

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 16, 2012

ONE HUNDRED FIFTY-THIRD SESSION DAY

FOUR HUNDRED THIRTY-EIGHTH 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
Thursday, February 16, 2012

The Assembly met at 7 a.m.

Hon. Jim Beall, Jr., Assembly Member, 24th 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—63:

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

Quorum present.

At 12:45 p.m., Hon. Susan A. Bonilla, 11th 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 Cedillo, Chesbro, Davis, Huber, Jones, Morrell, and Valadao.

On personal business, and waiving per diem: Assembly Members Fletcher, Galgiani, Grove, Jeffries, Monning, and Williams.

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

Because of illness: Assembly Members Garrick, Hueso, and Swanson.

EXPLANATIONS OF ABSENCE

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

December 21, 2011

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 Check-in Session on Thursday, February 16, 2012 due to legislative business in my district.

Sincerely,

GILBERT CEDILLO, Assembly Member
Forty-fifth District

February 16, 2012

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

Dear Mr. Speaker: I would like permission to be excused from Check-in Session today, Thursday, February 16, 2012, as I have legislative commitments in my district. I greatly appreciate your consideration of my request.

Sincerely,

WESLEY CHESBRO, Assembly Member
First District

February 15, 2012

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

Dear Mr. Speaker: Please excuse me from Session on Thursday, February 16, 2012, due to legislative business. I will be returning to the Capitol on Thursday night, February 16, 2012, for Friday Session.

Sincerely,

MIKE DAVIS, Assembly Member
Forty-eighth District

February 16, 2012

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

Dear Mr. Speaker: I respectfully request to be excused from Check-in Session on Thursday, February 16, 2012. I will be tending to legislative business at the CHP training facility. If you have any questions please contact my staff member, Michelle Caballero at 319-2230. Thank you for your assistance.

Sincerely,

ALYSON L. HUBER, Assembly Member
Tenth District

February 16, 2012

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

Dear Mr. Speaker: I am writing to respectfully request permission to be excused from Check-in Session on February 16, 2012, in conjunction with my approved travel to the district for legislative business. I will be out Thursday, February 16, but will be returning in time to attend the Holiday Floor Session on Friday, February 17, 2012. Thank you for your attention to this matter.

Sincerely,

BRIAN JONES, Assembly Member
Seventy-seventh 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 letter explaining the absence of Assembly Member Valadao on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for February 14, 2012.)

COMMUNICATIONS

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

February 13, 2012

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

RE: Appointment of Mark Vargas to
Milton Marks "Little Hoover" Commission on
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have appointed Mr. Mark Vargas to the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy. This is a term appointment starting February 13, 2012 and the expiration date is January 1, 2015.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Housing and Community Development, to convene jointly with the Committee on Local Government, on March 7, 2012, at 10:30 a.m., in Room 4202.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 16, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1559

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. 1711—Galgiani. An act to amend Section 25943 of the Public Resources Code, relating to energy resources.

ASSEMBLY BILL NO. 1712—Beall. An act to amend Sections 366.31 and 11400 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 1713—Campos. An act to amend Sections 11165.7 and 11166 of the Penal Code, relating to child abuse reporting.

ASSEMBLY BILL NO. 1714—Halderman. An act to amend Section 12305.87 of the Welfare and Institutions Code, relating to in-home supportive services.

ASSEMBLY BILL NO. 1715—Smyth. An act to amend Section 25280 of the Health and Safety Code, relating to underground storage tanks.

ASSEMBLY BILL NO. 1716—Garrick. An act to amend Section 3011 of, and to add Section 14215.5 to, the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1717—Dickinson. An act to amend Section 44830.1 of the Education Code, and to amend Section 1555 of the Health and Safety Code, relating to certificated school district employees.

ASSEMBLY BILL NO. 1718—Hill. An act to amend Section 10150.6 of the Business and Professions Code, relating to real estate brokers.

ASSEMBLY BILL NO. 1719—Fuentes. An act to add and repeal Section 60605.87 of the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 1720—Torres. An act to amend Section 415.21 of the Code of Civil Procedure, relating to civil procedure.

ASSEMBLY BILL NO. 1721—Donnelly. An act to add Section 39602.8 to the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1722—Alejo. An act to add Section 101.13 to the Streets and Highways Code, relating to highway signs.

ASSEMBLY BILL NO. 1723—Fuentes. An act to amend Section 66020.5 of the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 1724—Fong. An act to amend Section 3001 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1725—Bonnie Lowenthal. An act to amend Section 12811 of, and to add Section 14901.1 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1726—Allen. An act to add Section 116064.3 to the Health and Safety Code, relating to swimming pools.

ASSEMBLY BILL NO. 1727—Silva. An act to amend Section 5240 of the Family Code, relating to support orders.

ASSEMBLY BILL NO. 1728—Galgiani. An act to amend Section 14105.18 of the Welfare and Institutions Code, relating to health care.

ASSEMBLY BILL NO. 1729—Ammiano. An act to amend Sections 48900 and 48900.5 of the Education Code, relating to pupil rights.

ASSEMBLY BILL NO. 1730—Olsen. An act to add Sections 9131.1, 9518, 82037.5, and 84203.1 to the Government Code, relating to the Legislature.

ASSEMBLY BILL NO. 1731—Block. An act to amend Sections 124977 and 125001 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1732—Campos. An act to amend Section 48900 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 1733—Logue. An act to amend Section 1374.13 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 1734—Hagman. An act to add Section 1035.1 to the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 1735—Wieckowski. An act to amend Section 22212.5 of the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 1736—Smyth. An act to amend Section 54950 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 1737—Carter. An act to amend Section 9015 of the Welfare and Institutions Code, relating to aging.

ASSEMBLY BILL NO. 1738—Huffman. An act to add Section 1367.667 to the Health and Safety Code, and to add Section 10123.25 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 1739—Allen. An act to amend Sections 1014 and 1050 of the Military and Veterans Code, relating to veterans.

ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 9 a.m., Friday, February 17, 2012.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk