

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 16, 2012

TWO HUNDREDTH SESSION DAY

FIVE HUNDRED TWENTY-EIGHTH 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
Wednesday, May 16, 2012

The Assembly met at 7 a.m.

Hon. Steve Knight, Assembly Member, 36th 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—72:

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

Quorum present.

At 12:46 p.m., Hon. Jerry Hill, 19th 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 Member Olsen.

Because of illness, per diem waived for the 2011–12 Session (Assembly Journal, page 1424): Assembly Member Beth Gaines.

On personal business, and waiving per diem: Assembly Members Brownley, Fletcher, Huber, Jeffries, and Valadao.

Because of illness in his family: Assembly Member Perea.

EXPLANATIONS OF ABSENCE

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

May 16, 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 for legislative business on Thursday, May 16th. I have an event to attend in my district. Thank you for your consideration. Please contact Tim Townsend in my office for any additional information.

Sincerely,

KRISTIN OLSEN, Assembly Member
Twenty-fifth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 16, 2012

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

Assembly Bill No. 2150

Assembly Bill No. 2274

Assembly Bill No. 2168

Assembly Bill No. 2297

Assembly Bill No. 2196

Assembly Bill No. 2382

Assembly Bill No. 2227

Assembly Bill No. 2590

Assembly Bill No. 2245

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 16, 2012

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

Assembly Bill No. 2323

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 157—Fletcher. Relative to California FIRST Day.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

May 16, 2012

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

Assembly Bill No. 2517

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

FUENTES, Chair

ASSEMBLY BILL NO. 2517—An act to amend Section 8414 of, to add Sections 8451 and 8465 to, and to add Chapter 3 (commencing with Section 3000) to Title 14 of Part 4 of Division 3 of, the Civil Code, relating to 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.

May 16, 2012

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

Assembly Joint Resolution No. 35

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

FUENTES, Chair

ASSEMBLY JOINT RESOLUTION NO. 35—Relative to rail transport of coal.
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 Revenue and Taxation

Date of Hearing: May 14, 2012

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

Assembly Bill No. 1818

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

PEREA, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1599

Assembly Bill No. 2144

Assembly Bill No. 1647

Assembly Bill No. 2237

Assembly Bill No. 1674

Assembly Bill No. 2279

Assembly Bill No. 1705

Assembly Bill No. 2363

Assembly Bill No. 1850

Assembly Bill No. 2364

Assembly Bill No. 1964

Assembly Bill No. 2389

Assembly Bill No. 2063

Assembly Bill No. 2435

Assembly Bill No. 2068

Assembly Bill No. 2498

Assembly Bill No. 2081

With the recommendation: Do pass.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2570

Assembly Bill No. 2610

Assembly Bill No. 2671

With the recommendation: Do pass.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1504

Senate Bill No. 1558

With the recommendation: Do pass.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1786 | Assembly Bill No. 2073 |
| Assembly Bill No. 1877 | Assembly Bill No. 2118 |
| Assembly Bill No. 1916 | Assembly Bill No. 2146 |
| Assembly Bill No. 1922 | Assembly Bill No. 2170 |
| Assembly Bill No. 2005 | Assembly Bill No. 2187 |
| Assembly Bill No. 2056 | Assembly Bill No. 2246 |
| Assembly Bill No. 2060 | Assembly Bill No. 2280 |
| Assembly Bill No. 2066 | |

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: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2322 | Assembly Bill No. 2566 |
| Assembly Bill No. 2332 | Assembly Bill No. 2612 |
| Assembly Bill No. 2453 | Assembly Bill No. 2649 |
| Assembly Bill No. 2462 | Assembly Bill No. 2662 |
| Assembly Bill No. 2477 | |

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: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Concurrent Resolution No. 126

With the recommendation: Be adopted.

FUENTES, Chair

Above resolution ordered to third reading.

Date of Hearing: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 2620

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.

FUENTES, Chair

Above bill ordered to second reading.

Date of Hearing: May 16, 2012

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 1897

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

FUENTES, 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. 2274, 2382, 2590, 2150, 2245, 2168, and 2196, ordered to third reading.

Assembly Bills Nos. 2227 and 2297, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2051—An act to amend Section 1219 of the Code of Civil Procedure, and to amend Section 1387 of the Penal Code, relating to domestic violence.

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

ASSEMBLY BILL NO. 2643—An act to amend Sections 2635, 2635.5, and 5151 of, and to add Section 4985.5 to, the Revenue and Taxation Code, relating to taxation.

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

ASSEMBLY BILL NO. 1974—An act to add Section 17052.1 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 2004—An act to add Section 17132.9 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 2656—An act to add and repeal Division 4 (commencing with Section 64140) of Title 6.7 of the Government Code, and to add and repeal Sections 17053.60, 17053.65, 17053.66, 23660, 23665, and 23666 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 1929—An act to amend Section 362 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 1589—An act to amend Sections 5007 and 5080.42 of, and to add Article 1.8 (commencing with Section 5019.90) to Chapter 1 of Division 5 of, the Public Resources Code, to add and repeal Sections 17205, 18515.1, 18515.2, 18515.3, and 18515.4 of the Revenue and Taxation Code, and to amend Section 5155 of, and to add Section 5161 to, the Vehicle Code, relating to state parks, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 148—Relative to the California Family Planning Guarantee.

Resolution read; amendments proposed by the Committee on Health read and adopted; resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1622—An act to add Section 17463.8 to the Education Code, relating to school property.

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. 1568—An act to amend Section 47605 of the Education Code, relating to charter schools.

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

ASSEMBLY BILL NO. 1668—An act to amend Section 52052.3 of the Education Code, relating to school accountability.

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

ASSEMBLY BILL NO. 1909—An act to amend Sections 48852, 48853.5, 48911, and 48915.5 of, and to add Section 48918.1 to, the Education Code, and to amend Sections 317 and 16010 of the Welfare and Institutions Code, relating to foster children.

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

ASSEMBLY BILL NO. 2537—An act to amend Sections 48902 and 48915 of, and to add Section 48900.05 to, the Education Code, relating to pupil discipline.

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

ASSEMBLY BILL NO. 2621—An act to add Section 38092.5 to the Education Code, relating to education finance.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 16, 2012

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

Assembly Bill No. 517

Assembly Bill No. 1073

And reports the same correctly enrolled, and presented to the Governor on the 16th day of May, 2012, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, May 16, 2012

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

Assembly Concurrent Resolution No. 122

And reports the same correctly enrolled, and presented to the Secretary of State on the 16th day of May, 2012, at 11:00 a.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 4:30 p.m., the Assembly adjourned until 9 a.m., Thursday, May 16, 2012.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 16, 2012**

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

AB RN

1568	1212820
1589	1212841
1622	1212800
1668	1212798
1909	1212819
1929	1212796
1974	1212658
2004	1213092
2051	1212643
2517	1213250
2537	1212812
2621	1212811
2643	1213166
2656	1213073

ACR RN

148	1212927
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AJR RN

35	1212916
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Daily Total:	16
Cumulative Total:	3814

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