

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 21, 2012**

**ONE HUNDRED SEVENTY-SECOND SESSION DAY  
FOUR HUNDRED SEVENTY-SECOND 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, March 21, 2012

The Assembly met at 7 a.m.

Hon. Katcho Achadjian, Assembly Member, 33rd 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—68:

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

Quorum present.

**At 2:25 p.m., Hon. Norma J. Torres, 61st 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 Nestande, V. Manuel Pérez, and Swanson.*

*On personal business, and waiving per diem: Assembly Members Fletcher, Harkey, Jeffries, Miller, Silva, and Valadao.*

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

*Because of illness: Assembly Member Bonnie Lowenthal.*

*Because of a death in his family: Assembly Member Hall.*

**EXPLANATIONS OF ABSENCE**

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

March 20, 2012

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

Dear Mr. Speaker: This letter is to respectfully request an excuse from Check-in Session on Wednesday, March 21, 2012, to attend to legislative business. If you have any questions, please call me at (916) 319-2064. Thank you for your prompt attention.

Sincerely,

BRIAN NESTANDE, Assembly Member  
Sixty-fourth District

March 21, 2012

*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 Wednesday, March 21, 2012, due to legislative business. Thank you for your consideration of this request. Please contact Angela Rodriguez in my office should any questions arise.

Sincerely,

V. MANUEL PÉREZ, Assembly Member  
Eightieth District

March 21, 2012

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

Dear Mr. Speaker: I would like to respectfully request permission to be excused from Check-in Session on Wednesday, March 21, 2012, due to legislative business in the district. If you have any questions please feel free to contact Larry Broussard, Chief of Staff, in my office. Your attention to this matter will be greatly appreciated.

Sincerely,

SANDRÉ R. SWANSON, Assembly Member  
Sixteenth District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 21, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1463

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading file.

Assembly Chamber, March 21, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1558

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, March 21, 2012

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

Assembly Bill No. 2029  
Assembly Bill No. 2031  
Assembly Bill No. 2065  
Assembly Bill No. 2193  
Assembly Bill No. 2202

Assembly Bill No. 2262  
Assembly Bill No. 2266  
Assembly Bill No. 2269  
Assembly Bill No. 2485

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 21, 2012

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

Assembly Bill No. 1436  
Assembly Bill No. 1526  
Assembly Bill No. 1561  
Assembly Bill No. 1579  
Assembly Bill No. 1597  
Assembly Bill No. 1655  
Assembly Bill No. 1668  
Assembly Bill No. 1675

Assembly Bill No. 1732  
Assembly Bill No. 1741  
Assembly Bill No. 1800  
Assembly Bill No. 1872  
Assembly Bill No. 1899  
Assembly Bill No. 1928  
Assembly Bill No. 1989

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 2697—Committee on Housing and Community Development.** An act to amend Section 18942 of the Health and Safety Code, relating to building standards.

**ASSEMBLY BILL NO. 2698—Committee on Local Government (Assembly Members Smyth (Chair), Alejo (Vice Chair), Bradford, Davis, Gordon, and Hueso).** An act to amend Sections 56375, 56425, 56658, 56827, 56853, 57077, 57107, and 57113 of, to add Sections 57077.1, 57077.2, 57077.3, and 57077.4 to, and to repeal Sections 56854, 57081, and 57114 of, the Government Code, relating to local government.

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 136—Ma.** Relative to Shaken Baby Syndrome Awareness Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 137—Atkins.** Relative to West Nile Virus and Mosquito and Vector Control Awareness Week.

**AUTHOR'S AMENDMENTS****Committee on Utilities and Commerce**

March 21, 2012

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 1694

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

BRADFORD, Chair

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

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 Higher Education**

March 21, 2012

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

Assembly Bill No. 2122

Assembly Bill No. 2171

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

BLOCK, Chair

**ASSEMBLY BILL NO. 2122**—An act to add Section 99161.5 to the Education Code, relating to standardized testing.

Bill read second time.

**ASSEMBLY BILL NO. 2171**—An act to add Section 76038 to the Education Code, relating to community college districts.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bills ordered reprinted, and to be re-referred to the committee.

**Committee on Judiciary**

March 21, 2012

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

Assembly Bill No. 2455

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

FEUER, Chair

**ASSEMBLY BILL NO. 2455**—An act to add Section 1798.98 to the Civil Code, relating to identity theft.

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 Human Services**

March 21, 2012

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 1712

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

BEALL, Chair

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

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 Appropriations**

March 21, 2012

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

Assembly Bill No. 1435

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

FUENTES, Chair

**ASSEMBLY BILL NO. 1435**—An act to amend Section 11165.7 of the Penal Code, relating to child abuse reporting.

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 Rules**

March 21, 2012

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

Assembly Concurrent Resolution No. 99

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

SKINNER, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 99**—Relative to National Coupon Month.

Resolution read.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**Committee on Higher Education**

March 21, 2012

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

Assembly Bill No. 2133

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

BLOCK, Chair

**ASSEMBLY BILL NO. 2133**—An act to amend Sections 66025.8 and 68075.5 of the Education Code, relating to public postsecondary education.

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 Judiciary**

March 21, 2012

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

Assembly Bill No. 1838

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

FEUER, Chair

**ASSEMBLY BILL NO. 1838**—An act to amend Section 1368.2 of the Civil Code, relating to common interest developments.

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 Appropriations**

March 21, 2012

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

Assembly Bill No. 1585

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

FUENTES, Chair

**ASSEMBLY BILL NO. 1585**—An act to amend Sections 34171, 34173, 34176, 34177, 34179, 34180, 34181, 34182, 34183, 34187, and 34189 of the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

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 Higher Education**

March 21, 2012

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

Assembly Bill No. 2250

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

BLOCK, Chair

**ASSEMBLY BILL NO. 2250**—An act to add Section 68074.5 to the Education Code, relating to public postsecondary education.

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 Education**

March 21, 2012

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

Assembly Bill No. 2155

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

BROWNLEY, Chair

**ASSEMBLY BILL NO. 2155**—An act to amend Section 42100 of the Education Code, and to amend Section 53260 of the Government Code, relating to school districts.

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 Public Employees, Retirement and Social Security**

March 21, 2012

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1787

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

FURUTANI, Chair

**ASSEMBLY BILL NO. 1787**—An act to add and repeal Section 18005 of the Government Code, relating to state employment.

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 Public Safety**

March 21, 2012

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

Assembly Bill No. 1849

Assembly Bill No. 2078

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

AMMIANO, Chair

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

Bill read second time.

**ASSEMBLY BILL NO. 2078**—An act to amend Section 289.6 of the Penal Code, relating to crimes.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bills ordered reprinted, and to be re-referred to the committee.



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

March 21, 2012

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

Assembly Bill No. 1533

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

HAYASHI, Chair

**ASSEMBLY BILL NO. 1533**—An act to add and repeal Section 2066.5 of the Business and Professions Code, relating to medicine.

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 Human Services**

Date of Hearing: March 20, 2012

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1554

Assembly Bill No. 1640

Assembly Bill No. 1691

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BEALL, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: March 20, 2012

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1620

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WIECKOWSKI, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Human Services**

Date of Hearing: March 20, 2012

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1698

With the recommendation: Do pass, and be re-referred to the Committee on Aging and Long-Term Care.

BEALL, Chair

Above bill re-referred to the Committee on Aging and Long-Term Care.

**Committee on Judiciary**

Date of Hearing: March 20, 2012

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1683

Assembly Bill No. 1720

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

FEUER, Chair

Above bills ordered to second reading.

**Committee on Local Government**

Date of Hearing: March 21, 2012

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1585

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

SMYTH, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Judiciary**

Date of Hearing: March 20, 2012

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1634

With amendments with the recommendation: Amend, and do pass, as amended.

FEUER, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS****ASSEMBLY BILL NO. 1643**—An act to amend Section 831.4 of the Penal Code, relating to public officers.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1624**—An act to amend Sections 5301, 5303, and 5401 of the Probate Code, relating to multiple-party accounts.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1558**—An act to amend Section 831.8 of the Government Code, relating to liability.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1679**—An act to amend Section 1950.5 of the Civil Code, relating to landlord-tenant relations.

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1550**—An act to amend Section 5068 of, and to add Section 5068.1 to, the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 1529**—An act to amend Section 25762 of the Business and Professions Code, to amend Sections 116.940 and 631.2 of, to amend the heading of Article 7 (commencing with Section 116.710) of Chapter 5.5 of Title 1 of Part 1 of, to add Section 116.798 to, and to repeal Section 631.1 of, the Code of Civil Procedure, to amend Section 56159 of the Education Code, to amend Sections 731, 752, 753, and 754 of the Evidence Code, to amend Sections 1814, 1820, 1834, 1838, 1850, 3025.5, 3170, 3173, 3188, 6303, 7553, and 7556 of the Family Code, to amend Sections 1750, 23249, 23332, 23535, 24350, 24351, 24353, 25252.6, 27080.1, 29320, 29370, 29370.1, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29379, 29603, 31116, and 68098 of, and to add Sections 68083 and 68083.5 to, the Government Code, and to amend Section 1306 of, and to add Section 1305.5 to, the Penal Code, relating to courts.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Public Safety.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, March 22, 2012.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 21, 2012**

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

**AB RN**

1435	1208154
1529	1207963
1533	1208384
1550	1207900
1585	1208220
1694	1207837
1712	1207456
1787	1208081
1838	1207666
1849	1208085
2078	1208112
2122	1208342
2133	1208456
2155	1208273
2171	1208288
2250	1208233
2455	1207786

**ACR RN**

99	1208244
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<b>Daily Total:</b>	<b>18</b>
<b>Cumulative Total:</b>	<b>2641</b>

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