

# Annotated Guide to the Assembly Daily Journal



THIS PUBLICATION CONTAINS A  
“MOCK” ASSEMBLY JOURNAL WITH  
ANNOTATIONS

September 25, 2012

Dec. 3, 2012

ASSEMBLY JOURNAL

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CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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## ASSEMBLY DAILY JOURNAL

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Monday, December 3, 2012

FIRST SESSION DAY

FIRST 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.

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

## Assembly Journal – Official Record

Pursuant to the provisions of Joint Rules 14 and 15, and the State Constitution, Article IV, Sec. 7(b), the Assembly Daily Journal chronicles the proceedings of the Assembly as the official record of the House.

## Attendance Roll Call

The Members' attendance roll call is illustrated here and shows the time at which the quorum was established.

## PARLIAMENTARY NOTE

A majority of the membership constitutes a quorum. No official actions may be taken on a bill at any time in the absence of a quorum.

A minimum of 41 Members is necessary to begin conducting business on the Floor.

### PROCEEDINGS OF THE ASSEMBLY

#### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, December 6, 2012

The Assembly met at 2 p.m.  
Hon. Nora Campos, Speaker pro Tempore of the Assembly, presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Reading Clerk Timothy Morland reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Gordon moved a quorum call of the Assembly.  
Motion carried. Time, 2 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

#### Quorum Present

At 2:05 p.m., Speaker pro Tempore Campos declared a quorum of the Assembly present. The roll call was completed, and the following answered to their names—80:

Achadjian	Debabneh	Harkey	Perea
Alejo	Dahle	Roger Hernández	John A. Pérez
Allen	Daly	Holden	V. Manuel Pérez
Ammiano	Dickinson	Jones	Quirk
Atkins	Donnelly	Jones-Sawyer	Quirk-Silva
Bigelow	Eggman	Levine	Rendon
Bloom	Fong	Linder	Ridley-Thomas
Bocanegra	Fox	Logue	Rodriguez
Bonilla	Frazier	Lowenthal	Salas
Bonta	Beth Gaines	Maienshein	Skinner
Bradford	Garcia	Mansoor	Stone
Brown	Gatto	Medina	Ting
Buchanan	Gomez	Melendez	Wagner
Ian Calderon	Gonzalez	Mullin	Waldron
Campos	Gordon	Muratsuchi	Webber
Chau	Gorell	Nazarian	Wieckowski
Chávez	Gray	Nestande	Wilk
Chesbro	Grove	Olsen	Williams
Conway	Hagman	Pan	Yamada
Cooley	Hall	Patterson	Vacancy

## Opening Business

The prayer and pledge of allegiance to the Flag are the first orders of business on a Floor Session.

## Session Absences

All absences are noted in the official record. Letters requesting a leave of absence are submitted to the Speaker at least one day prior to the absence.

## Explanations of Absence

Letters explaining absences on *legislative business* are printed in the Journal on the day of the excused absence.

### PRAYER

Upon invitation of Speaker Pérez, the following prayer was offered by Assembly Member Richard S. Gordon, of the 21st Assembly District:

*Lord, We gather today to consider the state of this place called California. We come here as representatives of the people of this place—the people who have given us the privilege of service. We reflect their diversity. May we also reflect in our deliberations their challenges and concerns—and their hopes and dreams. Lord, may we have the courage to ask the questions that will bring us wisdom and knowledge. May we have the patience to listen. May we stand firm against the rising tide of individualism as we seek the common good and common ground. And, may we accept with humility the responsibility that we have as the stewards of this time and of this place.—AMEN.*

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Campos, Assembly Member Chesbro then led the Assembly in the pledge of allegiance to the Flag.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Ian Calderon, seconded by Assembly Member Hagman.

### 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 Members Allen, Chesbro, Debabneh, Hall, Jones, Medina, and Yamada.*

*On personal business, and waiving per diem: Assembly Members Frazier, Garcia, Grove, Jones-Sawyer, Maienschein, and Williams.*

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

*Because of illness: Assembly Members Grove, Harkey, and Stone.*

### EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

December 21, 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 on Thursday, February 14, 2012 due to legislative business in my district.

Sincerely,

MATTHEW DEBABNEH, Assembly Member  
Forty-fifth District

## Communications

Communications from the Speaker relative to the creation of Standing, Select, Joint, or Special Committees, or changes thereto, are printed in the Daily Journal under the Communications heading.

## Explanation of Votes

Pursuant to Assembly Rules 58.5 and 104, a Member may submit an explanation of vote to the Chief Clerk for entry in the Daily Journal. The explanation may not exceed 50 words in length and does not need to be submitted on the same day the vote was taken.

### COMMUNICATIONS

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

March 21, 2013

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

Dear Dotson: Please be advised that I have appointed Assemblymember Mark Stone to replace Assemblymember Jeff Gorell on the Assembly Judiciary Committee for the Tuesday, March 22 hearing only.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

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

### Explanation of Vote-Senate Bill No. 173

April 14, 2011

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

Dear Chief Clerk: On Thursday, April 14, 2011, due to events related to the Armenian Genocide Ceremony, I inadvertently did not vote for AB 173 (Gatto) which I coauthored. I respectfully request that the record reflect my vote as an "Aye" vote on the measure.

Sincerely,

KATCHO ACHADJIAN, Assembly Member  
Thirty-third District

## Messages from the Senate

Actions taken in the Senate on both Assembly and Senate measures are reported to this House and entered in the official record.

### MESSAGES FROM THE SENATE

Senate Chamber, July 11, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 64

Assembly Joint Resolution No. 11

GREGORY P. SCHMIDT, Secretary of the Senate

By Bernadette McNulty, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, July 11, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 316

Assembly Bill No. 340

Assembly Bill No. 384

Assembly Bill No. 390

Assembly Bill No. 413

Assembly Bill No. 606

Assembly Bill No. 619

Assembly Bill No. 690

Assembly Bill No. 1091

Assembly Bill No. 1357

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate

By Bernadette McNulty, Assistant Secretary

Above bills ordered to unfinished business file.

## Introduction of Bills

Bills are placed across the Desk for introduction and their First Reading. This is the first of the three required readings by title pursuant to Article IV, Sec. 8(b) of the State Constitution.

### → INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 258—Hagman (Coauthors: Atkins, Halderman, Mansoor, Perea, and Smyth).** An act to amend Section 121690 of the Health and Safety Code, relating to rabies.

**ASSEMBLY BILL NO. 259—Salas.** An act to amend Section 27701 of the Government Code, relating to a county public defender.

**ASSEMBLY BILL NO. 260—Chesbro.** An act to amend Section 15001 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 261—Dickinson.** An act to amend Sections 3712 and 3725 of the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 262—Harkey.** An act to amend Section 13200 of the Water Code, relating to the California regional water quality control boards.

**ASSEMBLY BILL NO. 263—Buchanan.** An act relating to school facilities.

**ASSEMBLY BILL NO. 264—Hagman.** An act to add Section 34251 to the Health and Safety Code, relating to transitional housing.

**ASSEMBLY BILL NO. 265—Ammiano.** An act to amend Section 1161 of the Code of Civil Procedure, relating to tenancies.

**ASSEMBLY BILL NO. 266—Ammiano.** An act relating to state government.

**ASSEMBLY BILL NO. 267—Skinner.** An act to add Section 924 to the Labor Code, relating to employment.

### → REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to Committee:

#### *Assembly*

<i>Bill No.</i>	<i>Committee</i>
<b>2114</b> _____	Ed.

#### *Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>139</b> _____	Rls.
<b>140</b> _____	Rls.
<b>141</b> _____	Rls.

#### *Assembly Joint*

<i>Resolution No.</i>	<i>Committee</i>
66 _____	Rls.

#### *Senate*

<i>Bill No.</i>	<i>Committee</i>
400 _____	Rev. & Tax.
677 _____	L. Gov.
1362 _____	H. & C.D.
1380 _____	L. Gov.
1381 _____	L. Gov.

## Original Bill Referrals

This order of business ratifies the actions of the Rules Committee relative to the assignment of bills to the appropriate policy committee.

## Author's Amendments

An author may amend his or her bill in committee as often as necessary **prior to the hearing** by submitting “pre-committee” author’s amendments to the Desk.

### → AUTHOR'S AMENDMENTS Committee on Human Services

March 14, 2011

Mr. Speaker: The Chair of your Committee on Human Services reports:  
Assembly Bill No. 313

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

STONE, Chair

**ASSEMBLY BILL NO. 313**—An act to add Section 1569.336 to the Health and Safety Code, relating to residential care facilities for the elderly.

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

March 14, 2011

Mr. Speaker: The Chair of your Committee on Rules reports:  
Assembly Concurrent Resolution No. 50

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

SKINNER, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 50**—Relative to Irish American Heritage 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

Reports of Standing Committees are reported to the Desk and recorded in the Daily Journal.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

Date of Hearing: March 14, 2011

Mr. Speaker: Your Committee on Rules reports:  
Assembly Concurrent Resolution No. 17  
House Resolution No. 9

With the recommendation: Be adopted.

WILK, Vice Chair

Above resolutions ordered to third reading.

#### Committee on Revenue and Taxation

Date of Hearing: March 7, 2011

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 233

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 Revenue and Taxation

Date of Hearing: March 7, 2011

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 138

With the recommendation: Do pass.

PEREA, Chair

Above bill ordered to second reading.

#### Committee on Revenue and Taxation

Date of Hearing: March 7, 2011

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 656

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.

PEREA, Chair

Above bill ordered to second reading.

### Adjourn in Memory Motion

Requests that the Assembly adjourn the day's session out of respect to the memory of a deceased individual (i.e., family member, district official, or state dignitary) must be submitted to the Minute Clerk at the Desk prior to Session.

The name of the deceased and his or her city of residence is entered in the Journal. Adjourn in Memory motions for presentation on the Floor must be approved by the Speaker prior to Session. The yellow Adjourn in Memory form must be legibly printed, and is available in the Chief Clerk's Office and at the Desk.

### Adjournment

The adjournment on the last page of the Daily Journal includes the names of all individuals for whom the Assembly adjourns in respect.

#### → ADJOURN IN MEMORY

Assembly Member Knight was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Specialist Matthew W. Ramsey, United States Army, resident of Quartz Hill.  
(Assembly Rule 45.5 suspended.)

#### ADJOURN IN MEMORY

Assembly Member Nestande was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Ryan Bonaminio, Riverside Police Department, resident of Riverside.  
(Assembly Rule 45.5 suspended.)

#### → ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 7 a.m., Tuesday, January 4, 2011, out of respect to the memory of Specialist Matthew W. Ramsey on motion of Officer Ryan Bonaminio on motion of Assembly Member Nestande; and motion of Assembly Members Nielsen, Calderon, and Wieckowski.

## Recesses for Special Ceremonies

The House is recessed to permit special guests and dignitaries on the Floor of the Assembly to address the House or for the presentation of a Member's Resolution. All relevant information and correct spelling of guests' names must be provided to the Speaker's Office for inclusion in the pre-Session guest document.

At 9:26 a.m., Assistant Speaker pro Tempore Mike Gatto,  
43rd District, presiding

### RECESS

By unanimous consent, at 9:33 a.m., Assistant Speaker pro Tempore Gatto declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Ammiano and Ma introduced Larry Baer, President and Chief Operating Officer, and Bill Neukom, Managing General Partner and Chief Executive Officer of the San Francisco Giants Baseball Team. Assembly Member Ammiano presented a Member's Resolution congratulating the San Francisco Giants on winning the 2010 World Series, and extending best wishes of the Assembly for continued success in the future.

Also introduced were Staci Slaughter, Senior Vice President, Communications; Shana Daum, Director of Public Affairs; Missy Mikulecky, Director of Team Photography and Archives; Nathan Nayman, and Paul Russinoff.

### RECONVENED

At 9:36 a.m., the Assembly reconvened.

Hon. Mike Gatto, Assistant Speaker pro Tempore of the Assembly, presiding.

## Motions to Re-refer Bills

Amendments may change the subject matter of a bill, making it more aligned with the jurisdiction of another policy committee.

Pursuant to Assembly Rule 96, a motion to re-refer a bill or resolution from one committee to another committee can be made during the regular order of business.

## Request to Print in Journal

Permission of the House is required to print a statement of clarification or legislative intent in the Journal pursuant to Assembly Rule 42(c).

There are no limits to the length of text.

### RE-REFERENCE OF BILLS PURSUANT TO ASSEMBLY RULE 96

Assembly Member Allen was granted unanimous consent that the following bills be re-referred as noted pursuant to Assembly Rule 96:

Assembly Bill No. 467 from the Committee on Water, Parks and Wildlife to the Committee on Environmental Safety and Toxic Materials;

Assembly Bill No. 628 from the Committee on Water, Parks and Wildlife to the Committee on Transportation;

Assembly Bill No. 741 from the Committee on Natural Resources to the Committee on Local Government.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Charles Calderon was granted unanimous consent that the following statements of legislative intent be printed in the Journal:

#### Legislative Intent—Assembly Bill No. 501

September 8, 2011

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

RE: Assembly Bill 501

Dear Mr. Wilson: It is my intent to clarify the intended application of AB 501 to public agency risk pools formed as separate public agencies pursuant to Government Code Section 6500, et seq. and that provide indemnity protection and related services to public agencies and their employees pursuant to Government Code Section 990.8.

Unless the risk pool provides primarily educational services for students that are primarily performed by a school district, county board of education, or county superintendent of schools, or other educational agency, it is not the intent or purpose that AB 501 provisions apply to public agency risk pools, the risk pool employees or risk pool operations.

Sincerely,

NORA CAMPOS, Assembly Member  
Twenty-third District

## Second Reading

All bills favorably reported from committee, with or without amendments (i.e., “Do pass, as amended” or “Do pass”), are placed upon the *Second Reading File* on the next legislative day, whereupon the recommendations of the committee are normally ratified by the House.

The second reading of the bill by title satisfies the second of the three required readings by title pursuant to Article IV, Sec. 8(b) of the State Constitution.

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

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 456, ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**ASSEMBLY BILL NO. 1105**—An act to amend Section 149.6 of the Streets and Highways Code, and to amend Section 21460 of the Vehicle Code, relating to transportation.

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

**ASSEMBLY BILL NO. 607**—An act to amend Section 375 of, and to add and repeal Section 25353.1 of, the Vehicle Code, relating to vehicles.

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

**ASSEMBLY BILL NO. 143**—An act to amend Section 49076 of the Education Code, relating to pupil records.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 559**—An act to amend Section 1033 of the Code of Civil Procedure, relating to civil actions.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1303**—An act to amend Sections 25740.5 and 25742 of the Public Resources Code, and to amend Section 399.8 of the Public Utilities Code, relating to energy resources.

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 Natural Resources.

## Unfinished Business

Assembly bills which were amended in the Senate are placed upon the *Unfinished Business File* for concurrence in Senate amendments when they are returned to this House. The Assembly votes on whether to concur or non-concur in the amendments made by the Senate.

A vote to non-concur places the bill in a two-house Conference Committee where further amendments may be proposed. A vote to concur in Senate amendments sends the bill to Enrollment for presentation to the Governor.

### CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS CONSIDERATION OF SENATE AMENDMENTS

**ASSEMBLY BILL NO. 943 (Williams)**—An act to amend Sections 22013, 22014, and 22034 of the Public Contract Code, relating to public contracts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

#### AYES—79

Achadjian	Debabneh	Harkey	Perea
Alejo	Dahle	Roger Hernández	John A. Pérez
Allen	Daly	Holden	V. Manuel Pérez
Ammiano	Dickinson	Jones	Quirk
Atkins	Donnelly	Jones-Sawyer	Quirk-Silva
Bigelow	Eggman	Levine	Rendon
Bloom	Fong	Linder	Ridley-Thomas
Bocanegra	Fox	Logue	Rodríguez
Bonilla	Frazier	Lowenthal	Salas
Bonta	Beth Gaines	Maienshein	Skinner
Bradford	Garcia	Mansoor	Stone
Brown	Gatto	Medina	Ting
Buchanan	Gomez	Melendez	Wagner
Ian Calderon	Gonzalez	Mullin	Waldron
Campos	Gordon	Muratsuchi	Webber
Chau	Gorell	Nazarian	Wieckowski
Chávez	Gray	Nestande	Wilk
Chesbro	Grove	Olsen	Williams
Conway	Hagman	Pan	Yamada
Cooley	Hall	Patterson	

#### NOES—None

Bill ordered enrolled.

## Unfinished Business

The *Unfinished Business File* also includes Motions to Reconsider, Consideration of Governor's Vetoes, Conference Committee Reports, Special Orders of Business, and certain other motions.

### UNFINISHED BUSINESS MOTION TO RECONSIDER SENATE BILL NO. 16 Request for Unanimous Consent

In compliance with a motion given on a previous day, Assembly Member V. Manuel Pérez requested unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 16 was refused adoption.

Assembly Member Hagman withheld unanimous consent.

#### Motion to Reconsider

Assembly Member V. Manuel Pérez moved that the vote be reconsidered whereby the urgency clause to Senate Bill No. 16 was refused passage.

Senate Bill No. 16 reconsidered by the following vote:

#### AYES—60

Achadjian	Debabneh	Harkey	Perea
Alejo	Dahle	Roger Hernández	John A. Pérez
Allen	Daly	Holden	V. Manuel Pérez
Ammiano	Dickinson	Jones	Quirk
Atkins	Donnelly	Jones-Sawyer	Quirk-Silva
Bigelow	Eggman	Levine	Rendon
Bloom	Fong	Linder	Ridley-Thomas
Bocanegra	Fox	Logue	Rodríguez
Bonilla	Frazier	Lowenthal	Salas
Bonta	Beth Gaines	Maienshein	Skinner
Bradford	Garcia	Mansoor	Stone
Brown	Gatto	Medina	Ting
Buchanan	Gomez	Melendez	Wagner
Ian Calderon	Gonzalez	Mullin	Waldron
Campos	Gordon	Muratsuchi	Webber

#### NOES—19

Chau	Gorell	Nazarian	Wieckowski
Chávez	Gray	Nestande	Wilk
Chesbro	Grove	Olsen	Williams
Conway	Hagman	Pan	Yamada
Cooley	Hall	Patterson	

#### Further Consideration of Senate Bill No. 16

**SENATE BILL NO. 16 (Rubio)**—An act to add Section 2099.20 to the Fish and Game Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member V. Manuel Pérez.

The roll was opened.

#### Call of the Assembly

Pending the announcement of the vote, Assembly Member V. Manuel Pérez moved a call of the Assembly.

Motion carried. Time, 1:31 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

## Third Reading

Bills are taken up for consideration on the *Third Reading File* for the last of the three required readings by title pursuant to Article IV, Sec. 8(b) of the State Constitution. This is where the bills are debated upon their merits, and voted upon.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**ASSEMBLY BILL NO. 228 (Fuentes)**—An act to amend Section 11873 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read third time, and passed by the following vote:

#### AYES—79

Achadjian	Debabneh	Harkey	Perea
Alejo	Dahle	Roger Hernández	John A. Pérez
Allen	Daly	Holden	V. Manuel Pérez
Ammiano	Dickinson	Jones	Quirk
Atkins	Donnelly	Jones-Sawyer	Quirk-Silva
Bigelow	Eggman	Levine	Rendon
Bloom	Fong	Linder	Ridley-Thomas
Bocanegra	Fox	Logue	Rodriguez
Bonilla	Frazier	Lowenthal	Salas
Bonta	Beth Gaines	Maienshein	Skinner
Bradford	Garcia	Mansoor	Stone
Brown	Gatto	Medina	Ting
Buchanan	Gomez	Melendez	Wagner
Ian Calderon	Gonzalez	Mullin	Waldron
Campos	Gordon	Muratsuchi	Webber
Chau	Gorell	Nazarian	Wieckowski
Chávez	Gray	Nestande	Wilk
Chesbro	Grove	Olsen	Williams
Conway	Hagman	Pan	Yamada
Cooley	Hall	Patterson	Vacancy

#### NOES—None

Bill ordered transmitted to the Senate.

## Parliamentary Note

The *previous question* may be demanded by five Members and, if sustained, debate is closed and the roll is opened on the question before the Body.

## Move a Call

A *Call of the Assembly* may be placed, which delays the announcement of the vote and puts the vote on the measure in a pending status to give Members on either side of the pending question an opportunity to gather additional votes.

## Parliamentary Note

A call must be dispensed with prior to adjournment of that day's Floor session.

### THIRD READING OF SENATE BILLS

**SENATE BILL NO. 1136 (Kopp)**-An act to amend Sections 210, 21455.5, 22451, and 40518 of, and to repeal Sections 210, 22451, and 40518 of the Vehicle Code, relating to vehicles.

Bill read third time, and presented by Assembly Member Perata.

#### → Demand for Previous Question

Assembly Members Morrissey, Escutia, Battin, Shelley, and Davis demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was opened.

#### → Call to the Assembly

Pending the announcement of the vote, Assembly Member Perata moved a call of the Assembly.

Motion carried. Time, 11:20 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

#### → CALL OF THE ASSEMBLY DISPENSED WITH ON

##### SENATE BILL NO. 1136

At 12:28 p.m., on motion of Assembly Member Thompson, and in the absence of any Objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1136 refused passage by the following vote:

##### AYES-37

Alquist	Frusetta	Migden	Thomson
Aroner	Gallegos	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Brown	Honda	Ortiz	Washington
Cedillo	Keeley	Perata	Wayne
Davis	Knox	Scott	Wright
Ducheny	Kuehl	Shelley	Mr. Speaker
Escutia	Lempert	Strom-Martin	
Figueroa	Martinez	Sweeney	
Floyd	Mazzoni	Takasugi	

##### NOES-30

Ackerman	Bowler	Machado	Prenter
Aguiar	Campbell	Margett	Pringle
Alby	Cardoza	McClintock	Richter
Ashburn	Firestone	Miller	Thompson
Baldwin	Granlund	Morrissey	Wildman
Battin	House	Olberg	Woods
Baugh	Leach	Oller	
Bordonaro	Leonard	Poochigian	

## Point of Order

Point of Order is a parliamentary device used by a Member to bring attention to a possible violation of the Rules. The Presiding Officer rules on the validity of the Point of Order by stating either the point is “well-taken” or “not well-taken.”

## Parliamentary Inquiry

A Member may address a question relative to parliamentary procedure to the Presiding Officer.

### Point of Order

Assembly Member Ian Calderon arose to the following point of order:  
That all Members limit their comments to the subject matter before the Body.

### Ruling by Speaker pro Tempore Campos

The Speaker pro Tempore ruled the point of order well-taken.

### PARLIAMENTARY INQUIRY

Assembly Member Jeffries arose to the following parliamentary inquiry:  
Is it correct that the Rules allow a Member to refer to notes without permission, but must request permission to read a paper?

### Reply by Speaker pro Tempore Campos

The Speaker pro Tempore replied in the affirmative and reiterated that pursuant to Assembly Rule 112, authors presenting bills and Members arising to speak on bills are required to request permission to read statements during debate; however they may refer to notes.

## Vote Changes

In the absence of objection, prior to adjournment of Session, Members may change their vote on a roll call vote taken on the same legislative day as long as this action does not change the outcome of the bill.

The vote change must be announced on the Floor and validated with the Member's signature on the roll call at a Vote Kiosk in the Chamber. Both steps must be completed before the vote change can be processed and recorded. Each vote change is noted below the recorded ballot in the Journal.

## Vote Adds

In the absence of objection, prior to adjournment of Session, any Member may add their vote to any roll call vote taken on the same legislative day, provided the vote does not change the outcome of the bill.

The Member must sign the roll call at a Vote Kiosk in the Chamber. The list of *Vote Adds* for that legislative day is recorded separately in the Journal.

### CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 468

At 7:49 p.m., on motion of Assembly Member Wayne, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 468 by the following vote:

AYE-60			
Alquist	Floyd	Machado	Shelley
Baca	Frusetta	Margett	Strom-Martin
Bordonaro	Granlund	Martinez	Sweeney
Bowen	Havice	Mazzoni	Thomson
Bustamante	Hertzberg	Migden	Torlakson
Cardenas	Honda	Morrissey	Vincent
Cardoza	House	Murray	Washington
Cedillo	Keeley	Napolitano	Wayne
Cunneen	Knox	Ortiz	Wildman
Davis	Kuehl	Papan	Wright
Ducheny	Kuykendall	Perata	Mr. Speaker
Escutia	Leach	Richter	
Figueroa	Lempert	Scott	

#### → Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 468. Assembly Member Bordonaro, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

#### → VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following Items:

**Assembly Bill No. 2389, Concurrence:** Allen, Davis, Fuentes, Furutani, Galgiani, Hall, Hayashi, Mendoza, and Portantino-Aye; Achadjian, Bill Berryhill, Fletcher, Nestande, Nielsen, and Norby-No.

**Senate Concurrent Resolution No. 97:** Atkins, Block, Blumenfield, Davis, Galgiani, Grove, Hall, Lara, Logue, Pan, Smyth, Solorio, and Torres-Aye.

**Senate Bill No. 124 and Urgency:** Jeffries, Miller, and Nestande-Aye.

**Senate Bill No. 1148, Allen Motion to Suspend Joint Rule 62(a):** Campos, Galgiani, and Hall-Aye; Jeffries, Miller, and Olsen-No.

## Consent Calendar

Upon recommendation from the Standing Committee, measures are placed upon the *Consent Calendar* if they are noncontroversial and have never received a “No” vote. The *Consent Calendar* process enables the House to take a single vote to pass numerous uncontested bills and resolutions without debate.

### CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

#### Consent Calendar—Assembly Bills

**ASSEMBLY BILL NO. 619 (Halderman)**—An act to amend Sections 4600, 4600.5, 4601, 4601.2, 4601.3, 4601.4, 4602, 4602.5, 4603, 4603.1, 4603.5, 4604, 4612, and 4615 of, and to add Sections 4603.7 and 4616 to, the Business and Professions Code, relating to massage therapy.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day’s  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1279 (Fletcher)**—An act to amend Section 4827 of the Business and Professions Code, to amend Sections 1834.6, 1834.7, 1846, and 1847 of the Civil Code, to amend Sections 17003, 31607, 31621, 31622, 32001, and 32003 of the Food and Agricultural Code, to amend Sections 121916 and 122322 of the Health and Safety Code, and to amend Sections 597, 597.1, 597.2, 597e, 597f, 597u, 597v, and 599e of the Penal Code, relating to animal shelters.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day’s  
Consent Calendar roll call.)*

#### Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

#### AYES—70

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

#### NOES—None

Submit all guest information to the Speaker's Office for inclusion in the pre-Session guest information document and for printing in that day's Journal.

#### **INTRODUCTION OF GUESTS**

Assembly Member Garrick, of the 74th Assembly District, introduced Julie Hegyi, his Legislative Director, and her grandmother, Sylvia Delgado.

Assembly Member Chesbro, of the 1st Assembly District, introduced Mark Wheatley, Council Member from the City of Arcata.

Assembly Member Mendoza, of the 56th Assembly District, introduced Juanita Trujillo, Council Member from the City of Santa Fe Springs.

Assembly Member Perea, of the 31st Assembly District, introduced Alison Rodriguez.

Assembly Member Gaines, of the 4th Assembly District, and Assembly Member Pan, of the 5th Assembly District, introduced the eighth-grade class from Willma Cavitt Junior High School, accompanied by their teacher, Ed Seaman.

#### **ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Allen, the Assembly adjourned until 12 noon, Tuesday, July 5, 2011, out of respect to the memory of Richard Patterson on motion of Assembly Member Beall; out of respect to the memory of Lance Corporal Jared C. Verbeek, United States Marine Corps on motion of Assembly Member Conway; out of respect to the memory of Reverend George Lee Johnson on motion of Assembly Member Halderman; out of respect to the memory of Gladys Wesson-Strickland on motion of Speaker Pérez and Assembly Member Davis; and out of respect to the memory of Ellis M. Cogdill, Jr. on motion of Assembly Member Olsen.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

## Daily Amendments

A complete list of all amendments considered by the House, listed in bill number order with the corresponding Legislative Counsel Request Number (RN), is printed on the last page of each day's Journal.

The daily total of measures amended and a cumulative Session total are included at the bottom of the page.

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON AUGUST 9, 2010

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

<b>ACR RN</b>	<b>SB RN</b>
181 1021931	1139 1021516
	1192 1021431
<b>AJR RN</b>	1240 1021425
44 1021113	1250 1021544
	1271 1021161
<b>HR RN</b>	1317 1021458
31 1020109	1320 1021096
	1330 1018188
<b>SB RN</b>	1348 1020256
156 1014264	1371 1021453
228 1021286	1426 1021432
330 1020702	1473 1021114
427 1020920	
435 1021434	<b>SCR RN</b>
623 1021645	83 1020253
846 1021472	
849 1019363	<b>SJR RN</b>
971 1020761	29 1019287
1128 1019998	
	<b>Daily Total: 27</b>
	<b>Cumulative Total: 4608</b>