

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 8, 2012

TWO HUNDRED THIRTY-FIRST SESSION DAY

SIX HUNDRED TWELFTH 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. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

(Corrected 8-15-12)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 8, 2012

The Assembly met at 7 a.m.

Hon. Martin Garrick, Assembly Member, 74th 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	Harkey	Nielsen
Alejo	Davis	Hayashi	Norby
Allen	Dickinson	Hill	Olsen
Ammiano	Donnelly	Huber	Pan
Atkins	Eng	Hueso	Pera
Beall	Feuer	Huffman	Pérez, V. Manuel
Berryhill	Fong	Jones	Portantino
Block	Fuentes	Knight	Silva
Blumenfield	Furutani	Lara	Skinner
Bonilla	Gaines	Logue	Smyth
Bradford	Galgiani	Lowenthal	Solorio
Brownley	Garrick	Ma	Swanson
Buchanan	Gatto	Mansoor	Torres
Butler	Gordon	Mendoza	Wagner
Calderon	Gorell	Miller	Wieckowski
Campos	Grove	Mitchell	Williams
Carter	Hagman	Monning	Yamada
Cedillo	Halderman	Morrell	Mr. Speaker
Conway	Hall	Nestande	

Quorum present.

At 1:55 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 Fletcher.

On personal business, and waiving per diem: Assembly Members Chesbro, Roger Hernández, Jeffries, and Valadao.

EXPLANATIONS OF ABSENCE

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

August 8, 2012

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

Dear Speaker Pérez: I respectfully request an excuse from Session Check-in Wednesday, August 8, due to legislative business that I was conducting in Sacramento. If there are any questions regarding this request please contact my District Office at (858) 689-6290. Thank you for your prompt attention to this request.

Sincerely,

NATHAN FLETCHER, Assembly Member
Seventy-fifth District

COMMUNICATIONS

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

August 8, 2012

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

Dear Dotson: Please be advised that I have appointed Nora Campos to replace Assemblymember Mike Gatto as Assistant Speaker pro Tempore for the 2011–12 Regular Session, effective Friday, August 10, 2012.

Effective September 1, 2012, the Democratic Leadership for the remainder of the 2011–12 Regular Session will be as follows:

Speaker pro Tempore	Hon. Nora Campos
Assistant Speaker pro Tempore	Hon. Fiona Ma
Majority Floor Leader	Hon. Toni Atkins
Assistant Majority Floor Leader	Hon. Michael Allen
Majority Whip	Hon. Roger Hernandez
Assistant Majority Whip	Hon. Charles Calderon
Majority Policy Leader	Hon. Mike Feuer
Assistant Majority Policy Leader	Hon. Amina Carter
Democratic Caucus Chair	Hon. Jerry Hill
Rules Committee Chair	Hon. Nancy Skinner

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

August 8, 2012

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

Dear Dotson: Please be advised that I have made changes to the following committees for the remainder of the 2011–12 Regular Session, effective Friday, August 10, 2012:

Accountability and Administrative Review

I have appointed Assemblymember Marty Block to replace Assemblymember Roger Dickinson as Chair of the Assembly Accountability and Administrative Review Committee. Assemblymember Dickinson remains as a member of the committee.

Appropriations

I have appointed Assemblymember Mike Gatto to replace Assemblymember Felipe Fuentes as Chair of the Assembly Appropriations Committee. Assemblymember Fuentes remains as a member of the committee.

Arts, Entertainment, Sports, Tourism and Internet Media

I have appointed Assemblymember Mike Davis to replace Assemblymember Nora Campos as Chair of the Assembly Arts, Entertainment, Sports, Tourism and Internet Media Committee.

Banking and Finance

I have appointed Assemblymember Roger Dickinson to replace Assemblymember Mike Eng as Chair of the Assembly Banking and Finance Committee.

Budget Subcommittee No. 1 on Health and Human Services

I have appointed Assemblymember Roger Dickinson to replace Assemblymember Bill Monning on the Assembly Budget Subcommittee No. 1 on Health and Human Services.

Budget Subcommittee No. 3 on Resources and Transportation

I have appointed Assemblymember Jared Huffman to replace Assemblymember Rich Gordon as Chair of the Assembly Budget Subcommittee No. 3 on Resources and Transportation. Assemblymember Gordon remains as a member of the committee.

Budget Subcommittee No. 4 on State Administration

I have appointed Assemblymember Bill Monning to replace Assemblymember Joan Buchanan as Chair of the Assembly Budget Subcommittee No. 4 on State Administration. Assemblymember Buchanan will remain as a member of the committee replacing Assemblymember Roger Dickinson.

Budget Subcommittee No. 6 on Budget Process, Oversight and Program Evaluation

I have appointed Assemblymembers Jared Huffman and Bill Monning to replace Assemblymembers Joan Buchanan and Rich Gordon on the Assembly Budget Subcommittee No. 6 on Budget Process, Oversight and Program Evaluation.

Business, Professions and Consumer Protection

I have appointed Assemblymember Rich Gordon to replace Assemblymember Mary Hayashi as Chair of the Assembly Business, Professions and Consumer Protection Committee. Assemblymember Hayashi remains as a member of the committee. Assemblymembers Susan Bonilla and Nora Campos have been appointed to the committee. Assemblymembers Mike Eng, Jerry Hill and Fiona Ma have been removed from the committee.

Education

I have appointed Assemblymember Joan Buchanan to replace Assemblymember Julia Brownley as Chair of the Assembly Education Committee. Assemblymember Brownley remains as a member of the committee.

Environmental Safety and Toxic Materials

I have appointed Assemblymember Luis Alejo to replace Assemblymember Bob Wieckowski as Chair of the Assembly Environmental Safety and Toxic Materials Committee.

Governmental Organization

I have appointed Assemblymember Roger Hernández to replace Assemblymember Cathleen Galgiani on the Assembly Governmental Organization Committee.

Health

I have appointed Assemblymember Richard Pan to replace Assemblymember Bill Monning as Chair of the Assembly Health Committee. Assemblymember Monning remains as a member of the committee.

Higher Education

I have appointed Assemblymember Das Williams to replace Assemblymember Marty Block as Chair of the Assembly Higher Education Committee.

Housing and Community Development

I have appointed Assemblymember Tony Mendoza to replace Assemblymember Toni Atkins as Vice Chair of the Assembly Housing and Community Development Committee. Assemblymember Atkins remains as a member of the committee. Assemblymember Gilbert Cedillo has been removed from the committee.

Insurance

I have appointed Assemblymember Henry Perea to replace Assemblymember Jose Solorio as Chair of the Assembly Insurance Committee. I have appointed Assemblymember Holly Mitchell to replace Assemblymember Mary Hayashi.

Judiciary

I have appointed Assemblymember Bob Wieckowski to replace Assemblymember Mike Feuer as Chair of the Assembly Judiciary Committee. Assemblymember Feuer remains as a member of the committee. I have appointed Assemblymember Luis Alejo to replace Assemblymember Toni Atkins.

Local Government

I have appointed Assemblymember Nora Campos to replace Assemblymember Luis Alejo as Vice Chair of the Assembly Local Government Committee. Assemblymember Alejo remains as a member of the committee.

Public Employees, Retirement and Social Security

I have appointed Assemblymember Michael Allen to replace Assemblymember Warren Furutani as Chair of the Assembly Public Employees, Retirement and Social Security Committee. Assemblymember Furutani remains as a member of the committee.

Public Safety

I am removing the Democratic vacancy on the Assembly Public Safety Committee, decreasing the membership from 7 to 6 members.

Revenue and Taxation

I have appointed Assemblymember Felipe Fuentes to replace Assemblymember Henry Perea as Chair of the Assembly Revenue and Taxation Committee. Assemblymember Perea remains as a member of the committee.

Rules

I have appointed Assemblymembers Julia Brownley, Mike Eng, Mike Feuer and Warren Furutani to replace Assemblymembers Luis Alejo, Mike Davis, Ben Hueso, and Das Williams on the Assembly Rules Committee. Assemblymember Mary Hayashi has been appointed as Democratic Alternate replacing Assemblymember Tony Mendoza.

Transportation

I have appointed Assemblymember Tom Ammiano to replace Assemblymember Susan Bonilla on the Assembly Transportation Committee.

Utilities and Commerce

I have appointed Assemblymembers Susan Bonilla and Das Williams to replace Assemblymembers Warren Furutani and Jared Huffman on the Assembly Utilities and Commerce Committee.

Water, Parks and Wildlife

I have appointed Assemblymember Ben Hueso to replace Assemblymember Jared Huffman as Chair of the Assembly Water, Parks and Wildlife Committee. Assemblymember Huffman remains as a member of the committee.

Legislative Ethics

I have appointed Assemblymember Jose Solorio to replace Assemblymember Richard Pan as Co-Chair of the Assembly Legislative Ethics Committee.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Housing and Community Development, on Wednesday, August 15, 2012, at 9 a.m., in Room 126.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 8, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 43

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered returned to third reading file.

Assembly Chamber, August 8, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 2564

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, August 8, 2012

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 21

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

August 8, 2012

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 1318

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

FUENTES, Chair

SENATE BILL NO. 1318—An act to add Sections 1228.3, 1228.5, and 1288.65 to, and to repeal and add Section 1288.7 of, the Health and Safety Code, relating to infectious diseases.

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.

August 8, 2012

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

Assembly Concurrent Resolution No. 161

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

FUENTES, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 161—Relative to food literacy awareness 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 Governmental Organization

Date of Hearing: August 8, 2012

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 383

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

HALL, Chair

Above bill ordered to second reading.

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

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

Senate Bills Nos. 210, 1434, 1191, 874, and 12, ordered to third reading.

ADJOURNMENT

At 4:50 p.m., the Assembly adjourned until 9 a.m., Thursday, August 9, 2012.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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

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

ACR RN

161 1221301

SB RN

1318 1221004

Daily Total: 2

Cumulative Total: 4464

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