

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 24, 2011
FORTY-NINTH SESSION DAY
ONE HUNDRED NINTH 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, March 24, 2011

The Assembly met at 7:05 a.m.
Hon. Bonnie Lowenthal, Assembly Member, 54th 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—71:

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

Quorum present.

At 11:02 a.m., Hon. Brian Nestande, 64th 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 Butler, Mendoza, Morrell, and Olsen.

On personal business, and waiving per diem: Assembly Members Fletcher and Smyth.

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

Because of illness: Assembly Member Valadao.

EXPLANATIONS OF ABSENCE

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

March 2, 2011

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

Dear Speaker Pérez: I am respectfully requesting to be excused from Check-in Session on Thursday, March 24 due to legislative appointments in my district office. I would like to fly to my district in the afternoon of March 23 and return in the late afternoon of March 24. I will be here for Session on March 25. I thank you in advance for your consideration.

Sincerely,

BETSY BUTLER, Assembly Member
Fifty-third District

March 15, 2011

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Check-in Session, Thursday, March 24, 2011, due to legislative business in my District. I have been asked to speak at the California Association for Bilingual Education. I will be returning to Sacramento late Thursday night so that I can be present for Assembly Floor Session, Friday, March 25, 2011. I want to thank you in advance for your consideration of this request. Should you have any questions, please contact Debbie Collins at 319-2056.

Sincerely,

TONY MENDOZA, Assembly Member
Fifty-sixth District

March 10, 2011

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

Dear Mr. Speaker: This letter is to respectfully request that I be excused from Assembly Check-in Session on Thursday, March 24, as I have legislative business in my district. I will be conducting several meetings with constituents in my district office. Thank you for your consideration of this matter, if there are any questions please contact Jessica Sandin at (916) 319-2063.

Sincerely,

MIKE MORRELL, Assembly Member
Sixty-third District

March 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, March 24, 2011 for legislative business. I will be attending a Rural County School Board Meeting and other legislative meetings in the district. Thank you for your consideration. Please contact Dana Zacky in my office for any additional information.

Sincerely,

KRISTIN OLSEN, Assembly Member
 Twenty-fifth District

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Jobs, Economic Development, and the Economy, on Wednesday, March 30, 2011, at 9 a.m., in Room 127.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 24, 2011

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

Assembly Bill No. 19
 Assembly Bill No. 81
 Assembly Bill No. 134
 Assembly Bill No. 413
 Assembly Bill No. 518
 Assembly Bill No. 574
 Assembly Bill No. 646

Assembly Bill No. 709
 Assembly Bill No. 765
 Assembly Bill No. 781
 Assembly Bill No. 1016
 Assembly Bill No. 1299
 Assembly Bill No. 1394

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Judiciary

March 24, 2011

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

Assembly Bill No. 1018

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

FEUER, Chair

ASSEMBLY BILL NO. 1018—An act to add Section 1232 to the Government Code, relating to public employees.

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 Local Government

March 24, 2011

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 441

Assembly Bill No. 1355

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

SMYTH, Chair

ASSEMBLY BILL NO. 441—An act to amend Section 65040.2 of, and to add Sections 14522.3, 65040.13, and 65040.14 to, the Government Code, relating to state planning.

Bill read second time.

ASSEMBLY BILL NO. 1355—An act to add Article 5.5 (commencing with Section 12245) to Chapter 3 of Part 2 of Division 3 of Title 2 of the Government Code, relating to city officials.

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.

March 24, 2011

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 49

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

SMYTH, Chair

ASSEMBLY BILL NO. 49—An act to add Sections 65923, 65923.1, 65923.2, 65923.3, and 65923.4 to, and to add Article 4 (commencing with Section 65946) and Article 4.5 (commencing with Section 65948) to Chapter 4.5 of Division 1 of Title 7 of, the Government Code, relating to development, 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.

March 24, 2011

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 31

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

SMYTH, Chair

ASSEMBLY BILL NO. 31—An act to amend Sections 53395.1 and 65080 of, to add Sections 53395.8 and 65460.2.5 to, and to add Chapter 9.5 (commencing with Section 66050) to Division 1 of Title 7 of, the Government Code, relating to land use.

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 24, 2011

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

Assembly Bill No. 13
 Assembly Bill No. 980
 Assembly Bill No. 1372

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

BROWNLEY, Chair

ASSEMBLY BILL NO. 13—An act to amend Sections 35021, 35021.1, 35021.2, 44836, and 49024 of the Education Code, relating to public school volunteers.

Bill read second time.

ASSEMBLY BILL NO. 980—An act to add Section 48324.5 to the Education Code, relating to school attendance review boards.

Bill read second time.

ASSEMBLY BILL NO. 1372—An act to amend Sections 44662 and 60641 of the Education Code, relating to certificated employees.

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.

March 24, 2011

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

Assembly Bill No. 1348

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

BROWNLEY, Chair

ASSEMBLY BILL NO. 1348—An act to add Article 3 (commencing with Section 49440) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupils.

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 Elections and Redistricting

March 24, 2011

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 461

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

FONG, Chair

ASSEMBLY BILL NO. 461—An act to amend Section 15342 of the Elections Code, relating to elections.

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 Governmental Organization

March 24, 2011

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 623

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

HALL, Chair

ASSEMBLY BILL NO. 623—An act to add Section 23393.5 to the Business and Professions Code, relating to alcoholic beverages.

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 24, 2011

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

Assembly Bill No. 194

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

FUENTES, Chair

ASSEMBLY BILL NO. 194—An act to add Section 66025.9 to the Education Code, relating to 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 Health

March 24, 2011

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

Assembly Bill No. 154

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

MONNING, Chair

ASSEMBLY BILL NO. 154—An act to add Section 22856 to the Government Code, to add Section 1374.74 to the Health and Safety Code, and to add Section 10144.8 to the Insurance Code, relating to health care coverage.

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 Transportation

March 24, 2011

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

Assembly Bill No. 475

Assembly Bill No. 807

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

LOWENTHAL, Chair

ASSEMBLY BILL NO. 475—An act to amend Sections 22511 and 22511.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

ASSEMBLY BILL NO. 807—An act to amend Section 1808.1 of the Vehicle Code, relating to vehicles.

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.

March 24, 2011

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

Assembly Bill No. 529

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

LOWENTHAL, Chair

ASSEMBLY BILL NO. 529—An act to amend Section 21400 of, and to add Section 22358.6 to, the Vehicle Code, relating to vehicles.

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.

March 24, 2011

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

Assembly Bill No. 1291

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

LOWENTHAL, Chair

ASSEMBLY BILL NO. 1291—An act to amend Section 1685 of the Vehicle Code, relating to vehicles.

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.

March 24, 2011

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1323

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

LOWENTHAL, Chair

ASSEMBLY BILL NO. 1323—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles.

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 24, 2011

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 74
Assembly Bill No. 809

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

AMMIANO, Chair

ASSEMBLY BILL NO. 74—An act to add Section 421 to the Penal Code, relating to public events.

Bill read second time.

ASSEMBLY BILL NO. 809—An act to amend Section 21628.2 of the Business and Professions Code, to amend Sections 17000, 26600, 26610, 26615, 26805, 26820, 26840, 26845, 26850, 26865, 26890, 26905, 26955, 26960, 26965, 27050, 27060, 27065, 27130, 27400, 27410, 27415, 27540, 27560, 27565, 27590, 27600, 27610, 27615, 27655, 27660, 27665, 27730, 27860, 27875, 27880, 27920, 28000, 28060, 28100, 28160, 28170, 28180, 28210, 28215, 28220, 28240, 28245, 28400, 28410, 28415, 30105, 30150, 30160, 30165, 31705, 31715, 31720, 31735, 33850, 33860, 33865, 34355, 34365, and 34370 of, to amend and repeal Sections 27110, 27710, 27870, 27915, 27965, 28165, 31775, 31795, and 33890 of, to amend, repeal, and add Section 11106 of, and to add Section 27966 to, the Penal Code, relating to firearms.

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 Natural Resources

March 24, 2011

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 206

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

CHESBRO, Chair

ASSEMBLY BILL NO. 206—An act to amend Section 30106 of the Public Resources Code, relating to coastal resources.

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 Jobs, Economic Development, and the Economy

March 24, 2011

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 231

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

V. MANUEL PÉREZ, Chair

ASSEMBLY BILL NO. 231—An act to amend Sections 7070, 7071, 7072, 7072.5, 7073.1, 7076, 7076.1, 7081, 7085, 7085.1, 7085.5, and 7114.2 of, to amend the heading of Chapter 12.8 (commencing with Section 7070) of Division 7 of Title 1 of, to add Section 7072.6 to, to repeal Sections 7073.8 and 7073.9 of, and to repeal Chapter 12.93 (commencing with Section 7097) of Division 7 of Title 1 of, the Government Code, and to amend Sections 17053.45, 17053.46, 17053.70, 17235, 23612.2, 23645, 23646, and 24384.5 of, to amend and repeal Sections 17053.34, 17053.47, 17053.74, 23622.7, 23622.8, and 23634 of, to add Sections 17053.73 and 23622.6 to, and to add and repeal Sections 17050 and 23036.3 of, the Revenue and Taxation Code, relating to economic development, to take effect immediately, tax levy.

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 Housing and Community Development

March 24, 2011

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 683

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

TORRES, Chair

ASSEMBLY BILL NO. 683—An act to add Section 29 to the Health and Safety Code, relating to homeless persons.

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 Education

Date of Hearing: March 23, 2011

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 169

Assembly Bill No. 180

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

BROWNLEY, Chair

Above bills ordered to second reading.

Date of Hearing: March 23, 2011

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 25

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

BROWNLEY, Chair

Above bill ordered to second reading.

Date of Hearing: March 23, 2011

Mr. Speaker: Your Committee on Education reports:
Assembly Concurrent Resolution No. 22
With the recommendation: Be adopted.

BROWNLEY, Chair

Above resolution ordered to third reading.

Committee on Local Government

Date of Hearing: March 23, 2011

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 68
Assembly Bill No. 191
With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

SMYTH, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 23, 2011

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 208
With the recommendation: Do pass, and be re-referred to the Committee on Housing and Community Development with recommendation: To Consent Calendar.

SMYTH, Chair

Above bill re-referred to the Committee on Housing and Community Development.

Committee on Judiciary

Date of Hearing: March 22, 2011

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 699
With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

FEUER, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: March 22, 2011

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 337
Assembly Bill No. 606
With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

HUFFMAN, Chair

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 24, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 36

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 24, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 50

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 24, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 28

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, March 24, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 8

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

Senate Chamber, March 24, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 191
Senate Bill No. 192
Senate Bill No. 193

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 191—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 192—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 193—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced.

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

ASSEMBLY BILL NO. 44—An act to amend Section 3058.6 of the Penal Code, relating to inmates.

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

ASSEMBLY BILL NO. 159—An act to amend Section 1506.3 of the Health and Safety Code, relating to community care facilities.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be returned to the second reading file.

ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 9 a.m., Friday, March 25, 2011.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 24, 2011

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

AB	RN	
13	1112643	
31	1112959	
44	1113675	
49	1113955	
74	1113716	
154	1113746	
159	1114273	
194	1113983	
206	1113112	
231	1114441	
441	1113792	
461	1113805	
475	1113651	
529	1114424	
623	1113238	
683	1113524	
807	1114270	
809	1112981	
980	1114105	
1018	1113667	
1291	1112707	
1323	1114316	
1348	1112524	
1355	1113656	
1372	1112309	
		Daily Total: 25
		Cumulative Total: 258

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