memory of Anna Louise Dewey on motion of Assembly Member Jones; out of respect to the memory of Hon. Bert Muhly on motion of Assembly Members Monning, Beall, and Alejo; and out of respect to the memory of Steven Nicholas Saggiani on motion of Assembly Member Bonnie Lowenthal.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 23, 2012

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

<b>AB</b>	<b>RN</b>
70	1201657
137	1200309
154	1201780
171	1200314
317	1201429
441	1200705
744	1200844
761	1201269
969	1116947
1000	1201487
1166	1201966
1191	1201075
1246	1201069
1438	1201676

<b>SB</b>	<b>RN</b>
880	1202049

<b>Daily Total:</b>	<b>15</b>
<b>Cumulative Total:</b>	<b>2469</b>

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