

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 24, 2012

**ONE HUNDRED THIRTY-NINTH SESSION DAY
FOUR HUNDREDTH FIFTEENTH 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 1-27-12)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 24, 2012

The Assembly met at 7 a.m.
Hon. William W. Monning, Assembly Member, 27th 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—72:

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

Quorum present.

At 1:28 p.m., Hon. Steven Bradford, 51st 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 Hill and Portantino.

On legislative business, and waiving per diem: Assembly Member Jeffries.

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

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 explanations of absence were ordered printed in the Journal:

January 18, 2012

*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 Check-in Session on Tuesday, January 24, 2012. I have legislative meetings in my district office. Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

JERRY HILL, Assembly Member
Nineteenth District

January 13, 2012

*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 Session on Tuesday, January 24, 2012, due to legislative business within my District. There will be no travel cost to the State and I am “waiving” per diem. Thank you for your consideration.

Sincerely,

KEVIN D. JEFFRIES, Assembly Member
Sixty-sixth District

January 17, 2012

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

Dear Speaker: I respectfully request permission to be excused from Legislative Check-in Session on Tuesday, January 24th on legislative business. I will be hosting a press conference pertaining to the Historical Black Universities along with others in my district. I will be here for Check-in Session on Wednesday if this gets approved. Please feel free to contact Michelle Morris-Battle, my scheduler, at 916-319-2044, if you have any questions. Thank you for your consideration of this request.

Sincerely,

ANTHONY J. PORTANTINO, Assembly Member
 Forty-fourth District

SPECIAL COMMITTEE MEETINGS

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

Higher Education, to convene jointly with the Senate Committee on Business, Professions and Economic Development, on Tuesday, February 14, 2012, at 1:30 p.m., in Room 4202;

Budget Subcommittee No. 4 on State Administration, on Tuesday, February 21, 2012, at 1:30 p.m., in Room 447;

Budget Subcommittee No. 1 on Health and Human Services, to convene jointly with the Committee on Aging and Long-Term Care, on Wednesday, March 7, 2012, at 1:30 p.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 24, 2012

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

Assembly Bill No. 70
 Assembly Bill No. 137
 Assembly Bill No. 154
 Assembly Bill No. 171
 Assembly Bill No. 441
 Assembly Bill No. 744

Assembly Bill No. 761
 Assembly Bill No. 969
 Assembly Bill No. 1000
 Assembly Bill No. 1191
 Assembly Bill No. 1246

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 24, 2012

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

Assembly Bill No. 317
 Assembly Bill No. 166

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading file.

Assembly Chamber, January 24, 2012

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

Assembly Bill No. 369

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading file.

Assembly Chamber, January 24, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1224

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, January 24, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1438

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1534—Wieckowski. An act to add Chapter 5 (commencing with Section 10000) to Division 3.6 of the Vehicle Code, relating to used vehicle sales.

ASSEMBLY BILL NO. 1535—Halderman. An act to amend Section 21655.5 of the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 1536—Miller. An act to amend Section 23123.5 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1537—Cook. An act to amend Section 11349.1 of, and to add Section 11346.15 to, the Government Code, relating to regulations.

ASSEMBLY BILL NO. 1538—Cook. An act to add Sections 12430 and 12433 to, the Government Code, relating to audits.

ASSEMBLY BILL NO. 1539—Hayashi. An act to add Section 5157.5 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1540—Buchanan. An act to amend Section 64 of the Harbors and Navigation Code, relating to state waters.

ASSEMBLY BILL NO. 1541—Dickinson. An act to amend Sections 6276.36 and 11125.1 of the Government Code, and to amend Sections 315, 454.5, and 5960 of, and to repeal and add Section 583 of, the Public Utilities Code, relating to the Public Utilities Commission.

The following resolutions were offered:

ASSEMBLY JOINT RESOLUTION NO. 24—Bonilla. Relative to the proposed federal Student-to-School Nurse Ratio Improvement Act of 2011.

ASSEMBLY JOINT RESOLUTION NO. 25—Feuer and Blumenfield (Coauthors: Brownley, Butler, Cedillo, and Gatto) (Coauthors: Senators Lieu and Negrete McLeod). Relative to the Los Angeles Residential Helicopter Noise Relief Act of 2011.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: January 23, 2012

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 85

With amendments with the recommendation: Amend, and be adopted as amended.

SILVA, Vice Chair

Above resolution ordered to second reading.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 154, 70, 137, 171, 441, 744, 761, 969, 1000, 1191, and 1246, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

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. 523—An act to amend Sections 44272.3 and 44272.4 of the Health and Safety Code, relating to ethanol.

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. 1225—An act to add Chapter 6 (commencing with Section 8122) to Part 1 of Division 8 of the Health and Safety Code, relating to cemeteries.

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. 1431—An act to repeal Section 4934.1 of the Business and Professions Code, to amend Sections 8670.55, 10242.5, 13103.5, 65089.11, and 67150.3 of the Government Code, to amend Sections 44003.5 and 104200 of the Health and Safety Code, to amend Section 1872.87 of the Insurance Code, to amend Sections 28004, 28007, and 41821.5 of the Public Resources Code, to amend Section 353.15 of the Public Utilities Code, and to repeal Section 4097.3 of the Welfare and Institutions Code, relating to government reports.

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, and to be placed upon the Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., January 25, 2012.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 24, 2012**

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

AB	RN
523	1201875
1225	1201868
1431	1201908

Daily Total:	3
Cumulative Total:	2472

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