

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 24, 2011**

**FOURTEENTH SESSION DAY**

**FIFTIETH 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.

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

(Corrected 2-1-11)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, January 24, 2011

The Assembly met at 12 noon.  
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 Cook moved a quorum call of the Assembly.  
Motion carried. Time, 12:01 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 12:05 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—74:

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

**PRAYER**

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

*Lord, Help us this day to keep our heart in the right place by seeking a spirit of peace and of unity. Lead us and guide us to see others the way that You see them. For when our heart is filled with peace and when we seek to live in unity that is guided by Your love, our lives will be filled with Your blessing.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Gatto, Assembly Member Allen 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 Calderon, 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 Fuentes and Ma.*

*On personal business, and waiving per diem: Assembly Member Garrick.*

*Because of illness: Assembly Member Norby.*

*Because of illness in his family: Assembly Member Silva.*

**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 Mr. Speaker: This letter is to respectfully request your approval to be excused from Floor Session on Monday, January 24, 2011, for legislative business.

Your favorable consideration in this matter would be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

FELIPE FUENTES, Assembly Member  
Thirty-ninth 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 an excused absence from the Monday, January 24, 2011 Assembly Session on legislative business. I will be speaking at the VERDEXCHANGE Conference in Los Angeles about High Speed Rail. The conference is scheduled to begin on January 23 and end on January 24. The VERDEXCHANGE consists of leaders of Green Economy in both business and public sector.

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

#### **SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Utilities and Commerce, on Monday, February 28, 2011, at 2 p.m.  
 Higher Education, on Tuesday, February 1, 2011, at 1:30 p.m., in Room 437.

Judiciary, to convene jointly with the Committees on Banking and Finance and Housing and Community Development, on Monday, January 31, 2011, at 9:30 a.m., in the Los Angeles County Hall of Administration.

Housing and Community Development, to convene jointly with the Committee on Banking and Finance, on Wednesday, March 9, 2011, at 9 a.m., in Room 444.

#### **REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly*

*Bill No.*

*Committee*

<b>2</b> -----	Higher Ed.
<b>3</b> -----	Trans.
<b>4</b> -----	B. & P.
<b>5</b> -----	Ed.
<b>6</b> -----	Hum. S.
<b>7</b> -----	P.E.,R. & S.S.
<b>8</b> -----	Pub. S.
<b>10</b> -----	L. & E.
<b>11</b> -----	Rev. & Tax.
<b>12</b> -----	Pub. S.
<b>13</b> -----	Ed.
<b>14</b> -----	H. & C.D. and L. Gov.
<b>15</b> -----	L. & E.
<b>16</b> -----	Trans.
<b>17</b> -----	P.E.,R. & S.S.
<b>18</b> -----	Ed.

- 19 ----- W.,P. & W. and H. & C.D.
- 20 ----- Jud.
- 21 ----- Budget
- 23 ----- L. Gov.
- 24 ----- Higher Ed.
- 25 ----- Ed.
- 29 ----- J., E.D. & E.
- 30 ----- Health
- 33 ----- L. Gov.
- 34 ----- Nat. Res.
- 35 ----- B. & P.
- 36 ----- Pub. S.
- 37 ----- U. & C.
- 38 ----- B. & F.
- 39 ----- Ed.
- 40 ----- Aging & L.T.C. and Pub. S.
- 41 ----- E. & R.
- 43 ----- Health
- 44 ----- Pub. S.
- 46 ----- L. Gov.
- 47 ----- Ed.
- 48 ----- Ed.
- 49 ----- L. Gov. and Nat. Res.
- 50 ----- Rev. & Tax.
- 53 ----- Ins. and Pub. S.
- 54 ----- L. Gov. and E.S. & T.M.
- 55 ----- Ins.

*Assembly Concurrent*

*Resolution No.*

*Committee*

8 ----- Rls.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

Assembly Concurrent Resolution No. 3, on request of Assembly Member Hayashi.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 6 (Donnelly)**—Relative to human trafficking.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 6**

Assembly Member Donnelly was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 6.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Achadjian, Allen, Ammiano, Atkins, Beall, Berryhill, Block, Blumenfield, Bonilla, Bradford, Brownley, Buchanan, Butler, Calderon, Campos, Carter, Cedillo, Chesbro, Conway, Cook, Davis, Dickinson, Eng, Feuer, Fletcher, Fong, Furutani, Galgiani, Gatto, Gordon, Gorell, Grove, Hagman, Halderman, Hall, Harkey, Hayashi, Hernández, Hill, Huber, Huffman, Jeffries, Jones, Knight, Logue, Lowenthal, Mansoor, Mendoza, Miller, Mitchell, Monning, Morrell, Nestande, Nielsen, Olsen, Pan, Perea, John A. Pérez, V. Manuel Pérez, Portantino, Skinner, Smyth, Solorio, Swanson, Torres, Valadao, Wagner, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Donnelly was granted unanimous consent to take up Assembly Concurrent Resolution No. 6, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 6, as Amended**  
**ASSEMBLY CONCURRENT RESOLUTION NO. 6**—Relative to human trafficking.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

**SPECIAL RECOGNITION**

The Members of the Assembly joined Assistant Speaker pro Tempore Gatto in offering congratulations to Assembly Member Williams on the occasion of his recent marriage.

**ADJOURN IN MEMORY**

Assembly Members Brownley and Feuer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Sargent Shriver, Jr. of Potomac, Maryland.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced the following session schedule:

Tuesday, January 25, 2011, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, January 26, 2011, Check-in Session, 7 a.m.–3 p.m.;

Thursday, January 27, 2011, Floor Session, 9 a.m.

**ADJOURN IN MEMORY**

Assembly Member Bradford was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Reverend Dr. Lonnie Dawson of Los Angeles.

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 Matthew Mezza of Santa Monica.

Assembly Member Gatto was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Shari Gamson of Encino.

Assembly Member Gorell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Sommers of Thousand Oaks.

Assembly Member Hernández was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Timothy Jochem of Leucadia.

Assembly Member Huffman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Calli Ann Murray of Rohnert Park.

**MOTION TO ADJOURN**

At 12:24 p.m., Assembly Member Smyth moved that the Assembly do now adjourn.

Assembly Member Calderon seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:24 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. 174—Monning.** An act to amend Section 130275 of the Health and Safety Code, relating to health information.

**ASSEMBLY BILL NO. 175—Donnelly.** An act to amend and repeal Section 11191 of the Penal Code, relating to inmates, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 176—Lara.** An act to add Section 99155 to the Education Code, relating to postsecondary education.

**ASSEMBLY BILL NO. 177—Mendoza.** An act to amend Section 727.7 of the Welfare and Institutions Code, relating to juveniles.

**ASSEMBLY BILL NO. 178—Gorell and Williams.** An act to amend Sections 1320 and 12022.1 of, and to add Section 1318.2 to, the Penal Code, relating to county jails.

**ASSEMBLY BILL NO. 179—Gorell and Williams.** An act to add Chapter 5 (commencing with Section 653.77) to Title 15 of Part 1 of the Penal Code, relating to electronic monitoring.

**ASSEMBLY BILL NO. 180—Carter.** An act to add Section 52052.3 to the Education Code, relating to academic performance.

**ASSEMBLY BILL NO. 181—Portantino (Principal coauthor: Senator Steinberg).** An act to amend Section 16164 of, and to add Section 16001.10 to, the Welfare and Institutions Code, relating to foster youth.

**ASSEMBLY BILL NO. 182—Davis.** An act to amend, repeal, and add Section 87500.1 of the Government Code, relating to the Political Reform Act of 1974.

#### RESOLUTIONS

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 9—Garrick.** Relative to Centennial Ronald Reagan Day.

#### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Smyth, the Assembly adjourned until 7 a.m., Tuesday, January 25, 2011, out of respect to the memory of Robert Sargent Shriver, Jr. on motion of Assembly Members Brownley and Feuer; out of respect to the memory of Reverend Dr. Lonnie Dawson on motion of Assembly Member Bradford; out of respect to the memory of Matthew Mezza on motion of Assembly Member Brownley; out of respect to the memory of Shari Gamson on motion of Assembly Member Gatto; out of respect to the memory of Robert Sommers on motion of Assembly Member Gorell; out of respect to the memory of Timothy Jochem on motion of Assembly Member Hernández; and out of respect to the memory of Calli Ann Murray on motion of Assembly Member Huffman.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk