

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, July 12, 2011

**ONE HUNDRED EIGHTH SESSION DAY
TWO HUNDRED NINETEENTH 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
Tuesday, July 12, 2011

The Assembly met at 7 a.m.

Hon. Bill Monning, Assembly Member, 27th 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	Conway	Hayashi	Norby
Alejo	Cook	Hernández	Olsen
Allen	Davis	Hill	Pan
Ammiano	Dickinson	Huber	Perea
Atkins	Donnelly	Hueso	Pérez, V. Manuel
Beall	Eng	Huffman	Portantino
Berryhill	Feuer	Jeffries	Silva
Block	Fong	Jones	Skinner
Blumenfield	Fuentes	Knight	Smyth
Bonilla	Furutani	Logue	Solorio
Bradford	Gaines	Lowenthal	Swanson
Brownley	Galgiani	Ma	Torres
Buchanan	Garrick	Mansoor	Valadao
Butler	Gatto	Mendoza	Wagner
Calderon	Gordon	Miller	Wieckowski
Campos	Hagman	Monning	Williams
Carter	Halderman	Morrell	Yamada
Cedillo	Hall	Nestande	Mr. Speaker
Chesbro	Harkey	Nielsen	

Quorum present.

At 1:53 p.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, Grove, and Mitchell.

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

Because of illness in his family: Assembly Member Lara.

SPECIAL COMMITTEE MEETINGS

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

Accountability and Administrative Review, on Wednesday, August 17, 2011, at 9 a.m., in Room 447.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 12, 2011

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

Assembly Constitutional Amendment No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

**AUTHORIZATION TO INTRODUCE BILLS
PURSUANT TO JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly Bill:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Mitchell to introduce a bill relating to Caylee's Law: Crimes.

Request No. 1123080

JOHN A. PÉREZ

Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1432—Mitchell. An act to add Section 273j to the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

July 12, 2011

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

Senate Bill No. 944

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

FUENTES, Chair

SENATE BILL NO. 944—An act to amend Sections 5805, 6710.1, 6711, 6712, 6775, 6775.1, 7027, 7029.5, 7030, 7058.6, 7058.8, 7066.5, 7204, 7211, 7215, 7217, 7500.1, 7506.9, 7507.9, 7820, 7821, 7852, 7852.1, 8710.1, 8780, 8780.1, 8805, 22253.2, and 22255 of, to add Sections 6721, 7504.8, 7841.2, and 8714 to, to add Article 2.1 (commencing with Section 7826) to Chapter 12.5 of Division 3 of, and to repeal Section 7823 of, the Business and Professions Code, to amend Section 9148.8 of the Government Code, to amend Section 3099.2 of the Labor Code, and to amend Section 7106 of the Public Contract Code, relating to business and professions.

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.

July 12, 2011

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

Senate Bill No. 103

Senate Bill No. 943

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

FUENTES, Chair

SENATE BILL NO. 103—An act to amend Section 11123 of the Government Code, relating to state government.

Bill read second time.

SENATE BILL NO. 943—An act to amend Sections 1915, 1916, 1917, 1917.2, 1918, 1922, 1927, 1950, 1952, 1955, 1957, 1959, 1961, 1962, 1963, 1966.1, 2736.5, 2836.2, 2936, 3519, 3575, 4200, 4836.1, 4980.36, 4980.37, 4980.40.5, 4980.42, 4980.45, 4982.25, 4989.54, 4990.38, 4992.3, 4992.36, 4996.13, 4996.24, 4999.12, and 4999.90 of, to add Sections 1902.1, 4999.91, and 4999.455 to, and to repeal Section 1945 of, the Business and Professions Code, relating to healing arts.

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.

July 12, 2011

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 100

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

FUENTES, Chair

SENATE BILL NO. 100—An act to amend Section 2023.5 of the Business and Professions Code, and to amend Sections 1248, 1248.15, 1248.2, 1248.25, 1248.35, 1248.5, 1248.7, and 1248.85 of the Health and Safety Code, relating to healing arts.

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 Budget

July 12, 2011

Mr. Speaker: The Chair of your Committee on Budget reports:
Senate Bill No. 91

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

BLUMENFIELD, Chair

SENATE BILL NO. 91—An act relating to the Budget Act of 2011.

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

July 12, 2011

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Concurrent Resolution No. 68

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

SKINNER, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 68—Relative to the Italian American Legislator Project.

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: July 6, 2011

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 436

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

CHESBRO, Chair

Above bill ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 468

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

CHESBRO, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 26

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

AMMIANO, Chair

Above bill ordered to second reading.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: July 7, 2011

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

Senate Bill No. 682

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

WIECKOWSKI, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 861

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

V. MANUEL PÉREZ, Chair

Above bill ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 225

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

V. MANUEL PÉREZ, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 132

Senate Bill No. 547

Senate Bill No. 140

Senate Bill No. 611

Senate Bill No. 161

Senate Bill No. 612

Senate Bill No. 302

Senate Bill No. 645

Senate Bill No. 500

Senate Bill No. 650

Senate Bill No. 537

Senate Bill No. 753

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

BROWNLEY, Chair

Above bills ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 461

Senate Bill No. 754

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.

Committee on Judiciary

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 163

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

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: July 7, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 684

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

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: July 7, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 642

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 Public Safety

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 550

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

AMMIANO, Chair

Above bill ordered to second reading.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 179

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

AMMIANO, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 460

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

V. MANUEL PÉREZ, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 477

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

BROWNLEY, Chair

Above bill ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 600

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.

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal and Assembly Bill No. 1281 ordered to the unfinished business file:

Veto Message—Assembly Bill No. 1281

Governor's Office, Sacramento
July 11, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1281 without my signature.

This measure would allow the use of audioconferencing equipment at Board of Parole hearings, if the equipment is available. This measure is unnecessary. The Board already allows hearing participation through the use of audioconferencing equipment and there is nothing in law that prohibits its use. I will direct the Board to continue to accommodate those wishing to participate in hearings using audioconferencing. There is no need to codify this practice in law. For these reasons I am unable to sign this bill.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 12th day of July, 2011 at 3:34 p.m., of Assembly Bill 1281 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

SUE PARKER

Assistant Chief Clerk of the Assembly

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

SENATE BILL NO. 756—An act to amend Section 290.015 of the Penal Code, relating to sex offenders.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 441—An act amend Sections 7200, 7201, 7202, 7203, 7204, 7205, 7206, 7208, 7209, 7210, 7211, 7212, 7214, 7225, 7226, 7228, 7229, 7400, 7400.1, 7400.3, 7400.5, 7401, 7402, 7403, 7404, 7406, 7407, 7408, 7409, 7410, 7412, 7420, 7421, 7423, 7424, 7442, 7444, 7462, 7464, 7465, 7466, 7468, 7470, 7650, 7651, 7652, 7653, 7654, 7655, 7656, 7657, 7659, 7661, 7670, 7671, 7673, 7674, 7680, 7681, 7692, 7694, 7695, 7750, 7752, 7753, 7754, 7755, 7770, 7771, 7772.1, 7773, 7774, 7775, 7779, 7781, 7800, 7803, 7805, 7840, 7851, 7854, 7855, 7856, 7857, 7882, 8001, 8020, 8101, 12104, 15460, 15470, 15480, and 15490 of, and to repeal Sections 7227, 7236, 7422, 7430, 7672, 7682, 7772, 7778, 7780, 7782, 7783, 7837, 7870, 7884, 13289, and 13305 of, the Elections Code, relating to elections.

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.

SENATE BILL NO. 454—An act to amend Section 25900 of, and to add Section 25402.11 to, the Public Resources Code, and to amend Section 399.4 of the Public Utilities Code, relating to energy.

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

SENATE BILL NO. 790—An act to amend Sections 331.1, 365.1, 366.2, 380, 381.1, and 395.5 of, to add Section 707 to, and to add Part 5 (commencing with Section 3260) to Division 1 of, the Public Utilities Code, relating to electricity.

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

SENATE BILL NO. 870—An act to amend Sections 25217.5 of, and to repeal the heading of Chapter 6.5 (commencing with Section 25550) of Division 15 of, the Public Resources Code, relating to energy.

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

SENATE BILL NO. 879—An act to add Chapter 4.5 (commencing with Section 950) to Part 1 of Division 1 of the Public Utilities Code, relating to public utilities.

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

SENATE BILL NO. 343—An act to add Section 381.3 to the Public Utilities Code, relating to energy.

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

SENATE BILL NO. 459—An act to amend Sections 1174.5 and 1175 of, and to add Sections 226.8, 1174.1, and 2753 to, the Labor Code, and to add Section 9620 to the Unemployment Insurance Code, relating to employment.

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 Appropriations.

SENATE BILL NO. 590—An act to amend Sections 789.10 and 10127.7 of the Insurance Code, relating to life insurance.

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

SENATE BILL NO. 408—An act to add Section 1265.9 to the Health and Safety Code, relating to health facilities.

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

SENATE BILL NO. 703—An act to add part 6.25 (commencing with Section 12694.1) to Division 2 of the Insurance Code, relating to health care coverage, and making an appropriation therefor.

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

SENATE BILL NO. 490—An act to amend Sections 190, 190.2, and 190.4 of, and to repeal Sections 190.1 and 190.3 of, the Penal Code, relating to the death penalty.

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.

SENATE BILL NO. 919—An act to amend Sections 32261, 32265, 32270, and 48900 of the Education Code, relating to school safety.

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.

SENATE BILL NO. 540—An act to amend Sections 651, 1602, 1603, 1628.7, 1632, 1695.5, 1725, 1752.3, 1753.4, 1901, 1905.2, and 1973 of, to add Section 1611.3 to, to repeal and amend Section 1616.5 of, to repeal and add Section 1742 of, and to repeal, amend, and add Section 1601.1 of, the Business and Professions Code, relating to dentistry.

Bill read second time; amendments proposed by the Committee on Business, Professions and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 543—An act to amend Sections 144, 5000, 5015.6, 5076, 5076.1, 5510, 5517, 5552.5, 5620, 5621, 5622, 6510, 6530, 6710, 6714, 6763.1, 6797, 7000.5, 7011, 7200, 7215.6, 7885, 7886, 7887, 8710, 8800, 18602, 18613, and 18618 of, and to add Sections 5063.10 and 6582.2 to, the Business and Professions Code, relating to business and professions, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Business, Professions and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 706—An act to amend Sections 27, 10004, 10166.02, 10166.12, 10175.2, 10236.2, 10450.6, 10470, 10470.1, 10471, 10471.1, 10471.3, 10471.5, 10472, 10472.1, 10473, 10473.1, 10474, 10474.5, 10475, 10476, 10477, 10479, and 10481 of, to amend, repeal, and add Section 11360 of, to add Sections 10050.1, 10100.4, 10106, 10186, 10186.1, 10186.2, 10186.9, 11310.1, 11313.2, 11315.7, 11315.9, 11319.1, 11319.2, and 11319.3 to, and to add and repeal Section 10186.8 of, the Business and Professions Code, relating to business and professions.

Bill read second time; amendments proposed by the Committee on Business, Professions and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 614—An act to amend Section 120335 of the Health and Safety Code, relating to immunization, and declaring the urgency thereof, to take effect immediately.

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.

SENATE BILL NO. 170—An act to add Sections 40004 and 40005 to the Health and Safety Code, relating to air pollution.

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

SENATE BILL NO. 489—An act to amend Sections 2827 and 2827.10 of, and to repeal Section 2827.9 of, the Public Utilities Code, relating to electricity.

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

SENATE BILL NO. 568—An act to add Chapter 6.6 (commencing with Section 42391) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

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

SENATE BILL NO. 411—An act to add Chapter 13 (commencing with Section 1796.10) to Division 2 of the Health and Safety Code, relating to public health.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 12, 2011

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 23 | Assembly Bill No. 782 |
| Assembly Bill No. 417 | Assembly Bill No. 807 |
| Assembly Bill No. 426 | Assembly Bill No. 943 |
| Assembly Bill No. 612 | Assembly Bill No. 966 |

And reports the same correctly enrolled, and presented to the Governor on the 12th day of July, 2011, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 4 p.m., the Assembly adjourned until 7 a.m., Wednesday, July 13, 2011.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 12, 2011

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

ACR	RN
68	1122994

SB	RN
91	1123057
100	1122548
103	1122769
170	1123002
343	1122644
408	1122803
411	1122804
441	1122760
454	1122834
459	1122349
489	1123006
490	1122849
540	1122733
543	1122831
568	1123000
590	1122764
614	1123086
703	1122712
706	1122866
790	1122836
870	1122329
879	1122837
919	1123017
943	1123224
944	1122798

Daily Total:	26
Cumulative Total:	1965