

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 28, 2012**

**ONE HUNDRED SEVENTY-SIXTH SESSION DAY  
FOUR HUNDRED SEVENTY-NINTH 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 28, 2012

The Assembly met at 7 a.m.

Hon. Richard Gordon, Assembly Member, 21st 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—74:

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

Quorum present.

**At 10:58 a.m., Hon. Julia Brownley, 41st 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 Jeffries.*

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

*Because of illness: Assembly Members Beth Gaines, Huber, and Bonnie Lowenthal.*

**COMMUNICATIONS**

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

March 27, 2012

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

Dear Mr. Wilson: This letter is to inform you that today I changed my voter registration from Republican to Decline to State. Therefore, I wish to be identified going forward as an Independent Member of the Assembly. In my heart I believe this is right and this best reflects my values and what is right for my constituents moving forward. Please make the necessary adjustments to reflect this change.

Sincerely,

NATHAN FLETCHER, Assembly Member  
Seventy-fifth District

**SPECIAL COMMITTEE MEETINGS**

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

Accountability and Administrative Review, on Wednesday, April 11, 2012, at 9 a.m., in Room 437;

Health, to convene jointly with the Committee on Revenue and Taxation, on Tuesday, May 1, 2012, at 1:30 p.m., in Room 4202.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 28, 2012

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

Assembly Concurrent Resolution No. 100  
Assembly Concurrent Resolution No. 132

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, March 28, 2012

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

Assembly Bill No. 2209  
Assembly Bill No. 2214  
Assembly Bill No. 2219  
Assembly Bill No. 2222  
Assembly Bill No. 2247  
Assembly Bill No. 2489  
Assembly Bill No. 2554  
Assembly Bill No. 2674  
Assembly Bill No. 2679

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 28, 2012

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

Assembly Bill No. 1442  
 Assembly Bill No. 1544  
 Assembly Bill No. 1566  
 Assembly Bill No. 1701  
 Assembly Bill No. 1714  
 Assembly Bill No. 1728  
 Assembly Bill No. 1812  
 Assembly Bill No. 1873

Assembly Bill No. 1896  
 Assembly Bill No. 1960  
 Assembly Bill No. 2024  
 Assembly Bill No. 2056  
 Assembly Bill No. 2066  
 Assembly Bill No. 2135  
 Assembly Bill No. 2188

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 28, 2012

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

Assembly Bill No. 1621  
 Assembly Bill No. 1782

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading file.

### **AUTHOR'S AMENDMENTS**

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

March 28, 2012

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

Assembly Bill No. 1537  
 Assembly Bill No. 1538

Assembly Bill No. 2213  
 Assembly Bill No. 2588

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

HAYASHI, Chair

**ASSEMBLY BILL NO. 1537**—An act to amend Section 11349.1 of, and to add Section 11346.15 to, the Government Code, relating to regulations.

Bill read second time.

**ASSEMBLY BILL NO. 1538**—An act to add Section 12433 to the Government Code, relating to audits.

Bill read second time.

**ASSEMBLY BILL NO. 2213**—An act to add Chapter 8.2 (commencing with Section 11820) to Part 1 of Division 3 of Title 2 of the Government Code, relating to government reorganization, and making an appropriation therefor.

Bill read second time.

**ASSEMBLY BILL NO. 2588**—An act to add Section 14670.17 to the Government Code, relating to state surplus property, and making an appropriation therefor.

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 28, 2012

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 2670

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

CHESBRO, Chair

**ASSEMBLY BILL NO. 2670**—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.

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 28, 2012

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

Assembly Bill No. 1919

Assembly Bill No. 2001

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

BROWNLEY, Chair

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

Bill read second time.

**ASSEMBLY BILL NO. 2001**—An act to add Section 60604.6 to the Education Code, relating to pupil assessment.

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 Public Safety**

March 28, 2012

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

Assembly Bill No. 2221

Assembly Bill No. 2343

Assembly Bill No. 2420

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

AMMIANO, Chair

**ASSEMBLY BILL NO. 2221**—An act to amend Section 6254 of the Government Code, relating to public records.

Bill read second time.

**ASSEMBLY BILL NO. 2343**—An act to amend Sections 11105 and 11105.2 of the Penal Code, relating to criminal history information.

Bill read second time.

**ASSEMBLY BILL NO. 2420**—An act to amend Sections 11357.5 and 11375.5 of the Health and Safety Code, relating to controlled substances.

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 Revenue and Taxation

March 28, 2012

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 2638

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

PEREA, Chair

**ASSEMBLY BILL NO. 2638**—An act to amend Sections 13305 and 13308 of, and to add Section 13305.5 to, the Government Code, relating to state government.

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 28, 2012

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

Assembly Bill No. 1890

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

BONNIE LOWENTHAL, Chair

**ASSEMBLY BILL NO. 1890**—An act to amend Section 23302 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 28, 2012

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

Assembly Bill No. 1778

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

BONNIE LOWENTHAL, Chair

**ASSEMBLY BILL NO. 1778**—An act to amend Section 99232.3 of the Public Utilities Code, relating to transportation.

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 28, 2012

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

Assembly Bill No. 2054

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

FONG, Chair

**ASSEMBLY BILL NO. 2054**—An act to amend Section 83109 of the Government Code, relating to the Political Reform Act of 1974.

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 28, 2012

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

Assembly Bill No. 1872

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

BEALL, Chair

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

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 28, 2012

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

Assembly Bill No. 1613

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

BONNIE LOWENTHAL, Chair

**ASSEMBLY BILL NO. 1613**—An act to amend Section 44015 of the Health and Safety Code, and to amend Section 4000.1 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.

**REPORTS OF STANDING COMMITTEES**

**Committee on Natural Resources**

Date of Hearing: March 26, 2012

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1834

With the recommendation: Do pass.

CHESBRO, Chair

Above bill ordered to second reading.

**Committee on Health**

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 2315

With the recommendation: Do pass.

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

MONNING, Chair

Above bill ordered to second reading.

**Committee on Public Employees, Retirement and Social Security**

Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1519

With the recommendation: Do pass.

FURUTANI, Chair

Above bill ordered to second reading.

**Committee on Education**

Date of Hearing: March 21, 2012

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1576

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.

**Committee on Natural Resources**

Date of Hearing: March 26, 2012

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1656

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

CHESBRO, Chair

Above bill ordered to second reading.

**Committee on Health**

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Health reports:

Assembly Joint Resolution No. 30

With the recommendation: Be adopted.

MONNING, Chair

Above resolution ordered to third reading.

**Committee on Natural Resources**

Date of Hearing: March 26, 2012

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1459

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHESBRO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 26, 2012

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1506

Assembly Bill No. 1933

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

CHESBRO, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Public Employees, Retirement and Social Security**

Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1606

Assembly Bill No. 1655

Assembly Bill No. 1908

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

FURUTANI, Chair

Above bills re-referred to the Committee on Appropriations.



Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1458

Assembly Bill No. 1735

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

FURUTANI, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Elections and Redistricting**

Date of Hearing: March 27, 2012

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

Assembly Bill No. 2080

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

FONG, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 27, 2012

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

Assembly Bill No. 1436

Assembly Bill No. 1814

Assembly Bill No. 2220

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

FONG, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Health**

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Health reports:

Senate Concurrent Resolution No. 47

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

MONNING, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1761

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MONNING, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1526

Assembly Bill No. 1580

Assembly Bill No. 1869

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

MONNING, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1569

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

MONNING, Chair

Above bill re-referred to the Committee on Judiciary.

#### **Committee on Natural Resources**

Date of Hearing: March 26, 2012

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1847

With the recommendation: Do pass, and be re-referred to the Committee on Local Government with recommendation: To Consent Calendar.

CHESBRO, Chair

Above bill re-referred to the Committee on Local Government.

#### **Committee on Elections and Redistricting**

Date of Hearing: March 27, 2012

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

Assembly Bill No. 1509

With the recommendation: Do pass, and be re-referred to the Committee on Local Government with recommendation: To Consent Calendar.

FONG, Chair

Above bill re-referred to the Committee on Local Government.

#### **Committee on Higher Education**

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1743

Assembly Bill No. 1748

Assembly Bill No. 2122

With the recommendation: Do pass.

BLOCK, Chair

Above bills ordered to second reading.

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 2164

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

BLOCK, Chair

Above bill ordered to second reading.

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1826

Assembly Bill No. 2126

Assembly Bill No. 1899

Assembly Bill No. 2171

Assembly Bill No. 1955

Assembly Bill No. 2202

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

BLOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 27, 2012

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 2133

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

BLOCK, Chair

Above bill re-referred to the Committee on Veterans Affairs.

**Committee on Appropriations**

Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1434

Assembly Bill No. 1612

Assembly Bill No. 1438

Assembly Bill No. 1691

Assembly Bill No. 1452

With the recommendation: Do pass.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1524

Assembly Bill No. 1573

Assembly Bill No. 1550

Assembly Bill No. 1620

Assembly Bill No. 1567

With the recommendation: Do pass.

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.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 829

With the recommendation: Do pass.

FUENTES, Chair

Above bill ordered to second reading.

**Committee on Insurance**

Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 2302

With the recommendation: Do pass.

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

SOLORIO, Chair

Above bill ordered to second reading.

Date of Hearing: March 28, 2012

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1454

Assembly Bill No. 2303

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

SOLORIO, Chair

Above bills re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS****ASSEMBLY BILL NO. 1719**—An act to add and repeal Section 60605.87 of the Education Code, relating to instructional materials.

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

**ASSEMBLY BILL NO. 1621**—An act to amend Section 2248 of the Business and Professions Code, relating to medicine.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1782**—An act to amend Section 12701 of the Business and Professions Code, relating to weighmasters.

Bill read second time, and ordered to third reading.

**SECOND READING OF SENATE BILLS****SENATE BILL NO. 83**—An act to amend the Budget Act of 2011 (Chapter 33 of the Statutes of 2011) by amending Item 0911-001-0001 of Section 2.00 of that act, relating to the support of state government, and making an appropriation therefor, to take effect immediately, Budget Bill.

Bill read second time, and ordered to third reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, March 29, 2012.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 28, 2012**

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

<b>AB</b>	<b>RN</b>	
1537	1208786	
1538	1208787	
1613	1208792	
1719	1208642	
1778	1207904	
1872	1208685	
1890	1208846	
1919	1208009	
2001	1208153	
2054	1208499	
2213	1207926	
2221	1208573	
2343	1208799	
2420	1208211	
2588	1208058	
2638	1208621	
2670	1208118	
<b>Daily Total:</b>		<b>17</b>
<b>Cumulative Total:</b>		<b>2729</b>

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