

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 22, 2012**

**ONE HUNDRED FIFTY-SIXTH SESSION DAY**

**FOUR HUNDRED FORTY-FOURTH 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.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, February 22, 2012

The Assembly met at 7 a.m.

Hon. Martin Garrick, Assembly Member, 74th 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—77:

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

Quorum present.

**At 12:54 p.m., Hon. Wilmer Amina Carter, 62nd 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 personal business, and waiving per diem: Assembly Members Fletcher and Grove.*

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 22, 2012

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

Assembly Concurrent Resolution No. 50

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1827—Bonilla.** An act to amend Section 8200 of the Government Code, relating to notaries.**ASSEMBLY BILL NO. 1828—Bonilla.** An act to add Title 7.84 (commencing with Section 67645) to the Government Code, relating to land use.**ASSEMBLY BILL NO. 1829—Bradford.** An act to add Section 49591 to the Education Code, relating to school lunches.**ASSEMBLY BILL NO. 1830—V. Manuel Pérez.** An act to amend Section 2705.6 of the Public Utilities Code, relating to mobilehome parks.**ASSEMBLY BILL NO. 1831—Dickinson (Coauthor: Swanson).** An act to add Section 50085.3 to the Government Code, relating to local government.**ASSEMBLY BILL NO. 1832—Silva.** An act relating to public postsecondary education.**ASSEMBLY BILL NO. 1833—Knight.** An act to amend Section 6217.5 of the Public Resources Code, relating to state lands.**ASSEMBLY BILL NO. 1834—Brownley.** An act to add Section 40182.5 to the Public Resources Code, relating to solid waste.**ASSEMBLY BILL NO. 1835—Fletcher.** An act to amend Section 1203.067 of the Penal Code, relating to sex crimes.**ASSEMBLY BILL NO. 1836—Fletcher.** An act to amend Section 44274 of the Health and Safety Code, relating to vehicular air pollution.**ASSEMBLY BILL NO. 1837—Donnelly.** An act to amend Section 236.1 of the Penal Code, relating to human trafficking.**ASSEMBLY BILL NO. 1838—Charles Calderon.** An act to amend Section 1368.2 of the Civil Code, relating to common interest developments.**ASSEMBLY BILL NO. 1839—Ma.** An act to amend Sections 4826, 4826.2, 4833, 4836, 4836.1, 4836.5, 4840, 4840.2, 4840.7, and 4840.9 of the Business and Professions Code, relating to veterinary medicine.**ASSEMBLY BILL NO. 1840—Alejo (Principal coauthor: Senator Cannella).** An act to add Section 52055.741 to the Education Code, relating to education funding.**ASSEMBLY BILL NO. 1841—Silva.** An act to amend Section 12305.87 of the Welfare and Institutions Code, relating to in-home supportive services.**ASSEMBLY BILL NO. 1842—Monning.** An act to amend Sections 1451 and 1453 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.**ASSEMBLY BILL NO. 1843—Hill.** An act to add Article 7 (commencing with Section 8295) to Chapter 7 of Division 4 of the Public Utilities Code, relating to whistleblower protection.**ASSEMBLY BILL NO. 1844—Campos.** An act to add Chapter 2.5 (commencing with Section 980) to Part 3 of Division 2 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 1845—Solorio.** An act to amend Section 1375.1 of the Unemployment Insurance Code, relating to unemployment compensation, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1846—Gordon.** An act to amend Section 10704 of the Insurance Code, relating to health care coverage.

**ASSEMBLY BILL NO. 1847—Bonnie Lowenthal.** An act relating to public trust lands.

**ASSEMBLY BILL NO. 1848—Atkins.** An act to amend Section 2004 of the Business and Professions Code, relating to medicine.

**ASSEMBLY BILL NO. 1849—Carter (Coauthor: Perea).** An act to add Section 237 to, and to add and repeal Section 238 of, the Welfare and Institutions Code, relating to juveniles.

**ASSEMBLY BILL NO. 1850—Charles Calderon.** An act to amend Section 25402 of the Public Resources Code, relating to energy.

**ASSEMBLY BILL NO. 1851—Allen.** An act to add Section 9103.5 to the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 1852—Campos.** An act to add Section 26840.13 to the Government Code, to add Section 103627.8 to the Health and Safety Code, and to add Section 18309.10 to the Welfare and Institutions Code, relating to domestic violence.

**ASSEMBLY BILL NO. 1853—Bonilla.** An act to amend Section 8007 of the Education Code, relating to career technical education.

**ASSEMBLY BILL NO. 1854—Brownley.** An act to amend Section 27317 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 1855—Torres.** An act to amend Section 6601 of the Welfare and Institutions Code, relating to mental health.

**ASSEMBLY BILL NO. 1856—Ammiano.** An act to amend Sections 1522.41 and 1529.2 of the Health and Safety Code, and to amend Sections 16001.9 and 16003 of the Welfare and Institutions Code, relating to foster care services.

**ASSEMBLY BILL NO. 1857—Fong.** An act to add Article 1.5 (commencing with Section 32205) to Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code, relating to pupils.

**ASSEMBLY BILL NO. 1858—Alejo (Principal coauthor: Senator Cannella).** An act to amend Section 41329.57 of the Education Code, relating to school finance.

**ASSEMBLY BILL NO. 1859—Buchanan.** An act to amend Section 17451 of the Education Code, relating to school facilities.

**ASSEMBLY BILL NO. 1860—Fletcher.** An act to amend Section 13245 of the Water Code, relating to regional water quality control boards.

**ASSEMBLY BILL NO. 1861—Fletcher.** An act to amend Section 46300.6 of the Education Code, relating to school attendance.

**ASSEMBLY BILL NO. 1862—Logue.** An act to add Section 1250.9 to the Health and Safety Code, relating to health facilities.

**ASSEMBLY BILL NO. 1863—Chesbro.** An act relating to mutual aid, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1864—Wagner.** An act to add Section 43.100 to the Civil Code, relating to immunity.

**ASSEMBLY BILL NO. 1865—Alejo.** An act to amend Section 1161.2 of the Code of Civil Procedure, relating to eviction.

**ASSEMBLY BILL NO. 1866—Smyth.** An act to amend Section 41303 of the Education Code, relating to school attendance.

**ASSEMBLY BILL NO. 1867—Pan.** An act to amend Section 1279.7 of the Health and Safety Code, relating to health facilities.

**ASSEMBLY BILL NO. 1868—Pan.** An act to amend Sections 399.13, 399.15, and 399.30 of the Public Utilities Code, relating to energy.

**ASSEMBLY BILL NO. 1869—John A. Pérez (Principal coauthor: Pan).** An act to amend Section 136000 of the Health and Safety Code, relating to health care.

**ASSEMBLY BILL NO. 1870—Fong.** An act to amend Section 9575 of the Health and Safety Code, relating to mausoleums and columbariums.

**ASSEMBLY BILL NO. 1871—Logue.** An act to add Section 240 to the Water Code, relating to water resources.

**ASSEMBLY BILL NO. 1872—Alejo.** An act to add Section 1597.50 to the Health and Safety Code, relating to family day care homes.

**ASSEMBLY BILL NO. 1873—Galgiani.** An act relating to mutual aid, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 1874—Mansoor.** An act to amend Sections 9355.4, 9355.41, 9355.45, 20320, and 20322 of, and to add Sections 20027.2 and 20286 to, the Government Code, relating to the Legislators' Retirement System.

**ASSEMBLY BILL NO. 1875—Gatto.** An act to add Section 2025.290 to the Code of Civil Procedure, relating to depositions.

**ASSEMBLY BILL NO. 1876—Achadjian.** An act to amend Section 14000 of the Financial Code, relating to credit unions.

**ASSEMBLY BILL NO. 1877—Olsen and Ma.** An act to amend Section 7500.3 of the Business and Professions Code, relating to repossessors.

**ASSEMBLY BILL NO. 1878—Beth Gaines.** An act to add Section 55.4 to the Civil Code, and to amend Section 4452 of the Government Code, relating to disability access.

**ASSEMBLY BILL NO. 1879—Beth Gaines.** An act relating to disability access.

**ASSEMBLY BILL NO. 1880—Lara.** An act to amend Sections 32228, 32261, 32265, 32270, 32281, 32282, 32283, and 48980 of the Education Code, relating to pupil safety.

**ASSEMBLY BILL NO. 1881—Donnelly.** An act to amend Sections 84204, 84204.5, and 84211 of the Government Code, relating to the Political Reform Act of 1974.

**ASSEMBLY BILL NO. 1882—Block.** An act to amend Section 1198 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 1883—Morrell.** An act to amend Section 13159.2 of the Health and Safety Code, relating to the State Fire Marshal.

**ASSEMBLY BILL NO. 1884—Buchanan.** An act to amend Section 85057.5 of the Water Code, relating to the Sacramento-San Joaquin Delta.

**ASSEMBLY BILL NO. 1885—Bonilla.** An act to amend Section 31840.7 of the Government Code, relating to county employees' retirement.

**ASSEMBLY BILL NO. 1886—Chesbro.** An act to amend Sections 15100, 15101, 15103, 15104, and 15105 of, and to add and repeal Section 15106 of, the Fish and Game Code, relating to aquaculture.

**ASSEMBLY BILL NO. 1887—Portantino.** An act to amend Sections 9126, 9127, 9129, and 9133 of the Government Code, relating to the Legislature.

**ASSEMBLY BILL NO. 1888—Gatto.** An act to amend Sections 1803.5, 1808.7, 11100, 12810.5, 42005, 42007, and 42007.1 of, to amend and repeal Section 41501 of, and to add Chapter 1.6 (commencing with Section 11250) to Division 5 of, the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 1889—Fong.** An act to amend Section 3209.3 of the Labor Code, relating to workers' compensation.

**ASSEMBLY BILL NO. 1890—Solorio.** An act to amend Section 23302 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 1891—Wagner.** An act to add and repeal Section 25228 of the Public Resources Code, relating to energy.

**ASSEMBLY BILL NO. 1892—Halderman.** An act to add Section 338 to the Business and Professions Code, and to add Section 898 to the Civil Code, relating to construction defects.

**ASSEMBLY BILL NO. 1893—Wagner.** An act to repeal and add Section 1000 of the Probate Code, relating to probate proceedings.

**ASSEMBLY BILL NO. 1894—Logue.** An act to amend Section 3519 of the Business and Professions Code, relating to healing arts.

**ASSEMBLY BILL NO. 1895—Garrick.** An act to amend Section 23300 of the Business and Professions Code, relating to alcoholic beverages.

**ASSEMBLY BILL NO. 1896—Chesbro.** An act to amend the heading of Article 10 (commencing with Section 710) of Chapter 1 of Division 2 of, and to add Section 719 to, the Business and Professions Code, relating to healing arts.

**ASSEMBLY BILL NO. 1897—Campos.** An act to amend Section 12096.4 of the Government Code, relating to state government.

**ASSEMBLY BILL NO. 1898—Alejo.** An act to amend Section 41329.52 of the Education Code, relating to education finance.

**ASSEMBLY BILL NO. 1899—Mitchell.** An act to add Sections 68122 and 69504.5 to the Education Code, relating to postsecondary education.

**ASSEMBLY BILL NO. 1900—Gatto.** An act to amend Sections 25420 and 25421 of the Health and Safety Code, to amend Sections 25741, 25746, and 25751 of the Public Resources Code, and to amend Sections 399.17, 399.18, 399.21, and 399.25 of, and to add Sections 399.24 and 769 to, the Public Utilities Code, relating to energy.

**ASSEMBLY BILL NO. 1901—Jones.** An act to amend Section 20133 of the Public Contract Code, relating to public contracts, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1902—Jones.** An act to add Section 6009 to the Government Code, relating to official advertising.

**ASSEMBLY BILL NO. 1903—Buchanan.** An act to amend Section 17455 of the Education Code, relating to school facilities.

**ASSEMBLY BILL NO. 1904—Block, Butler, and Cook.** An act to add Section 115.5 to the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1905—Logue.** An act to amend Section 2727.5 of the Business and Professions Code, relating to nursing.

**ASSEMBLY BILL NO. 1906—Nestande.** An act to amend Section 38570 of the Health and Safety Code, relating to greenhouse gases.

**ASSEMBLY BILL NO. 1907—Bonnie Lowenthal.** An act to amend Section 2602 of the Penal Code, relating to inmates.

**ASSEMBLY BILL NO. 1908—Alejo (Principal coauthor: Butler) (Coauthors: Eng and Lara).** An act to amend Sections 45117 and 88017 of the Education Code, relating to classified employees.

**ASSEMBLY BILL NO. 1909—Ammiano.** An act to amend Sections 48852, 48853.5, 48911, 48915.5, and 48918 of the Education Code, and to amend Sections 317 and 16010 of the Welfare and Institutions Code, relating to foster children.

**ASSEMBLY BILL NO. 1910—Hagman and Ma.** An act to amend Section 1797.101 of the Health and Safety Code, relating to emergency medical services.

**ASSEMBLY BILL NO. 1911—Donnelly.** An act to add Section 6377.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 1912—Achadjian.** An act to amend Section 14002 of the Financial Code, relating to credit unions.

**ASSEMBLY BILL NO. 1913—Skinner.** An act to add Section 3455.01 to the Penal Code, relating to postrelease community supervision.

**ASSEMBLY BILL NO. 1914—Garrick.** An act to add Section 9796 to the Government Code, relating to state and local agency reports.

**ASSEMBLY BILL NO. 1915—Alejo.** An act to amend Sections 110460, 111940, 111955, 113789, 114021, and 114023 of, and to add Article 5 (commencing with Section 113400) to Chapter 11 of Part 6 of Division 104 of, the Health and Safety Code, relating to food safety.

**ASSEMBLY BILL NO. 1916—Buchanan.** An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

**ASSEMBLY BILL NO. 1917—Dickinson.** An act to add Section 38085.5 to, and to add Article 9.5 (commencing with Section 66095) to Chapter 2 of Part 40 of Division 5 of Title 3 of, the Education Code, relating to education finance.

**ASSEMBLY BILL NO. 1918—Jones.** An act to amend Section 2025.520 of the Code of Civil Procedure, relating to discovery.

**ASSEMBLY BILL NO. 1919—Brownley.** An act to amend Section 17074.26 of the Education Code, relating to school facilities.

**ASSEMBLY BILL NO. 1920—Bill Berryhill.** An act to amend Section 7031 of the Business and Professions Code, relating to contractors.

**ASSEMBLY BILL NO. 1921—Hill.** An act to add and repeal Article 4.4 (commencing with Section 1366.10) of Chapter 2.2 of Division 2 of the Health and Safety Code, and to add and repeal Chapter 8.3 (commencing with Section 10760) of Part 2 of Division 2 of the Insurance Code, relating to health care coverage.

**ASSEMBLY BILL NO. 1922—Lara.** An act to amend Section 43701 of the Health and Safety Code, relating to vehicular air pollution.

**ASSEMBLY BILL NO. 1923—Mendoza.** An act to amend Section 56244 of the Education Code, relating to special education.

**ASSEMBLY BILL NO. 1924—Buchanan.** An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

**ASSEMBLY BILL NO. 1925—Ma (Principal coauthor: Senator Yee).** An act to amend Section 17975 of the Health and Safety Code, relating to housing.

**ASSEMBLY BILL NO. 1926—Solorio.** An act to amend Section 9855 of the Business and Professions Code, relating to service contracts.

**ASSEMBLY BILL NO. 1927—Jones.** An act to amend Section 845 of the Civil Code, relating to real property.

**ASSEMBLY BILL NO. 1928—Cook.** An act to add Section 1502.8 to the Health and Safety Code, relating to foster care.

**ASSEMBLY BILL NO. 1929—Cook.** An act to amend Section 362 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 1930—Cook.** An act to amend Section 18933 of the Government Code, relating to public employment.

**ASSEMBLY BILL NO. 1931—Cook.** An act relating to veterans.

**ASSEMBLY BILL NO. 1932—Cook.** An act to add Section 710.2 to the Business and Professions Code, relating to healing arts.

**ASSEMBLY BILL NO. 1933—Gordon.** An act to amend Section 14596 of the Public Resources Code, relating to beverage containers.

**ASSEMBLY BILL NO. 1934—Buchanan.** An act to amend Section 11000 of the Government Code, relating to state government.

**ASSEMBLY BILL NO. 1935—Fong.** An act to amend Section 20650 of the Business and Professions Code, relating to video games.

**ASSEMBLY BILL NO. 1936—Knight.** An act to amend Section 19775.1 of the Government Code, relating to state employment.

**ASSEMBLY BILL NO. 1937—Silva.** An act to amend Section 49076 of the Education Code, relating to pupil records.

**ASSEMBLY BILL NO. 1938—Williams.** An act to amend Sections 798.15 and 798.17 of, and to add Section 798.18.5 to, the Civil Code, relating to mobilehomes.

**ASSEMBLY BILL NO. 1939—Pan.** An act to amend Sections 30525, 30801, and 30804.5 of, and to add Sections 30503.5 and 30505 to, the Food and Agricultural Code, and to amend Section 38792 of the Government Code, relating to dog licensing.

**ASSEMBLY BILL NO. 1940—Hill.** An act relating to human trafficking.

**ASSEMBLY BILL NO. 1941—Ma.** An act to amend Section 6093 of the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 22—Smyth and Conway (Coauthors: Achadjian, Donnelly, Garrick, Hagman, Harkey, Jeffries, Jones, Knight, Logue, Mansoor, Morrell, Nestande, Nielsen, Olsen, Silva, Valadao, and Wagner).** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 12 to Article VII thereof, and by amending subdivision (f) of Section 17 of Article XVI thereof, relating to public employees' retirement.

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 112—Campos.** Relative to the 24th Annual State Scientist Day.

**ASSEMBLY CONCURRENT RESOLUTION NO. 113—Dickinson.** Relative to Multiple Sclerosis Awareness Week.

**HOUSE RESOLUTION NO. 23—Hall.** Relative to Problem Gambling Awareness Week.

#### ADJOURNMENT

At 3:15 p.m., the Assembly adjourned until 9 a.m., Thursday, February 23, 2012.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk