

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 15, 2011

TWENTY-SEVENTH SESSION DAY

SEVENTY-SECOND 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 2-17-11)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 15, 2011

The Assembly met at 7 a.m.

Hon. William Monning, Assembly Member, 27th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Russell C. Tomas reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 2 p.m., Hon. Nathan Fletcher, 75th 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 Member Gorell.

Because of illness: Assembly Member Hernández.

Because of illness, and waiving per diem: Assembly Member Garrick.

EXPLANATIONS OF ABSENCE

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

January 19, 2011

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

Dear Mr. Speaker: I respectfully request a legislative excuse for Tuesday, February 15, 2011 due to legislative business in the 37th Assembly District. I will be at Pepperdine University as a keynote speaker talking about economic development and the barriers to economic growth in California.

If you have any questions, please call Sam Chung at 319-2037.

Sincerely,

JEFF GORELL, Assembly Member
 Thirty-seventh District

SPECIAL COMMITTEE MEETINGS

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

Environmental Safety and Toxic Materials, to convene jointly with the Committee on Natural Resources on Monday, February 28, 2011, at 9:30 a.m., in Room 447.

Budget, to convene jointly with the Joint Legislative Budget Committee on Wednesday, February 23, 2011, at 1:30 p.m., in Room 4203.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 15, 2011

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

Assembly Bill No. 31

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. 443—Bonilla. An act to amend Section 8630 of the Education Code, relating to education programs.

ASSEMBLY BILL NO. 444—Carter. An act to amend Section 9990 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 445—Carter. An act to amend Section 25101 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 446—Carter. An act to amend Section 1170.05 of the Penal Code, relating to inmates.

ASSEMBLY BILL NO. 447—Huffman and Fletcher. An act relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 448—Ammiano. An act relating to taxation.

ASSEMBLY BILL NO. 449—Mitchell. An act to add Section 2882 to the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 450—Wieckowski. An act to amend Section 12440.1 of the Government Code, relating to the California State University.

ASSEMBLY BILL NO. 451—Hall. An act to add Sections 45266.5 and 88026.25 to the Education Code, relating to school district employees.

ASSEMBLY BILL NO. 452—Ma. An act to amend Section 637.7 of the Penal Code, relating to privacy.

ASSEMBLY BILL NO. 453—Skinner. An act to add Section 19060 to the Government Code, relating to state employees.

ASSEMBLY BILL NO. 454—Silva. An act to amend Section 6345 of the Family Code, relating to protective orders.

ASSEMBLY BILL NO. 455—Campos. An act to add Section 3507.7 to the Government Code, relating to public employment.

ASSEMBLY BILL NO. 456—Wagner. An act to amend Sections 1281.4 of, and to amend and repeal Section 1281.5 of, the Code of Civil Procedure, relating to arbitration.

ASSEMBLY BILL NO. 457—Wagner. An act to add Section 5111 to the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 458—Atkins. An act to amend Section 1514 of, and to add Sections 2204 and 2205 to, the Probate Code, relating to guardianship.

ASSEMBLY BILL NO. 459—Hill. An act to amend Section 5100 of the Elections Code, relating to primary elections.

ASSEMBLY BILL NO. 460—Cedillo. An act to amend Section 66700 of the Education Code, relating to the California Community Colleges.

ASSEMBLY BILL NO. 461—Bonilla. An act to amend Section 15342 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 462—Bonnie Lowenthal. An act to amend Section 44229 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 463—Garrick. An act to amend Section 42653 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 464—Olsen (Coauthor: Senator Berryhill). An act to amend Section 359 of the Streets and Highways Code, relating to highways.

ASSEMBLY BILL NO. 465—Bill Berryhill. An act to add Chapter 25 (commencing with Section 22756) to Division 8 of the Business and Professions Code, relating to gardening or landscape maintenance services.

ASSEMBLY BILL NO. 466—Butler. An act to amend Section 1366 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 467—Eng (Principal coauthor: Roger Hernández) (Coauthor: Senator Hernandez). An act to amend Section 75101 of the Public Resources Code, relating to the environment.

ASSEMBLY BILL NO. 468—Smyth. An act to amend Sections 98 and 98.02 of the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 469—Swanson. An act to amend Section 1197.1 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 470—Halderman. An act to amend Section 40322.5 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 471—Bonnie Lowenthal. An act to add Section 185025 to the Public Utilities Code, relating to high-speed rail.

ASSEMBLY BILL NO. 472—Ammiano. An act to add Section 11376.5 to the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 473—Charles Calderon. An act relating to unfair competition.

ASSEMBLY BILL NO. 474—Jones. An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 475—Butler. An act to amend Sections 22511 and 22511.5 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 476—Bonnie Lowenthal. An act to add Section 21100.6 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 477—Valadao. An act to add Section 3103.7 to the Elections Code, relating to elections.

ASSEMBLY BILL NO. 478—Roger Hernández. An act to amend Section 84750.5 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 479—Nestande. An act relating to public social services.

ASSEMBLY BILL NO. 480—Solorio. An act to amend Section 1765.1 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 481—Gordon. An act to amend Section 101 of, and to add Sections 101.5, 336.7, and 357.5 to, the Elections Code, relating to elections.

ASSEMBLY BILL NO. 482—Williams. An act relating to green buildings.

ASSEMBLY BILL NO. 483—Torres. An act to amend Section 50675.14 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 484—Alejo. An act to amend Section 65965 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 485—Ma. An act to amend Section 53395.1 of, and to add Sections 53395.7.5 and 65460.2.5 to, the Government Code, relating to local planning.

ASSEMBLY BILL NO. 486—Hueso. An act to add Section 53069.35 to the Government Code, relating to graffiti abatement.

ASSEMBLY BILL NO. 487—Cook (Principal coauthors: Allen and Chesbro). An act to amend Section 1012.3 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 488—Cook (Principal coauthors: Allen and Chesbro). An act to amend Section 1012.3 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 489—Cook. An act to amend Sections 13601, 13602, and 13603 of, to amend the heading of Title 4.5 (commencing with Section 13600) of Part 4 of, and to repeal and add Section 13600 of, the Penal Code, relating to corrections.

ASSEMBLY BILL NO. 490—Perea. An act to amend Section 17048 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 491—Portantino. An act to amend Section 120990 of, and to add Section 120889 to, the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 492—Galgiani. An act to amend Section 185036 of the Public Utilities Code, relating to high-speed rail.

ASSEMBLY BILL NO. 493—Perea. An act to add Section 10072.5 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 494—Logue. An act to add Section 25608.12 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 496—Alejo. An act to amend Section 32282 of the Education Code, relating to school safety.

ASSEMBLY BILL NO. 497—Wieckowski. An act to add Chapter 11.6 (commencing with Section 50810) to Part 2 of Division 31 of the Health and Safety Code, relating to housing and community development.

ASSEMBLY BILL NO. 498—Alejo. An act relating to local government.

ASSEMBLY BILL NO. 499—Atkins (Principal coauthor: Ma). An act to amend Section 6926 of the Family Code, relating to minors.

ASSEMBLY BILL NO. 500—Solorio. An act to amend Sections 1263, 1595, 2113, 2117, 2117.5, 2118, 2118.5, 2122, and 3008 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

ASSEMBLY BILL NO. 501—Campos. An act to amend Section 3540.1 of the Government Code, relating to public school employment.

ASSEMBLY BILL NO. 502—Bonilla. An act to amend Section 65580 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 503—Block. An act to amend Section 15342 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 504—Williams. An act to add Section 50079.2 to the Government Code, relating to taxation.

ASSEMBLY BILL NO. 505—Harkey. An act relating to housing.

ASSEMBLY BILL NO. 506—Wieckowski. An act to amend Section 31458.2 of the Government Code, relating to county employees retirement.

ASSEMBLY BILL NO. 507—Hayashi. An act to amend Section 4301 of the Business and Professions Code, and to amend Sections 124960 and 124961 of, and to repeal Section 11453 of, the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 508—Swanson. An act to amend Sections 1070 and 1071 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 509—Skinner. An act relating to taxation.

ASSEMBLY BILL NO. 510—Bonnie Lowenthal. An act relating to health facilities.

ASSEMBLY BILL NO. 511—Yamada. An act relating to building standards.

ASSEMBLY BILL NO. 512—Gordon. An act to amend Section 2830 of the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 513—Hall. An act relating to enforcement of obligations.

ASSEMBLY BILL NO. 514—Roger Hernández. An act to amend Section 98 of the Labor Code, relating to the Labor Commissioner.

ASSEMBLY BILL NO. 515—Brownley. An act to add Section 78302 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 516—V. Manuel Pérez (Coauthors: Eng and Solorio). An act to amend Section 2333.5 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 517—Hall. An act to amend Section 23104.2 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 518—Wagner. An act to amend Section 15630.1 of the Welfare and Institutions Code, relating to elder abuse.

ASSEMBLY BILL NO. 519—Roger Hernández. An act to amend Section 32282 of, and to add Article 5.5 (commencing with Section 49010) to Chapter 6 of Part 27 of Division 4 of Title 2 of, the Education Code, relating to pupil discipline.

ASSEMBLY BILL NO. 520—Ammiano. An act to amend Section 1170 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 521—Hagman. An act to amend Section 1269 of the Penal Code, relating to bail.

ASSEMBLY BILL NO. 522—Bonilla. An act to amend Section 8317 of the Streets and Highways Code, relating to highways.

ASSEMBLY BILL NO. 523—Valadao. An act relating to ethanol.

ASSEMBLY BILL NO. 524—Garrick. An act to amend Section 803 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 525—Gordon. An act to amend Section 42885.5 of, and to add and repeal Section 42872.5 of, the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 526—Dickinson. An act to amend Section 13827 of the Penal Code, relating to crime prevention.

ASSEMBLY BILL NO. 527—Roger Hernández. An act to amend Sections 1090 and 1091 of, and to add Section 1096.5 to, the Government Code, relating to public officials.

ASSEMBLY BILL NO. 528—Chesbro. An act to amend Sections 7381 and 7382 of the Fish and Game Code, relating to fishing, and making an appropriation therefor.

ASSEMBLY BILL NO. 529—Gatto (Coauthor: Smyth). An act to amend Section 21400 of, and to add Section 22358.6 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 530—Smyth. An act to amend Section 9147.7 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 531—Olsen. An act to amend Section 10750 of the Water Code, relating to groundwater.

ASSEMBLY BILL NO. 532—V. Manuel Pérez. An act to add Section 52052.7 to the Education Code, relating to pupil assessments.

ASSEMBLY BILL NO. 533—Yamada. An act to add Division 11 (commencing with Section 19900) to the Welfare and Institutions Code, relating to social services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 17—Logue. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of, and adding Section 6.5 to, Article XIII B thereof, relating to state finances.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 16, 2011.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk