

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, May 8, 2012**

**ONE HUNDRED NINETY-FIFTH SESSION DAY  
FIVE HUNDRED TWENTIETH 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  
Tuesday, May 8, 2012

The Assembly met at 7 a.m.

Hon. Paul Cook, Assembly Member, 65th 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—75:

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

Quorum present.

**At 1:32 p.m., Hon. Cameron Smyth, 38th 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 Brownley, Fletcher, and Jeffries.*

*Because of illness: Assembly Member Furutani.*

*Because of illness in his family: Assembly Member Portantino.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

May 7, 2012

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

Dear Dotson: Please be advised that I have appointed Assemblymember Bonnie Lowenthal to fill the Democratic vacancy on the Assembly Judiciary Committee for the Tuesday, May 8 hearing only.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

May 3, 2012

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

RE: Appointment of Lisa Feldstein to San Francisco Bay  
Conservation and Development Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Lisa Feldstein to the San Francisco Bay Conservation and Development Commission as an alternate to Assemblymember Tom Ammiano. This is a pleasure appointment starting May 3, 2012.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

May 3, 2012

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

RE: Reappointment of Hong Beom Rhee to Board for  
Professional Engineers, Land Surveyors, and Geologists

Dear Mr. Wilson: Please be advised I have reappointed Dr. Hong Beom Rhee to the Board for Professional Engineers, Land Surveyors, and Geologists. This is a term appointment starting May 3, 2012, and the expiration date is June 30, 2015.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 8, 2012

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

Assembly Bill No. 1838

Assembly Bill No. 1938

Assembly Bill No. 1855

Assembly Bill No. 2165

Assembly Bill No. 1875

Assembly Bill No. 2243

Assembly Bill No. 1893

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 8, 2012

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

Assembly Bill No. 1654

Assembly Bill No. 2126

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading file.

Assembly Chamber, May 8, 2012

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

Assembly Bill No. 1726

Assembly Bill No. 2146

Assembly Bill No. 1729

Assembly Bill No. 2207

Assembly Bill No. 1817

Assembly Bill No. 2656

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 8, 2012

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

Assembly Concurrent Resolution No. 147

Assembly Concurrent Resolution No. 149

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 154—Bradford.** Relative to American Stroke Month 2012.

**ASSEMBLY CONCURRENT RESOLUTION NO. 155—Fuentes (Coauthors: Block, Campos, Dickinson, Hueso, Pan, Solorio, Swanson, and Yamada) (Coauthors: Senators Alquist, Correa, Kehoe, Lieu, Padilla, Steinberg, and Vargas).** Relative to Justice for Janitors Day.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 8, 2012

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2462  
Assembly Bill No. 2471

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

FUENTES, Chair

**ASSEMBLY BILL NO. 2462**—An act to add Section 66025.7 to the Education Code, relating to public postsecondary education.

Bill read second time.

**ASSEMBLY BILL NO. 2471**—An act to add Section 66409.5 to the Education Code, relating to postsecondary education.

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**

May 8, 2012

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 1500

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

PEREA, Chair

**ASSEMBLY BILL NO. 1500**—An act to add Article 21.7 (commencing with Section 70200) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, and to amend Sections 23101 and 25128 of, to amend and repeal Section 25128.5 of, to amend, repeal, and add Section 25136 of, and to add Sections 25128.7 and 25136.1 to, the Revenue and Taxation Code, relating to taxation, 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 Rules**

May 8, 2012

Mr. Speaker: The Chair of your Committee on Rules reports:  
Assembly Joint Resolution No. 27

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

SKINNER, Chair

**ASSEMBLY JOINT RESOLUTION NO. 27**—Relative to women in sports.

Resolution read.

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

May 8, 2012

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

Assembly Concurrent Resolution No. 139

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

SKINNER, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 139**—Relative to Foster Care 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.

## REPORTS OF STANDING COMMITTEES

### Committee on Natural Resources

Date of Hearing: May 7, 2012

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1966

Assembly Bill No. 2075

With the recommendation: Do pass.

CHESBRO, Chair

Above bills ordered to second reading.

Date of Hearing: May 7, 2012

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2669

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.

CHESBRO, Chair

Above bill ordered to second reading.

### Committee on Insurance

Date of Hearing: May 2, 2012

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1747

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

SOLORIO, Chair

Above bill ordered to second reading.

### Committee on Appropriations

Date of Hearing: April 25, 2012

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2530

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

FUENTES, Chair

Above bill ordered to second reading.

### Committee on Revenue and Taxation

Date of Hearing: May 7, 2012

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1963

With the recommendation: Do pass.

PEREA, Chair

Above bill ordered to second reading.

Date of Hearing: May 7, 2012

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 2453

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

PEREA, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Natural Resources**

Date of Hearing: May 7, 2012

Mr. Speaker: Your Committee on Natural Resources reports:  
Assembly Bill No. 2474

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

CHESBRO, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Revenue and Taxation**

Date of Hearing: May 7, 2012

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 2332

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

PEREA, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Public Safety**

Date of Hearing: May 8, 2012

Mr. Speaker: Your Committee on Public Safety reports:  
Assembly Bill No. 2263  
Assembly Bill No. 2527  
Assembly Bill No. 2543

With the recommendation: Do pass.

AMMIANO, Chair

Above bills ordered to second reading.

Date of Hearing: May 8, 2012

Mr. Speaker: Your Committee on Public Safety reports:  
Assembly Bill No. 1529  
Assembly Bill No. 1971

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.

AMMIANO, Chair

Above bills ordered to second reading.

Date of Hearing: May 8, 2012

Mr. Speaker: Your Committee on Public Safety reports:  
Assembly Bill No. 2385

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

AMMIANO, Chair

Above bill ordered to second reading.

Date of Hearing: May 8, 2012

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1940

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

AMMIANO, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Judiciary**

Date of Hearing: May 8, 2012

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1680

Assembly Bill No. 2473

Assembly Bill No. 1745

Assembly Bill No. 2685

Assembly Bill No. 2021

With the recommendation: Do pass.

FEUER, Chair

Above bills ordered to second reading.

Date of Hearing: May 8, 2012

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 2476

Assembly Bill No. 2683

Assembly Bill No. 2690

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.

FEUER, Chair

Above bills ordered to second reading.

Date of Hearing: May 1, 2012

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1953

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

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: May 8, 2012

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Concurrent Resolution No. 128

With the recommendation: Be adopted.

FEUER, Chair

Above resolution ordered to third reading.

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

Date of Hearing: May 2, 2012

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

Assembly Bill No. 2664

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

MANSOOR, Acting Chair

Above bill ordered to second reading.



**Committee on Insurance**

Date of Hearing: May 2, 2012

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 2160

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

SOLORIO, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1875, 1855, 1838, 1938, and 2165, ordered to third reading.

Assembly Bills Nos. 1893 and 2243, ordered to the Consent Calendar.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1824**—An act to amend Section 1305 of the Penal Code, relating to bail.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2684**—An act to amend Section 1033.5 of the Code of Civil Procedure, relating to civil actions.

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

**ASSEMBLY BILL NO. 2356**—An act to amend Section 1644.5 of, and to add Section 1644.6 to, the Health and Safety Code, relating to human tissue.

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

**ASSEMBLY BILL NO. 2521**—An act to amend Sections 1984 and 1988 of the Civil Code, relating to landlord and tenant.

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

**ASSEMBLY BILL NO. 2489**—An act to amend Section 19.8 of the Penal Code, and to amend Section 4464 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 2502**—An act to amend Section 2982 of the Civil Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 2410**—An act to add Section 20 to the Elections Code, relating to elective office.

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

**ASSEMBLY BILL NO. 2452**—An act to add Section 84615 to the Government Code, relating to the Political Reform Act of 1974.

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

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, May 9, 2012.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 8, 2012**

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

**AB RN**

1500	1211830
2356	1211844
2410	1211847
2452	1211852
2462	1211946
2471	1211081
2489	1211935
2502	1211729
2521	1211731
2684	1211732

**ACR RN**

139	1212110
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**AJR RN**

27	1211812
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**Daily Total: 12**

**Cumulative Total: 3743**

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