

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, March 5, 2012**

**ONE HUNDRED SIXTY-SECOND SESSION DAY  
FOUR HUNDRED FIFTY-SIXTH 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  
Monday, March 5, 2012

The Assembly met at 12 noon.

Hon. Fiona Ma, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Timothy Morland reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Carter moved a quorum call of the Assembly.

Motion carried. Time, 12 noon.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

**At 12:04 p.m., Assistant Speaker pro Tempore Mike Gatto,  
43rd District, presiding**

#### Quorum Present

At 12:06 p.m., Assistant Speaker pro Tempore Gatto declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—76:

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

**PRAYER**

Upon invitation of Assistant Speaker pro Tempore Gatto, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

*Lord, One of the reasons that people don't get the most out of their lives is that they can't stop thinking about themselves. The more we think about ourselves, the more depressed we can become. The more we think about ourselves, the less aware we are of the other things going on outside our personal sphere. Help us, Lord, to focus less on ourselves and more on the needs of others. Give us more spiritual insight into what life is really all about, why You put us on this earth and what makes for a truly happy life.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Gatto, Assembly Member Knight then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Allen, seconded by Assembly Member Hagman.

**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 Blumenfield.*

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

*Because of illness: Assembly Members Bill Berryhill and Smyth.*

**EXPLANATIONS OF ABSENCE**

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

March 5, 2012

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

Dear Mr. Speaker Pérez: I respectfully request permission to be excused from Session on Monday, March 5, 2012, due to legislative business. Thank you for your consideration of this request. Please contact me or Alisia Nantze of my staff should you have any questions.

Sincerely,

**BOB BLUMENFIELD, Assembly Member  
Fortieth District**

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 5, 2012

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

Assembly Bill No. 1589

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly*

<i>Bill No.</i>	<i>Committee</i>
<b>1783</b> -----	J., E.D. & E.
<b>1828</b> -----	L. Gov.
<b>1833</b> -----	Nat. Res.
<b>1841</b> -----	Hum. S.
<b>1844</b> -----	L. & E.
<b>1847</b> -----	Nat. Res. and L. Gov.
<b>1852</b> -----	Jud.
<b>1869</b> -----	Health
<b>1871</b> -----	W.,P. & W.
<b>1872</b> -----	Hum. S.
<b>1875</b> -----	Jud.
<b>1877</b> -----	B.,P. & C.P.
<b>1878</b> -----	Jud.
<b>1879</b> -----	B.,P. & C.P.
<b>1880</b> -----	Ed.
<b>1881</b> -----	E. & R.
<b>1886</b> -----	W.,P. & W.
<b>1888</b> -----	Trans.
<b>1890</b> -----	Trans.
<b>1893</b> -----	Jud.
<b>1907</b> -----	Pub. S.
<b>1909</b> -----	Jud. and Ed.
<b>1911</b> -----	Rev. & Tax.
<b>2540</b> -----	Rev. & Tax.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>116</b> -----	Jud.
<b>119</b> -----	Rls.

*House*

<i>Resolution No.</i>	<i>Committee</i>
<b>24</b> -----	Rls.

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Carter was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Elections and Redistricting**

Date of Hearing: March 5, 2012

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1200

With the recommendation: That the Senate amendments be concurred in.

FONG, Chair

Above bill ordered to unfinished business file.

**ASSEMBLY RULE 63 AND 77 SUSPENDED BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 and 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1200 without reference to file.

**RECESS**

By unanimous consent, at 12:11 p.m., Assistant Speaker pro Tempore Gatto declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Carter introduced representatives from Alpha Kappa Alpha Sorority, Inc. (AKA): International Representative, Doreatha Johnson, Esq.; Regional Director, Dr. LaVerne Tarkington; Northern and Southern Connection Cluster Coordinators; Archalene Martin, 17th Far Western Regional Director; and Sorors Leslye Tinson, Lauren Bryant-Kennybrew, Lisa Blacksher, and Theresa Taylor-Carroll.

**RECONVENED**

At 12:12 p.m., the Assembly reconvened.

Hon. Mike Gatto, Assistant Speaker pro Tempore of the Assembly, presiding.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Norby was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his wife Martha and son Jonathan.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1200  
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Ma was permitted to take up consideration of Senate amendments to Assembly Bill No. 1200, without reference to file.

**ASSEMBLY BILL NO. 1200 (Ma)**—An act to amend Sections 7200, 7204, 7210, 7403, 7408, 7444, 7655, 7680, 8145, and 15401 of, to add Sections 7201.1 and 7201.2 to, and to repeal Sections 7681, 7782, and 7837 of, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

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

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered enrolled.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF ASSEMBLY BILLS**

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

Resolution read.

**Members Made Coauthors of  
House Resolution No. 23**

Assembly Member Hall was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of House Resolution No. 23.

**Additional Coauthors**

The following Assembly Members requested to be listed as additional coauthors:

Achadjian, Alejo, Allen, Ammiano, Atkins, Beall, Block, Bonilla, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Campos, Cedillo, Chesbro, Cook, Davis, Dickinson, Donnelly, Eng, Feuer, Fong, Furutani, Beth Gaines, Galgiani, Garrick, Gatto, Gordon, Grove, Hagman, Harkey, Hayashi, Roger Hernández, Hill, Huber, Hueso, Huffman, Jeffries, Jones, Logue, Bonnie Lowenthal, Ma, Mansoor, Mendoza, Mitchell, Monning, Nestande, Nielsen, Olsen, Pan, Perea, John A. Pérez, V. Manuel Pérez, Portantino, Silva, Skinner, Solorio, Swanson, Torres, Valadao, Wagner, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Hall was granted unanimous consent to take up House Resolution No. 23, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of House Resolution No. 23, as Amended**

**HOUSE RESOLUTION NO. 23**—Relative to Problem Gambling Awareness Week.  
Resolution read, as amended, and adopted.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Feuer announced that the Committee on Judiciary would meet today, upon adjournment of Floor Session, in the Tom Bane Rules Committee Room.

**ADJOURN IN MEMORY**

Speaker Pérez and Assembly Member Roger Hernández were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raul Sanchez Solis, father of Hon. Hilda Solis, United States Secretary of Labor, resident of La Puente.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Bonnie Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joanna Ramos of Long Beach.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Solorio was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jan Harp Domene of Anaheim.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Knight was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Q. Wilson of Boston, Massachusetts.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced the following session schedule:

Tuesday, March 6, 2012, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, March 7, 2012, Check-in Session, 7 a.m.–3 p.m.;

Thursday, March 8, 2012, Floor Session, 9 a.m.;

Friday, March 9, 2012, No session.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 923 was continued until Thursday, March 8, 2012.

**ADJOURN IN MEMORY**

Assembly Member Galgiani was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Venora M. Wright, Shirley Mae Clark, Verner E. Strombom, Erma Bava, and William C. Miller, of Stockton.

Assembly Member Bonnie Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Miyoko Mary Kobata of Long Beach.

Assembly Member Portantino was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bonnie Jean Wiene of Altadena, and Drew Ferraro of La Crescenta.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Assembly Bill No. 1200, Urgency and Concurrence:** Mendoza—Aye.

**MOTION TO ADJOURN**

At 12:30 p.m., Assembly Member Allen moved that the Assembly do now adjourn.

Assembly Member Conway seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:30 p.m., Assistant Speaker pro Tempore Gatto declared the quorum call of the Assembly dispensed with.



**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 2666—Committee on Banking and Finance (Assembly Members Eng (Chair), Achadjian (Vice Chair), Fletcher, Fuentes, Gatto, Roger Hernández, and Torres).** An act to amend Sections 22012, 22013, 22065, 22100, 22712, 50002, 50003, 50003.5, and 50327 of, and to add Sections 22712.5, 22756, and 50316.5 to, the Financial Code, relating to mortgage loan originators.

**ASSEMBLY BILL NO. 2667—Committee on Banking and Finance (Assembly Members Eng (Chair), Achadjian (Vice Chair), Fletcher, Fuentes, Gatto, Roger Hernández, Morrell, and Torres).** An act to amend Section 3440.1 of the Civil Code, relating to personal property.

**ASSEMBLY BILL NO. 2668—Committee on Banking and Finance (Assembly Members Eng (Chair), Achadjian (Vice Chair), Fletcher, Fuentes, Gatto, Roger Hernández, Morrell, and Torres).** An act to amend Sections 5238, 7237, 9246, and 12377 of the Corporations Code, relating to corporate agents.

**ASSEMBLY BILL NO. 2669—Committee on Natural Resources (Assembly Members Chesbro (Chair), Brownley, Dickinson, Halderman, Huffman, Monning, and Skinner).** An act to amend Sections 21080, 21080.5, 21080.23, 21080.24, 21083.05, 21084, 21091, 21092.6, 21094, 21151.1, 21159.9, and 21167.10 of, and to repeal Sections 21169, 21170, 21171, 21172, 21172.5, 21175, and 21176 of, the Public Resources Code, relating to environmental quality.

**ASSEMBLY BILL NO. 2670—Committee on Natural Resources (Assembly Members Chesbro (Chair), Brownley, Dickinson, Halderman, Huffman, Monning, and Skinner).** An act to amend Sections 41770, 42301, 42649.1, and 42649.3 of, and to repeal Section 41751 of, the Public Resources Code, relating to solid waste.

**ASSEMBLY BILL NO. 2671—Committee on Jobs, Economic Development, and the Economy (Assembly Members V. Manuel Pérez (Chair), Beall, Block, and Hueso).** An act to amend and repeal Sections 14070 and 14076 of the Corporations Code, relating to small business financial development corporations.

**ASSEMBLY BILL NO. 2672—Committee on Jobs, Economic Development, and the Economy (Assembly Members V. Manuel Pérez (Chair), Beall, Block, and Hueso).** An act to amend Sections 7084 and 7118 of the Government Code, and to amend Section 10349 of the Public Contract Code, relating to economic development.

**ASSEMBLY BILL NO. 2673—Committee on Jobs, Economic Development, and the Economy (Assembly Members V. Manuel Pérez (Chair), Beall, Block, and Hueso).** An act to amend Section 7085.1 of, and to add Section 7072.3 to, the Government Code, relating to economic development.

**ASSEMBLY BILL NO. 2674—Committee on Labor and Employment (Assembly Members Swanson (Chair), Alejo, Allen, and Yamada).** An act to amend Section 1198.5 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 2675—Committee on Labor and Employment (Assembly Members Swanson (Chair), Alejo, Allen, Furutani, and Yamada).** An act to amend Sections 1727 and 1742 of the Labor Code, relating to public contracts.

**ASSEMBLY BILL NO. 2676—Committee on Labor and Employment (Assembly Members Swanson (Chair), Alejo, Allen, Furutani, and Yamada).** An act to amend Section 1095 of the Unemployment Insurance Code, relating to unemployment compensation.

**ASSEMBLY BILL NO. 2677—Committee on Labor and Employment (Assembly Members Swanson (Chair), Alejo, Allen, Furutani, and Yamada).** An act to amend Section 351 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 2678—Committee on Labor and Employment (Assembly Members Swanson (Chair), Alejo, Allen, Furutani, and Yamada).** An act to amend Section 554 of the Labor Code, relating to employment.

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 121**—Logue (Coauthors: Ammiano, Blumenfield, Halderman, Hall, Huffman, Jeffries, Miller, Portantino, Wieckowski, and Williams) (Coauthors: Senators Cannella, Dutton, Fuller, Harman, Pavley, and Runner). Relative to Colorectal Cancer Awareness Month.

**ASSEMBLY CONCURRENT RESOLUTION NO. 122**—Achadjian, Cook, Fletcher, and Grove (Principal coauthors: Atkins, Block, Nielsen, Pan, V. Manuel Pérez, and Williams). Relative to the Armed Forces.

**AUTHOR'S AMENDMENTS**  
**Committee on Education**

March 5, 2012

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1811

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

BROWNLEY, Chair

**ASSEMBLY BILL NO. 1811**—An act to amend Section 47633 of the Education Code, relating to charter schools.

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.

**Committee on Business, Professions and Consumer Protection**

March 5, 2012

Mr. Speaker: The Chair of your Committee on Business, Professions and Consumer Protection reports:

Assembly Bill No. 1588

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

HAYASHI, Chair

**ASSEMBLY BILL NO. 1588**—An act to add Section 114.3 to the Business and Professions Code, relating to professions and vocations.

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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Rules**

Date of Hearing: March 5, 2012

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 1508

With the recommendation: That the bill be re-referred to the Committee on Business, Professions and Consumer Protection.

SKINNER, Chair

Above bill re-referred to the Committee on Business, Professions and Consumer Protection.

**Committee on Judiciary**

Date of Hearing: March 5, 2012

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Concurrent Resolution No. 108

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

FEUER, Chair

Above resolution ordered to second reading.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 5, 2012

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

Assembly Bill No. 1200

And reports the same correctly enrolled, and presented to the Governor on the 5th day of March, 2012, at 3:10 p.m.

E. DOTSON WILSON, Chief Clerk

**INTRODUCTION OF GUESTS**

Assembly Member Carter, of the 62nd Assembly District, introduced students from San Bernardino Valley College and Crafton Hills College, in San Bernardino.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Allen, the Assembly adjourned until 7 a.m., Tuesday, March 6, 2012, out of respect to the memory of Raul Sanchez Solis on motion of Speaker Pérez and Assembly Member Roger Hernández; out of respect to the memory of Joanna Ramos on motion of Assembly Member Bonnie Lowenthal; out of respect to the memory of Jan Harp Domene on motion of Assembly Member Solorio; out of respect to the memory of James Q. Wilson on motion of Assembly Member Knight; out of respect to the memory of Venora M. Wright, Shirley Mae Clark, Verner E. Strombom, Erma Bava, and William C. Miller on motion of Assembly Member Galgiani; out of respect to the memory of Miyoko Mary Kobata on motion of Assembly Member Bonnie Lowenthal; and out of respect to the memory of Bonnie Jean Wiene and Drew Ferraro on motion of Assembly Member Portantino.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 5, 2012**

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

<b>AB</b>	<b>RN</b>	
1588	1207296	
1811	1207009	
<b>Daily Total:</b>		<b>2</b>
<b>Cumulative Total:</b>		<b>2513</b>

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