

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 15, 2012

ONE HUNDRED FIFTY-SECOND SESSION DAY

FOUR HUNDRED THIRTY-SEVENTH 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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 15, 2012

The Assembly met at 7 a.m.

Hon. Brian W. Jones, Assembly Member, 77th 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—67:

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

Quorum present.

At 1:10 p.m., Hon. Holly J. Mitchell, 47th 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 Conway, Galgiani, Morrell, Nielsen, and Valadao.

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

On personal business, and waiving per diem: Assembly Members Fletcher, Jeffries, Miller, and Monning.

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

Because of illness: Assembly Members Garrick and Hueso.

EXPLANATIONS OF ABSENCE

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

February 15, 2012

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

Dear Honorable Pérez: I would like to request that I be excused from Check-in Session on Wednesday, February 15, 2012, for legislative business. If you need further information or have any questions, please contact my Chief of Staff, Victoria Grajek at (916) 319-2017. Thank you.

Sincerely,

CATHLEEN GALGIANI, Assembly Member
 Seventeenth District

February 6, 2012

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

Dear Mr. Speaker: I am writing to request an excused absence for Check-in Session on Wednesday, February 15, 2012, on legislative business. I have a speaking engagement at the Agricultural Exchange at the Tulare Farm Show. Should you have any questions regarding this request, please contact David Reade in my office at 319-2002.

Sincerely,

JIM NIELSEN, Assembly Member
 Second District

(NOTE: For letter explaining the absence of Assembly Member Morrell on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for February 13, 2012; for letters explaining the absence of Assembly Members Conway and Valadao on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for February 14, 2012; for letter explaining the absence of Assembly Member Grove on this day, on legislative business, and waiving per diem, pursuant to the Assembly Rules, see the Assembly Journal for February 14, 2012.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 15, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Concurrent Resolution No. 104

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered returned to third reading file.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1689—Donnelly. An act to amend Section 10072 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 1690—Nestande. An act to amend Section 3501 of the Civil Code, relating to private nuisance.

ASSEMBLY BILL NO. 1691—Bonnie Lowenthal. An act to amend Section 11322.8 of the Welfare and Institutions Code, relating to CalWORKs.

ASSEMBLY BILL NO. 1692—Wieckowski. An act to amend Section 53760.1 of the Government Code, relating to bankruptcy.

ASSEMBLY BILL NO. 1693—Hagman and Ma (Coauthors: Knight, Morrell, and Valadao). An act to add Section 7227.1 to the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 1694—Fuentes. An act to amend Sections 4353 and 4453 of the Public Utilities Code, relating to gas pipeline safety.

ASSEMBLY BILL NO. 1695—Cook. An act to add Section 290.035 to the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 1696—Cook. An act to amend Section 35401.5 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1697—Perea. An act to amend Section 10850.4 of the Welfare and Institutions Code, relating to child abuse and neglect.

ASSEMBLY BILL NO. 1698—Portantino. An act to amend Sections 1569.145, 1569.80, 1771, 1771.3, 1771.8, and 1790 of, and to add Section 1779.12 to, the Health and Safety Code, relating to continuing care.

ASSEMBLY BILL NO. 1699—Torres. An act to add Chapter 3.9 (commencing with Section 50560) to Part 2 of Division 31 of, and to repeal Section 50515.2 of, the Health and Safety Code, relating to affordable housing.

ASSEMBLY BILL NO. 1700—Butler. An act to add Section 62.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1701—Wieckowski and Smyth. An act to amend Sections 25299.109 and 25299.206 of the Health and Safety Code, relating to underground storage tanks.

ASSEMBLY BILL NO. 1702—Logue. An act to amend Section 38562 of the Health and Safety Code, relating to greenhouse gases.

ASSEMBLY BILL NO. 1703—Hill. An act to add Article 6 (commencing with Section 8290) to Chapter 7 of Division 4 of the Public Utilities Code, relating to public utility employees.

ASSEMBLY BILL NO. 1704—Huffman. An act to add Article 13.6 (commencing with Section 25250.70) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 1705—Silva. An act to amend Sections 60852.1 and 60852.2 of the Education Code, relating to pupil assessment.

ASSEMBLY BILL NO. 1706—Eng. An act to amend Section 660 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1707—Ammiano. An act to amend Sections 11169 and 11170 of the Penal Code, relating to the Child Abuse Central Index.

ASSEMBLY BILL NO. 1708—Gatto. An act to amend Section 515 of the Insurance Code, and to amend Section 16028 of the Vehicle Code, relating to insurance.

ASSEMBLY BILL NO. 1709—Mitchell. An act to amend Sections 701, 702, 704, and 706 of, and to add Section 679.5 to, the Welfare and Institutions Code, relating to juveniles.

ASSEMBLY BILL NO. 1710—Yamada. An act to amend Sections 1266.9, 1416.36, and 1416.38 of, and to add Section 1416.71 to, the Health and Safety Code, relating to health and care facilities, and making an appropriation therefor.

AUTHOR'S AMENDMENTS
Committee on Public Safety

February 15, 2012

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

Assembly Bill No. 1559

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

AMMIANO, Chair

ASSEMBLY BILL NO. 1559—An act to amend Sections 27966, 28450, and 33300 of, to add Sections 25617, 26390, 26537, 26595, 27138, 27755, 27823, 27827, 27963, and 31845 to, to repeal Section 27965 of, and to repeal and add Section 27820 of, the Penal Code, relating to firearms.

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.

ADJOURNMENT

At 3:40 p.m., the Assembly adjourned until 7 a.m., Thursday, February 16, 2012.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 15, 2012**

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

| AB | RN | |
|--------------------------|-----------|-------------|
| 1559 | 1206234 | |
| Daily Total: | | 1 |
| Cumulative Total: | | 2495 |

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