

ANNOTATED GUIDE TO THE ASSEMBLY DAILY FILE



**THIS PUBLICATION CONTAINS A "MOCK"
ASSEMBLY DAILY FILE WITH ANNOTATIONS
EXPLAINING THE LEGISLATIVE PROCESS AS IT
RELATES TO FLOOR SESSION**

September 25, 2012

No. 1

CALIFORNIA LEGISLATURE
AT SACRAMENTO
2013-14 REGULAR SESSION

ASSEMBLY DAILY FILE



Speaker

Speaker pro Tempore

Majority Floor Leader

Minority Floor Leader

Chief Clerk

Daily File Clerk

ASSEMBLY CONVENES AT 12 NOON
MONDAY, DECEMBER 3, 2012
FIRST SESSION DAY
FIRST CALENDAR DAY

(Please report any errors or omissions in this publication to Daily File Clerk;
Phone 916-319-2360)

The headings in the **Table of Contents** will change daily. Consult this page for easy reference.

TABLE OF CONTENTS

TABLES	
Assembly Order of Business	3
Legislative Calendar	4
Schedule of Standing Committees	5
Standing Committee Membership	6
30-Day Print Rule (Joint Rule 55)	7
COMMITTEE HEARINGS	
Committee Hearing Notices	8
SPECIAL ORDER OF BUSINESS	9
SECOND READING	
Assembly Measures	10
UNFINISHED BUSINESS	
Concurrence in Senate Amendments	12
Conference Reports Pending	15
Motions to Reconsider	16
Governor's Vetoes	18
Notices of Intention to Remove Bills from Inactive File	19
THIRD READING	
Assembly Measures	20
CONSENT CALENDAR – 1ST LEGISLATIVE DAY	
Assembly Measures	25
CONSENT CALENDAR – 2ND LEGISLATIVE DAY	
Assembly Measures	26
INACTIVE FILE	27
BILLS LISTED ON THE DAILY FILE (INDEX)	28

To find the location of a specific bill on the Daily File, look at the bill index in the back of the Daily File.

PARLIAMENTARY NOTE

The headings listed in the Table of Contents are in a predetermined order. This “Order of Business” on the Daily File is governed by **Assembly Rule 63**.

The measures listed on the Daily File must be called for consideration in the order in which they are listed. Although the House usually grants unanimous consent to skip around the agenda, any Member can demand the orders of the day (i.e., withhold unanimous consent to take up items out of order).

For instance, if the House just finished voting on File Item 5, and another Member wished to skip to File Item 300, it would take unanimous consent or 41 votes to skip to that item (see also page 3, “Order of Business”).

TABLE OF CONTENTS

TABLES	
Assembly Order of Business	3
Legislative Calendar	4
Schedule of Standing Committees	5
Standing Committee Membership	6
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COMMITTEE HEARINGS	
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SPECIAL ORDER OF BUSINESS	9
SECOND READING	
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Motions to Reconsider	16
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Notices of Intention to Remove Bills from Inactive File	19
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ASSEMBLY ORDER OF BUSINESS

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Messages from the Governor
8. Messages from the Senate
9. Motions and Resolutions
10. Business on the Daily File
11. Announcements
12. Adjournment

OFFICERS OF THE ASSEMBLY

Speaker

Speaker pro Tempore

Majority Floor Leader

Assistant Speaker pro Tempore

Minority Floor Leader

Chief Clerk

Chief Sergeant at Arms

Chaplain

The Assembly Order of Business organizes the proceedings of the house in an orderly manner. Each segment is sequentially taken up before moving on to the next order of the day.

ORDER OF BUSINESS NOTES

The Body must adhere to the **Order of Business**, or suspend the rules to take up items out of order.

Assembly Rules 40, 41, and 63 enumerate the order that business must be transacted on the Floor, and the order in which items are to be taken up on the Daily File.

PARLIAMENTARY NOTE

“Suspending the Order of Business”

If a Member wished to offer a motion to print a letter in the Journal, such a motion would have to be made while the House was considering “Motions and Resolutions” (see **Order of Business** No. 9).

If the Body had already moved on to “Business on the Daily File” (**Order of Business** No. 10), the Member would have to ask for unanimous consent to return to “Motions and Resolutions” for the purpose of offering a motion to print the letter in the Journal.

If unanimous consent was denied, the Member would have to move to suspend the rules (majority of the Members) to go back to the proper **Order of Business** so that the desired motion could be made.

However, the Speaker may permit the presentation of a resolution or adjournment memorial at any time he or she determines it would expedite the business of the house (A.R. 40(b)).

ASSEMBLY ORDER OF BUSINESS

1. Roll Call
2. Prayer by the Chaplain
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Majority Floor Leader

Assistant Speaker pro Tempore

Minority Floor Leader

Chief Clerk

Chief Sergeant at Arms

Chaplain

Prepared by the Office of the Chief Clerk
October 2012

General Provisions/Exemptions Relating to Joint
Rule 61 Deadlines

1. Bills acted upon by a committee deadline for which amendments are recommended have two legislative days after that deadline during which they may be reported (J.R. 61(c)).
2. Rules Committees are exempted from these deadlines (J.R. 61(f)).
3. Assembly Bills which are returned to the Assembly with Senate amendments and subsequently referred to an Assembly committee (pursuant to J.R. 26.5 or A.R. 77.2) are exempted from these deadlines (J.R. 61(g), J.R. 61(h)).
4. A policy committee or fiscal committee may meet for the purpose of hearing and reporting a constitutional amendment, or a bill which would go into immediate effect pursuant to Section 8 of Article IV of the Constitution at any time other than those periods when no committee may meet for any purpose (J.R. 61(i)).
5. Joint and Concurrent Resolutions are exempted from these deadlines (J.R. 6).

TENTATIVE 2013 CALENDAR-FIRST YEAR OF BIENNIUM
2013-2014 SESSION

- | | |
|---------|---|
| Jan. 1 | -Statutes take effect (Art. IV, Sec. 8(c)). |
| Jan. 5 | -Legislature reconvenes (J.R. 51(a)(1)). |
| Jan. 10 | -Budget must be submitted by Governor on or before this date (Art. IV, Sec. 12(a)). |
| Jan. 30 | -Last day to submit bill requests to the Office of Legislative Counsel. |
| Feb. 27 | -Last Day to introduce bills (J.R. 61(a)(1)). |
| Apr. 2 | - Spring Recess begins upon adjournment (J.R. 51(a)(2)). |
| Apr. 13 | -Legislature reconvenes from Spring Recess (J.R. 51(a)(2)). |
| May 1 | -Last day policy committees to hear and report Assembly fiscal bills for referral to fiscal committees (J.R. 61(a)(2)). |

The deadlines for the **legislative calendar** are established primarily by Joint Rules 51 and 61, the Constitution, and statutory law.

Some deadlines can be waived by a supermajority vote, and some cannot be suspended in any case.

In this example, a list of exemptions appears at the top of the page.

The **calendar** is usually 2-3 pages in length.

Each deadline is listed, along with relevant citations.

PARLIAMENTARY NOTE

Several bills die in committee each year because they are not acted upon prior to these deadlines. Thus, it is important to have bills voted out of committee in a timely fashion, if possible.

The rules would have to be suspended for a committee to hear a bill after a deadline.

In order for the Joint Rule deadlines to be waived for a particular bill, the following procedure is necessary: (1) the Rules Committee must pass a resolution to suspend the deadline for that bill; (2) the resolution must be passed on the Floor with at least 54 votes. At that point, the committee(s) named in the resolution can hear and/or report the bill even though the deadline has already passed.

General Provisions/Exemptions Relating to Joint Rule 61 Deadlines

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SCHEDULE OF ASSEMBLY COMMITTEE MEETINGS

MONDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
4:00 p.m.**	437	Banking and Finance
4:00 p.m.***	447	Elections and Redistricting
9:00 a.m.*	4202	Governmental Organization
4:00 p.m.***	127	Information Technology
9:00 a.m.***	447	International Trade and Development

TUESDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
9:00 a.m.**	447	Consumer Protection, Governmental Efficiency and Economic Development
1:30 p.m.***	444	Environmental Safety and Toxic Materials
1:30 p.m.*	4202	Health
1:30 p.m.**	437	Higher Education
1:30 p.m.***	437	Human Services
9:00 a.m.**	4202	Judiciary

MONDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
1:30 p.m.**	126	Agriculture
9:00 a.m.*	4202	Appropriations
!	4202	Budget
1:30 p.m.**	4202	Education
9:00 a.m.***	126	Housing and Community Development
9:00 a.m.*	437	Insurance
1:30 p.m.**	447	Labor and Employment

* Meets every week.
 ** Meets 1st and 3rd week of month as called at time indicated.
 *** Meets 2nd and 4th week of the month as called at time indicated.
 ! Upon call of the Chair.

The Speaker establishes the **committee schedule** for the legislative session (A.R. 26(a)(7)). This listing appears near the front section of the Daily File.

Committees wishing to meet in a different room, at a different time, or on a different day must obtain permission from the Speaker before setting the hearing (A.R. 56).

SCHEDULE OF ASSEMBLY COMMITTEE MEETINGS

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PARLIAMENTARY NOTE

Committees may hold informational hearings outside of the State Capitol, with permission of the Speaker (A.R. 56, J.R. 36 (a)(1)). However, the Joint Rules prohibit committees from taking action on bills outside Sacramento (J.R. 60(a)).

Additionally, no action may be taken on a bill when the Legislature is in Joint Recess (J.R. 60(c)).

* Meets every week.
 ** Meets 1st and 3rd week of month as called at time indicated.
 *** Meets 2nd and 4th week of the month as called at time indicated.
 ! Upon call of the Chair.

Standing Committee memberships are listed in the front section of the Daily File. Committees are established by Assembly Rules 11.

Committee room numbers, consultants' and secretaries' names, and phone numbers are included on this page.

The size of the committees are listed in parentheses next to the committees' names. This number is important in calculating a quorum, and in passing bills out of committee.

**STANDING COMMITTEES OF THE ASSEMBLY
"MOCK" FILE**

AGING AND LONG-TERM CARE (5)-Ford (Chair), Lincoln (Vice Chair), Dodge, Mercury, and Plymouth. Chief Consultant: John Doe. 1020 N Street, Room 152. Phone: 319-3990.

AGRICULTURE (9)-Smith (Chair), Jones (Vice Chair), Johnson, Green, Pepper, Salt, and 3 vacancies. Chief Consultant: John Deer. Committee Assistant: Joan Doe. Room 2141. Phone: 319-2141.

ASSIGNMENTS (21)-Brown (Chair), Doe (Vice Chair), Adams, Eisenhower, Garfield, Grant, Harrison, Hoover, Jackson, Jefferson, Johnson, Kennedy, Lincoln, McKinley, Polk, Roosevelt, Taylor, Tyler, Van Buren, Wilson, and 1 vacancy. Chief Consultant: D. Seuss. Room 2114. Phone 319-2081.

BUDGET AND FINANCE (9)-Garfield (Chair), Arthur (Vice Chair), Cleveland, Coolidge, Grant, Hayes, Johnson, and Madison. Secretary: Jane Blue. Room 3173. Phone: 319-2081.

COMMERCE (26)-Madison (Chair), Monroe (Vice Chair), Eisenhower, Fillmore, Ford, Garfield, Grant, Harding, Harrison, Hayes, Jackson, Jefferson, Johnson, Kennedy, Lincoln, McKinley, Pierce, Polk, Roosevelt, Taft, Taylor, Truman, Tyler, Van Buren, Washington, and Wilson. Chief Consultant: N. Armstrong. Secretary: Mary Jones. Room 6026. Phone 319-2099.

CONSUMER PROTECTION, GOVERNMENTAL EFFICIENCY AND ECONOMIC DEVELOPMENT (8)-Adams (Chair), Buchanan (Vice Chair), Cleveland, Fillmore, Pierce, Polk, Roosevelt, and Taft. Chief Consultant: Michael V. Abbott. Consultant: Robert Herrell. Secretary: W. Pell. Room 2013. Phone: 319-2089.

EDUCATION (19)-Einstein (Chair), Bell (Vice Chair), Edison, Franklin, Grant, Harding, Grant, Hayes, Jackson, Jefferson, Johnson, Kennedy, Lincoln, McKinley, Pierce, Polk, Roosevelt, and Taylor. Chief Consultant: W. Pell. Room 3123. Phone: 319-2087.

LEGISLATION, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS (7)-Cleveland (Chair), Hanover (Vice Chair), Apollo, Jones, Olympia, Minerva, and Zeus. Chief Consultant: Jon Jones. Room 5119. Phone: 319-2094.

ENVIRONMENTAL SAFETY AND TOXIC MATERIALS (8)-Ford (Chair), Harley (Vice Chair), Benz, Cadillac, Daimler, Davidson, Romeo, and Royce. Chief Consultant: Jane Doe. 1020 N Street, Room 171. Phone: 319-3965.

PARLIAMENTARY NOTE

“Establishing a Committee Quorum”

Likewise, a “quorum” is a majority of the committee membership (e.g., 12 members plus 2 vacancies=14 members total. Therefore, 8 members established a quorum. In other words, a vacancy does NOT change the quorum requirement.) No official business can be transacted until a quorum is present.

“Committee Vote Requirement”

Specifically, a majority vote of the **committee membership** is required to pass bills out of the committee. Therefore, if a committee has 10 members and 2 vacancies (i.e., a membership of 12 “slots”), it takes a minimum of 7 “aye” votes to pass a bill. If the same committee has all slots filled, it would still take 7 votes to pass a bill (Assembly Rule 57).

STANDING COMMITTEES OF THE ASSEMBLY MOCK FILE

AGING AND LONG-TERM CARE (5)-Ford (Chair), Lincoln (Vice Chair), Dodge, Mercury, and Plymouth. Chief Consultant: John Doe. 1020 N Street, Room 152. Phone: 319-3990.

AGRICULTURE (9)-Smith (Chair), Jones (Vice Chair), Johnson, Green, Pepper, Salt, and 3 vacancies. Chief Consultant: John Deer. Committee Assistant: Joan Doe. Room 2141. Phone: 319-2084.

APPROPRIATIONS (21)-Brown (Chair), Doe (Vice Chair), Adams, Eisenhower, Garfield, Hamilton, Harding, Harrison, Hoover, Jackson, Jefferson, Johnson, Kennedy, Lincoln, McKinley, Monroe, Roosevelt, Taylor, Tyler, Van Buren, Wilson, and 1 vacancy. Chief Consultant: D. Seuss. Secretary: Sam Iam. Room 2114. Phone 319-2081.

BANKING AND FINANCE (9)-Garfield (Chair), Arthur (Vice Chair), Cleveland, Coolidge, Fillmore, Grant, Hayes, Johnson, and Madison. Secretary: Jane Blue. Room 3173. Phone: 319-2081.

BUDGET (26)-Madison (Chair), Monroe (Vice Chair), Eisenhower, Fillmore, Ford, Garfield, Grant, Harding, Harrison, Hayes, Jackson, Jefferson, Johnson, Kennedy, Lincoln, McKinley, Pierce, Polk, Roosevelt, Taft, Taylor, Truman, Tyler, Van Buren, Washington, and Wilson. Chief Consultant: N. Armstrong. Secretary: Mary Jones. Room 6026. Phone 319-2099.

CONSUMER PROTECTION, GOVERNMENTAL EFFICIENCY AND ECONOMIC DEVELOPMENT (8)-Adams (Chair), Buchanan (Vice Chair), Cleveland, Fillmore, Pierce, Polk, Roosevelt, and Taft. Chief Consultant: Michael V. Abbott. Consultant: Robert Herrell. Secretary: Maria Brooks. Room 2013. Phone: 319-2089.

EDUCATION (19)-Einstein (Chair), Bell (Vice Chair), Edison, Franklin, Grant, Harding, Harrison, Hayes, Jackson, Jefferson, Johnson, Kennedy, Lincoln, McKinley, Pierce, Polk, Roosevelt, Taft, and Taylor. Chief Consultant: W. Pell. Room 3123. Phone: 319-2087.

ELECTIONS AND REDISTRICTING (7)-Paine (Chair), Hanover (Vice Chair), Apollo, Jones, Olympia, Minerva, and Zeus. Chief Consultant: Jon Jones. Room 5119. Phone: 319-2094.

ENVIRONMENTAL SAFETY AND TOXIC MATERIALS (8)-Ford (Chair), Harley (Vice Chair), Benz, Cadillac, Daimler, Davidson, Romeo, and Royce. Chief Consultant: Jane Doe. 1020 N Street, Room 171. Phone: 319-3965.

PRINT RULE TABLE-ASSEMBLY MEASURES, 2013-2014

JOINT RULE 55: No bill other than the Budget Bill may be heard or acted upon by committee or either house until the bill has been in print for 30 days.

Bill Number	31st Day in print	Bill Number	31st Day in print	Bill Number	31st Day in print
1	Jan. 5				
	Jan. 5				
	Jan. 7				
	Jan. 5				
	Jan. 6				
	Jan. 6				

Joint Rule 55 imposes a **30-day waiting period** after a bill has been printed. No action can be taken on a bill before this waiting period has elapsed.

The dates indicated are the earliest dates that the measures may be acted upon.

This **print table** should be consulted before attempting to set a bill for hearing. No hearing can be set on a bill until the **30 day waiting period** has expired.

The House can dispense with this requirement with approval of the Rules Committee, plus a two-thirds vote (54) of the Assembly.

PRINT RULE TABLE-ASSEMBLY MEASURES, 2013-2014

JOINT RULE 55: No bill other than the Budget Bill may be heard or acted upon by committee or either house until the bill has been in print for 30 days.

PARLIAMENTARY NOTE

Also note that the Constitution (Art. IV, Sec. 8(a)) mandates a **30-day waiting period** after a bill is introduced. The Constitutional requirement is usually waived at the same time as the **print rule**, as both requirements have substantially the same effect.

Bill Number	31st Day in print	Bill Number	31st Day in print	Bill Number	31st Day in print
1	Jan. 5				
2	Jan. 5				
3	Jan. 7				
4	Jan. 5				
5	Jan. 6				
6	Jan. 6				

PARLIAMENTARY NOTE

“Public Notice”

All Assembly Committees must provide proper **public notice** prior to holding hearings on legislation. **Joint Rule 62(a)** mandates that a notice be printed in the Daily File for a minimum of **4 days** prior to a hearing. Only **2 days** notice is required for a bill that has already been heard in another committee (see also A.R. 11.3(b) and J.R. 64).

“Suspending Public Notice”

By a majority vote, the Assembly may suspend the **file notice requirement** if necessary. To suspend the requirement as it relates to a particular bill, leadership on behalf of the committee chair asks, under Motions and Resolutions, for “unanimous consent to waive the file notice requirement for AB __ so that the ____ Committee can hear the bill on [date, day].”

COMMITTEE HEARINGS

MONDAY, JANUARY 26, 2013

NATURAL RESOURCES

EDISON, Chair
Room 437 – 1:30 p.m.

MEASURES WILL BE HEARD IN AUTHOR SIGN-IN ORDER

<i>Measure</i>	<i>Author</i>	<i>Summary</i>
A.B. No. 4300	Smith.	Land use.
A.B. No. 4450	Jones.	Conservation districts.
S.B. No. 5000	Paine.	Water conservation: dam constructions.

TRANSPORTATION

LINCOLN, Chair
Room 4202 – 1:30 p.m.

SPECIAL ORDER OF BUSINESS AT 2 P.M.
INFORMATIONAL HEARING ON SEISMIC RETROFITTING

REGULAR ORDER OF BUSINESS

<i>Measure</i>	<i>Author</i>	<i>Summary</i>
A.C.R. No. 300	White.	John Doe Memorial Highway.
A.B. No. 4000	Green.	Carpool lanes: funding. (Urgency)

CONSTRUCTION

A.B. No. 8000	Wall.	State Route 958: construction.
A.B. No. 8004	Hanover.	County road: assessments: bridge construction.

SMOG CHECK II

A.B. No. 4080	Grey.	Testing: gold shield stations.
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COMMITTEE HEARINGS

MONDAY, JANUARY 26, 2013

NATURAL RESOURCES

EDISON, Chair
Room 437 – 1:30 p.m.

MEASURES WILL BE HEARD IN AUTHOR SIGN-IN ORDER

<i>Measure</i>	<i>Author</i>	<i>Summary</i>
A.B. No. 4300	Smith.	Land use.
A.B. No. 4450	Jones.	Conservation districts.
S.B. No. 5000	Paine.	Water conservation: dam constructions.

TRANSPORTATION

LINCOLN, Chair
Room 4202 – 1:30 p.m.

SPECIAL ORDER OF BUSINESS AT 2 P.M.
INFORMATIONAL HEARING ON SEISMIC RETROFITTING

REGULAR ORDER OF BUSINESS

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A.B. No. 8000	Wall.	State Route 958: construction.
A.B. No. 8004	Hank.	County road: assessments: bridge construction.

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The committee name, room, hearing time, topic headings, and bills are listed in the file notice.

Hearings of Assembly standing committees, sub-committees, special committees, joint committees, and select committees are listed (by date) in this portion of the Daily File. Although most hearings are held at the State Capitol, out-of-town informational hearings will be listed here as well.

Committee agendas may change on a daily basis. Often, a bill may be listed for hearing and then pulled from the calendar the day before the hearing. The **2-day and 4-day file notice requirements (J.R. 62(a))** must, of course, be adhered to when bills are added to an agenda. However, sometimes the **file notice requirement** is waived by the House, so it is advisable to consult the Daily File on a daily basis to determine committee agendas.

Committees must be in possession of the bills prior to setting them for hearing (A.R. 56).

A **Special Order** is a bill or pending matter set for consideration by the house at a fixed time of day.

**SPECIAL ORDER OF BUSINESS
(THIRD READING)**

Item numbers change daily.

1

The bill number, author, and “relating clause” are listed first, followed by the vote requirement and bill history.

A.B. No. 2419–Hamilton.
An act relating to counties, and making an appropriation therefor, to take effect immediately, tax levy.

Vote required: 41

2012

- Dec. 5–Read first time. To print.
- Dec. 6–From printer. May be heard in committee Jan. 5.

2013

- Jan. 7–Referred to Com. on REV. & TAX.
- Jan. 9–From committee: Do pass as amended, but first amend, and re-refer to Com. on APPR. (Ayes 7. Noes 2.)
- Jan. 10–Read second time. Amended. Re-referred to Com. on APPR.
- Jan. 13–Withdrawn from committee. To second reading.
- Jan. 14–Read second time. To third reading.
- Jan. 21–Made special order for Friday, January 22, 2009, at 2:30 p.m.

History actions show what has happened to this Assembly Bill since it was introduced.

**SPECIAL ORDER OF BUSINESS
(THIRD READING)**

1

A.B. No. 2419–Hamilton.
An act relating to counties, and making an appropriation
therefore, to take effect immediately, tax levy.

Vote required: 41

2012

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2013

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- Jan. 9–From committee: Do pass as amended, but first amend,
and re-refer to Com. on APPR. (Ayes 7. Noes 2.)
- Jan. 10–Read second time. Amended. Re-referred to Com. on APPR.
- Jan. 13–Withdrawn from committee. To second reading.
- Jan. 14–Read second time. To third reading.
- Jan. 21–Made special order for Friday, January 22, 2009, at 2:30 p.m.

PARLIAMENTARY NOTE

Most special fund appropriations and some tax levies require only 41 votes for passage.

Tax levies that raise taxes require 54 votes.

Legislative Counsel determines vote requirements for bills.

54 votes are required to set a bill for **special order**, although it is usually done with unanimous consent at the request of leadership (A.R. 88).

ASSEMBLY SECOND READING FILE

2

A.B. No. 324–Filmore.

An act relating to state agencies.

Vote required: 41

2012

Dec. 8–Read first time. To print.

Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 11–Referred to Com. on G.O.

Jan. 21–From committee: Amend and do pass as amended.
(Ayes 7. Noes 3.)

3

A.B. No. 2289–Buchanan.

An act relating to automated teller machines.

Vote required: 41

2012

Dec. 8–Read first time. To print.

Dec. 9–From printer. May be heard in committee Jan. 8.

Com. on B. & F.

Dec. 21–From committee: Do pass. (Ayes 8. Noes 4.)

Second Reading is a procedural step in the legislative process. It is a listing of bills that have been “reported-out” from committees to the full House. The Assembly “ratifies” the committee recommendations when the clerk orally reads the **Second Reading File**, and the presiding officer announces the adoption of “all committee reports.” This technical process is almost always done by unanimous consent. Bills are NOT eligible for final passage at this stage.

Depending on the committee’s recommendation, the bill may appear on **Second Reading** for one or two days (A.R. 66, 67).

Bills with amendments appear for two days, while those reported-out simply “Do pass” stay on **Second Reading** one day, and then move to Third Reading, where they are eligible for final passage.



ASSEMBLY SECOND READING FILE

2

A.B. No. 324–Filmore.
An act relating to state agencies.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 11–Referred to Com. on G.O.
Jan. 21–From committee: Amend and do pass as amended.
(Ayes 7. Noes 3.)

3

A.B. No. 2289–Buchanan.
An act relating to automated teller machines.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 6–Referred to Com. on B. & F.
Jan. 21–From committee: Do pass. (Ayes 8. Noes 4.)

PARLIAMENTARY NOTE
“Committee Amendments”

Committees do NOT amend bills. When a committee “passes” a bill with amendments, it is actually RECOMMENDING amendments to the House. The Assembly routinely adopts the amendments by unanimous consent during **Second Reading**.

ASSEMBLY SECOND READING FILE--Continued

4

A.B. No. 337--Garfield.

An act relating to fire insurance.

Vote required: 41

2012

Dec. Read first time. To print.

Dec. 9--From printer. May be heard in committee Jan. 8.

2013

11--Referred to Com. on HEALTH.

21--From committee: Do pass. To Consent Calendar.

5

A.B. No. 690--McKinley.

An act relating to youth employment projects.

Vote required: 41

2012

Dec. 8--Read first time. To print.

Dec. 9--From printer. May be heard in committee Jan. 8.

2013

Jan. 9--Referred to Com. on L.&E.

Jan. 21--From committee: Amend, do pass as amended, and re-refer to Com. on APPR. (Ayes 7. Noes 3.)

A.B. 337 was passed out of committee with no opposition, and was recommended to be placed on the Consent Calendar.

Tomorrow, this bill will appear on the 1st Day Consent Calendar, but will NOT be eligible for passage until it appears on the 2nd Day Consent Calendar the following day.

If the Health Committee had proposed amendments, the bill would remain on **Second Reading** an additional day (to adopt the amendments) before it moves to the 1st and then 2nd Day Consent Calendar.

ASSEMBLY SECOND READING FILE--Continued

4

A.B. No. 337--Garfield.

An act relating to fire insurance.

Vote required: 41

2012

Dec. Read first time. To print.

Dec. 9--From printer. May be heard in committee Jan. 8.

2013

Jan. 11--Referred to Com. on HEALTH.

Jan. 21--From committee: Do pass. To Consent Calendar.

5

A.B. No. 690--McKinley.

An act relating to youth employment projects.

Vote required: 41

2012

Dec. 8--Read first time. To print.

Dec. 9--From printer. May be heard in committee Jan. 8.

2013

Jan. 9--Referred to Com. on L.&E.

21--From committee: Amend, do pass as amended, and re-refer to Com. on APPR. (Ayes 7. Noes 3.)

A.B. 690 was passed out of the Labor and Employment Committee with amendments, and re-referred to the Appropriations Committee.

Today the proposed amendments will be adopted, the bill will be reprinted overnight, and re-referred to the Appropriations Committee tomorrow.

Therefore, this bill will appear on **Second Reading** today only, and then will not appear on the File until the Appropriations Committee reports it out in the future.



4

A.B. No. 337--Garfield.

An act relating to fire insurance.

Vote required: 41

2012

Dec. Read first time. To print.

Dec. 9--From printer. May be heard in committee Jan. 8.

2013

Jan. 11--Referred to Com. on HEALTH.

Jan. 21--From committee: Do pass. To Consent Calendar.

5

A.B. No. 690--McKinley.

An act relating to youth employment projects.

Vote required: 41

2012

Dec. 8--Read first time. To print.

Dec. 9--From printer. May be heard in committee Jan. 8.

2013

Jan. 9--Referred to Com. on L.&E.

Jan. 21--From committee: Amend, do pass as amended, and re-refer to Com. on APPR. (Ayes 7. Noes 3.)

PARLIAMENTARY NOTE

“Withholding on Second Reading”

Technically, a Member could withhold unanimous consent on the adoption of a committee report on the **Second Reading File**. This would have the effect of forcing the entire membership to vote to ratify the committee recommendation of that bill (e.g., voting on the committee amendments to File Item 5).

This tactic is very rarely used, as it could potentially disrupt the committee process. Debate is reserved for the **Third Reading File**.

The Unfinished Business File lists **Concurrences**, Governor’s Vetoes, Motions to Reconsider, Notices of Intention to Remove an Item from the Inactive File, and Conference Reports Pending.

UNFINISHED BUSINESS

CONCURRENCE IN SENATE AMENDMENTS

6

A.B. No. 11–Madison.

An act relating to pesticides.

Vote required: 41

2013

Jan. 6–Read third time, passed and to Senate (Ayes 43. Noes 12.)

Jan. 7–In Senate. Referred to Com. on HEALTH.

Jan. 8–From committee with recommendation: Do pass as amended (Ayes 8. Noes 1.). Amended.

Jan. 16–Read third time, passed, and to Assembly. (Ayes 36. Noes 0.).

Jan. 17–In Assembly. Concurrence in Senate amendments pending.

May be considered on or after Jan. 19, 2013 pursuant to A.R. 77.

Legislative Counsel’s Digest

AB 11 as amended in Senate January 8, 2013
(Pursuant to Joint Rule 26.5)

AB 11, as it passed the Assembly, contained provisions relating to the Pesticide Regulation Program.

The Senate amendments, among other things, authorize the State Department of Water Resources to adopt regulations, including emergency regulations, implementing the bill.

Vote: 41. Substantial substantive change: yes.

UNFINISHED BUSINESS

CONCURRENCE IN SENATE AMENDMENTS

6

A.B. No. 11–Madison.

An act relating to pesticides.

Vote required: 41

2013

Jan. 6–Read third time, passed and to Senate (Ayes 43. Noes 12.)

Jan. 7–In Senate. Referred to Com. on HEALTH.

Jan. 8–From committee with recommendation: Do pass as amended (Ayes 8. Noes 1.). Amended.

Jan. 16–Read third time, passed, and to Assembly. (Ayes 36. Noes 0.).

Jan. 17–In Assembly. Concurrence in Senate amendments pending.

May be considered on or after Jan. 19, 2013 pursuant to A.R. 77.

Legislative Counsel’s Digest

AB 11 as amended in Senate January 8, 2013
(Pursuant to Joint Rule 26.5)

AB 11, as it passed the Assembly, contained provisions relating to the Pesticide Regulation Program.

The Senate amendments, among other things, authorize the State Department of Water Resources to adopt regulations, including emergency regulations, implementing the bill.

Vote: 41. Substantial substantive change: yes.

Bills in the **Concurrence** section are Assembly bills that have passed the Assembly and are subsequently amended and passed by the Senate. The Assembly must vote to agree with, or disagree with, the changes made by the Senate.

If the Assembly **concurs** with the Senate amendments, the bill is delivered to the Governor for signature or veto. If the Assembly does not agree with the amendments and non-concurs, the bill is sent to a two-house Conference Committee.

UNFINISHED BUSINESS

CONCURRENCE IN SENATE AMENDMENTS

6

A.B. No. 11–Madison.

An act relating to pesticides.

Vote required: 41

2013

Jan. 6–Read third time, passed and to Senate (Ayes 43. Noes 12.)

Jan. 7–In Senate. Referred to Com. on HEALTH.

Jan. 8–From committee with recommendation: Do pass as amended (Ayes 8. Noes 1.). Amended.

Jan. 16–Read third time, passed, and to Assembly. (Ayes 36. Noes 0.).

Jan. 17–In Assembly. Concurrence in Senate amendments pending.

May be considered on or after Jan. 19, 2013 pursuant to A.R. 77.

Legislative Counsel’s Digest

AB 11 as amended in Senate January 8, 2013
(Pursuant to Joint Rule 26.5)

AB 11, as it passed the Assembly, contained provisions relating to the Pesticide Regulation Program.

The Senate amendments, among other things, authorize the State Department of Water Resources to adopt regulations, including emergency regulations, implementing the bill.

Vote: 41. Substantial substantive change: yes.

“1-Day Waiting Period”

Note that **concurrence** items are not eligible for passage until they have been listed in the File for at least one calendar day (A.R. 77).

UNFINISHED BUSINESS

CONCURRENCE IN SENATE AMENDMENTS

6

A.B. No. 11–Madison.

An act relating to pesticides.

Vote required: 41

2013

Jan. 6–Read third time, passed and to Senate (Ayes 43. Noes 12.)

Jan. 7–In Senate. Referred to Com. on HEALTH.

Jan. 8–From committee with recommendation: Do pass as amended (Ayes 8. Noes 1.). Amended.

Jan. 16–Read third time, passed, and to Assembly. (Ayes 36. Noes 0.).

Jan. 17–In Assembly. Concurrence in Senate amendments pending.

May be considered on or after Jan. 19, 2013 pursuant to A.R. 77.

Legislative Counsel’s Digest

AB 11 as amended in Senate January 8, 2013
(Pursuant to Joint Rule 26.5)

AB 11, as it passed the Assembly, contained provisions relating to the Pesticide Regulation Program.

The Senate amendments, among other things, authorize the State Department of Water Resources to adopt regulations, including emergency regulations, implementing the bill.

Vote: 41. Substantial substantive change: yes.

PARLIAMENTARY NOTE

“Joint Rule 26.5 Digest”

The Legislative Counsel is required to supply a **digest** outlining substantial Senate changes made to each Assembly bill (J.R. 26.5).

UNFINISHED BUSINESS—continued

CONCURRENCE IN SENATE AMENDMENTS—continued

7

A.B. No. 13—Jackson.
An act relating to fish.

Vote required: 41

2013

Jan. 20—In Assembly. Concurrence in Senate amendments pending.
May be considered on or after Jan. 22, 2013 pursuant to A.R. 77.

Legislative Counsel’s Digest

AB 13 as amended in Senate January 12, 2013
(Pursuant to Joint Rule 26.5)

AB 13, as it passed the Assembly, provided for construction of a specified roadway. The Senate amendments delete the Assembly language and instead require the Department of Fish and Game to develop a new design for fishing licenses.
Vote: 41. Substantial substantive change: yes.

“Substantially Amended Bills”

Both houses have been known to occasionally substantially amend a bill that originated in the other house, inserting drastically different language into the bill.

For example, this bill originally related to roadways, and was changed by the Senate to a fishing license bill. If the Assembly rejects these changes, the bill is sent to a two-house Conference Committee.



PARLIAMENTARY NOTE

“Concurrence Options”

The author of this bill has several choices:

1) If the Senate amendments were hostile, the author could ask for **non-concurrence** and send the bill to a Conference Committee to work on a compromise.

2) If the Speaker decides the bill should be heard in policy committee, the Speaker may refer the bill to committee for hearing (A.R. 77.2).

[The committee may keep the bill, recommend **concurrence** or **non-concurrence**, or make no recommendation at all.]

3) The House might also accept the Senate changes, and **concur** in the amendments, sending the bill to the Governor.

4) The author may ask the House to return the bill to the Senate and request that the Senate rescind its previous passage of the bill. The author could also request that the Senate amend the bill further. The Senate is not obligated to take any action.

UNFINISHED BUSINESS—continued

CONCURRENCE IN SENATE AMENDMENTS—continued

7

A.B. No. 13—Jackson.
An act relating to fish.

Vote required: 41

2013

Jan. 20—In Assembly. Concurrence in Senate amendments pending.
May be considered on or after Jan. 22, 2013 pursuant to A.R. 77.

Legislative Counsel’s Digest

AB 13 as amended in Senate January 12, 2013
(Pursuant to Joint Rule 26.5)

AB 13, as it passed the Assembly, provided for construction of a specified roadway. The Senate amendments delete the Assembly language and instead require the Department of Fish and Game to develop a new design for fishing licenses.
Vote: 41. Substantial substantive change: yes.

UNFINISHED BUSINESS—continued

CONCURRENCE IN SENATE AMENDMENTS—continued

8

Note that this bill has an urgency clause, thereby making the vote requirement 54 instead of 41. Although this bill may have originally passed the Assembly without an urgency, the Senate may add an urgency clause as well as make other changes.

A.B. No. 1356—Pierce.

An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2013

Jan. 16—Read third time, urgency clause adopted. Passed and to Assembly. (Ayes 27. Noes 0.). In Assembly. Concurrence in Senate amendments pending. **May be considered on Jan. 18, 2013 pursuant to A.R. 77.**

**Legislative Counsel’s Digest
(Digest not available at time of publication)**

UNFINISHED BUSINESS—continued

CONCURRENCE IN SENATE AMENDMENTS—continued

8

A.B. No. 1356—Pierce.

An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2013

Jan. 16—Read third time, urgency clause adopted. Passed and to Assembly. (Ayes 27. Noes 0.). In Assembly. Concurrence in Senate amendments pending. **May be considered on Jan. 18, 2013 pursuant to A.R. 77.**

**Legislative Counsel’s Digest
(Digest not available at time of publication)**

PARLIAMENTARY NOTE

“Failing to Receive Enough Votes on Concurrence Items”

If this bill failed to receive 54 votes, the author could ask to reconsider the vote on the next day, or have the bill sent to a two-house Conference Committee.

If reconsideration is requested, the bill will appear under the “Motions to Reconsider” section of the File the next day. The House could then grant the author permission to vote on the bill again, or the House could deny the author a second vote (for an example see Reconsideration section, File Item 10 (A.R. 100)).

Concurrence items CANNOT be amended. This bill could only be amended in two ways: return the bill to the Senate for further amendments; or **non-concur** in Senate amendments, and attempt to amend the bill in Conference Committee.

UNFINISHED BUSINESS

CONFERENCE REPORTS PENDING

9

A.B. No. 3153–Pierce.

An act relating to utilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2013

- Jan. 6–Assembly refused to concur in Senate amendments. (Ayes 3. Noes 69.) To Conference Committee.
- Jan. 7–Assembly Members Franklin, Adams, and Lincoln appointed to Conference Committee.
- Jan. 8–Senators Washington, Jefferson, and Roosevelt appointed to Conference Committee.
- Jan. 19–From Conference Committee. Assembly (Ayes 3. Noes 0.) Senate (Ayes 3. Noes 0.) To print. Vote req'd: 54)
- Jan. 20–Front printer. (**Eligible for adoption Jan. 22, 2013**)

When a concurrence item is refused concurrence, it is sent to a two house, six-person **Conference Committee**. When a majority of **conferees** from each House’s delegation agree to a final form of the bill, the **Conference Committee** reports the bill to each House. This proposed bill is called a **Conference Report**, and must be adopted by the membership of BOTH Houses in order to pass.

Note that three Assembly **conferees** and three Senate **conferees** voted in favor of this **Conference Report**. At least two Members from EACH House must vote “aye” to report the bill back to each House (i.e., three Assembly Members and one Senator is NOT sufficient to issue a **Conference Report**; at least two Assembly Members and two Senators must agree to the report).

UNFINISHED BUSINESS

CONFERENCE REPORTS PENDING

9

A.B. No. 3153–Pierce.

An act relating to utilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2013

Jan. 6–Assembly refused to concur in Senate amendments. (Ayes 3. Noes 69.) To Conference Committee.

7–Assembly Members Franklin, Adams, and Lincoln appointed to Conference Committee.

Senators Washington, Jefferson, and Roosevelt appointed to Conference Committee.

Conference Committee. Assembly (Ayes 3. Noes 0.) Senate (Ayes 0. Noes 0.) To print. Vote req'd: 54)

inter. **(Eligible for adoption Jan. 22, 2013)**

PARLIAMENTARY NOTE

Conference Reports have strict public notice guidelines. A **Conference Report** must be in print AND noticed in the File for not less than one legislative day, and must be in print for two calendar days prior to adoption. (J.R. 30, A.R. 68.8)

A motion to **reconsider** creates the opportunity for the House to reverse an action previously taken and place the bill back before the Body for another vote.

UNFINISHED BUSINESS

RECONSIDERATION

10

A.B. No. 2796—Hoover.
An act relating to fines.

Vote required: 41

2013

- Jan. 3—Read first time. Held at Desk.
- Jan. 6—To Com. on U.&C.
- Jan. 7—From committee with author’s amendments. Read second time. Amended. Re-referred to committee.
- Jan. 8—Withdrawn from committee. To second reading file.
- Jan. 9—Read second time, to third reading file.
- Jan. 21—Read third time, passage refused (Ayes 40. Noes 35.). Motion to reconsider on next legislative day made by Assembly Member Hoover.

On January 21, this bill received one vote short of the minimum necessary for passage. So, after the vote was announced, the author moved to **reconsider** the bill on the next legislative day.

Today, the author must convince 41 Members to grant her the opportunity to consider this bill again. If 41 Members DO NOT grant **reconsideration**, the bill is defeated. If 41 Members DO grant **reconsideration**, the bill is before the Body for further consideration, amendments, etc.

UNFINISHED BUSINESS

RECONSIDERATION

10

A.B. No. 2796–Hoover.
An act relating to fines.

Vote required: 41

2013

- Jan. 3–Read first time. Held at Desk.
- Jan. 6–To Com. on U.&C.
- Jan. 7–From committee with author’s amendments. Read second time. Amended. Re-referred to committee.
- Jan. 8–Withdrawn from committee. To second reading file.
- Jan. 9–Read second time, to third reading file.
- Jan. 21–Read third time, passage refused (Ayes 40. Noes 35.). Motion to reconsider on next legislative day made by Assembly Member Hoover.

PARLIAMENTARY NOTE

“Reconsideration Vote Requirement”

The **reconsideration vote requirement** is 41 votes, even if the vote requirement on the measure is 54 or greater (Assembly Rule 100).

Reconsideration can be granted only once on the same question.

A motion to take-up a **reconsideration** motion on a bill on the same day requires 41 votes (Assembly Rule 100(c)).

If the measure being **reconsidered** is a motion, resolution, or amendment, a majority of those present and voting will carry the motion to take-up immediately. If the motion carries, the motion to **reconsider** is then in order.

Reconsideration may be granted on a measure only ONCE.

However, if a bill is amended AFTER **reconsideration** is granted, it is deemed to be a new measure/question. Since an amended bill is technically a new measure, it is eligible to be **reconsidered** again (if, by chance, it fails passage again it is defeated).

PARLIAMENTARY NOTE

“Procedure to Reduce Vote Requirement on a Supermajority Vote Bill”

If a bill containing an urgency clause receives less than 54 votes, the author may offer amendments to strike the urgency clause, thereby potentially reducing the vote requirement on the bill to 41 votes (J.R. 23.5).

UNFINISHED BUSINESS—continued

RECONSIDERATION—continued

11

A.B. No. 2368—Hanover.

An act relating to municipal courts, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2013

Jan. 3—Read first time. Held at Desk.

Jan. 6—To Com. on JUD.

Jan. 7—From committee with author’s amendments. Read second time. Amended. Re-referred to committee.

Jan. 8—Withdrawn from committee. To second reading file.

Jan. 9—Read second time, to third reading file.

Jan. 21—Read third time, urgency clause refused adoption (Ayes 45. Noes 20.). Motion to reconsider on next legislative day made by Assembly Member Hanover.

When the Governor returns a bill without his signature to the House of origin, it is called a **veto**. The **veto** is placed on File for 60 calendar days for consideration excluding any days the Legislature is in Joint Recess (J.R. 58.5).

Vetoed bills are returned to the House of origin first. If the House of origin successfully overrides the **veto**, the other House may then proceed to consider the measure.

UNFINISHED BUSINESS

GOVERNOR'S VETOES

12

Jan. 15–Polk.
An act relating to schools.

2013

- Jan. 14–Enrolled and to the Governor at 4:45 p.m.
- Jan. 15–Vetoed by Governor.
- Jan. 16–Consideration of Governor’s item veto pending. **Must be considered on or before March 17, 2013 pursuant to J.R. 58.5.**

To the Members of the California Assembly:

I am returning Assembly Bill No. 15 without my signature.

This bill would provide \$2,000,000 to equalize the continuation school revenue limit add-on on a per pupil basis. Because the law does not provide for any change to the continuation school revenue limit add-on from the original amount, I am vetoing this bill.

Cordially,
GOVERNOR DOE

UNFINISHED BUSINESS

GOVERNOR'S VETOES

12

A.B. No. 15–Polk.

An act relating to schools.

2013

Jan. 14–Enrolled and to the Governor at 4:45 p.m.

Jan. 15–Vetoed by Governor.

Jan. 16–Consideration of Governor’s item veto pending. **Must be considered on or before March 17, 2013 pursuant to J.R. 58.5.**

To the Members of the California Assembly:

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This bill would provide \$2,000,000 to equalize the continuation school revenue limit add-on on a per pupil basis. Because the law does not provide for any change to the continuation school revenue limit add-on from the original amount. I am vetoing this bill.

Cordially,
GOVERNOR DOE

On January 15, the Governor **vetoed** this bill. The author has 60 calendar days to garner 54 votes in the Assembly, and then 27 votes in the Senate (Article IV, Sec. 10(a)). If two-thirds of both Houses vote to override the **veto** within the 60 days, the bill becomes law.

UNFINISHED BUSINESS

GOVERNOR'S VETOES

12

A.B. No. 15–Polk.

An act relating to schools.

2013

Jan. 14–Enrolled and to the Governor at 4:45 p.m.

Jan. 15–Vetoed by Governor.


Jan. 16–Consideration of Governor’s item veto pending. **Must be considered on or before March 17, 2013 pursuant to J.R. 58.5.**

To the Members of the California Assembly:

I am returning Assembly Bill No. 15 without my signature.

This bill would provide \$2,000,000 to equalize the continuation school revenue limit add-on on a per pupil basis. Because the law does not provide for any change to the continuation school revenue limit add-on from the original amount, I am vetoing this bill.

Cordially,
GOVERNOR DOE



The Governor’s **veto** message is printed in the Daily File for reference purposes. After 60 days, the **veto** message is deleted from the Daily File.

UNFINISHED BUSINESS

GOVERNOR'S VETOES

12

A.B. No. 15–Polk.

An act relating to schools.

2013

Jan. 14–Enrolled and to the Governor at 4:45 p.m.

Jan. 15–Vetoed by Governor.

Jan. 16–Consideration of Governor’s item veto pending. **Must be considered on or before March 17, 2013 pursuant to J.R. 58.5.**

To the Members of the California Assembly:

I am returning Assembly Bill No. 15 without my signature.

This bill would provide \$2,000,000 to equalize the continuation school revenue limit add-on on a per pupil basis. Because the law does not provide for any change to the continuation school revenue limit add-on from the original amount, I am vetoing this bill.

Cordially,
GOVERNOR DOE

PARLIAMENTARY NOTE

“Veto Overrides”

Vetos are rarely overridden, especially by both Houses. The last time a **veto** was successfully overridden by the Legislature was in 1979.

Members usually remove their **vetoed** bills from the File if they do not plan to override the veto.

UNFINISHED BUSINESS

NOTICE OF INTENTION
TO REMOVE FROM INACTIVE FILE

13

No. 13—Jones et al. (**Harrison**)*

An act relating to property, and declaring the urgency thereof, to take effect immediately.

Vote required: 54

2013

- Jan. 6—In Assembly. Read first time. Held at Desk.
- Jan. 7—To Com. on BUDGET.
- Jan. 13—From committee: Do pass. (Ayes 13. Noes 4.).
- Jan. 14—Read second time. To third reading.
- Jan. 15—To Inactive File on motion of Assembly Member Harrison.
- Jan. 21—Notice of intention to remove bill from Inactive File given by Assembly Member Harrison.

*Indicates Assembly Member who will carry measure on the floor.

The **Inactive File** is printed near the end of the Daily File. It is a listing of bills on File that the authors or the House has chosen to place in an **inactive** state until further notice.

To remove an item from the **Inactive File**, the author/floor manager must first give **one day's notice** published in the File (see example to right).

When the **one day-notice** is satisfied, the bill is placed back on the regular order of business on the Daily File (e.g., Third Reading).

UNFINISHED BUSINESS

**NOTICE OF INTENTION
TO REMOVE FROM INACTIVE FILE**

13

S.B. No. 13—Jones et al. (**Harrison**)*

An act relating to property, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2013

- Jan. 6—In Assembly. Read first time. Held at Desk.
- Jan. 7—To Com. on BUDGET.
- Jan. 13—From committee: Do pass. (Ayes 13. Noes 4.).
- Jan. 14—Read second time. To third reading.
- Jan. 15—To Inactive File on motion of Assembly Member Harrison.
- Jan. 21—Notice of intention to remove bill from Inactive File given by Assembly Member Harrison.

*Indicates Assembly Member who will carry measure on the floor.

Assembly Member Harrison placed this Senate bill on the **Inactive File** on Jan. 15. On Thursday, Jan. 21, he gave **notice** on the Floor that he wished to place the bill back on the Third Reading File (look on page 27, and notice that SB 13 is item A-2 on the Inactive File).

The next legislative day (Monday, Jan. 25), this item serves as public **notice** that the bill will be returned to the regular agenda the following day (Tuesday, Jan. 26).

On Tuesday, Jan. 26, the bill will appear on Third Reading and shall be eligible for passage.

PARLIAMENTARY NOTE

“Notice Exceptions”

Resolutions and Concurrence measures do NOT have a **one-day notice** requirement.

“Enforcement of Assembly Rule 78”

During busy Floor sessions, the Assembly often enforces A.R. 78. Pursuant to this rule, bills that have been “Passed on File” on two consecutive legislative days are automatically moved to the **Inactive File** (See File Item 17).

UNFINISHED BUSINESS

NOTICE OF INTENTION TO REMOVE FROM INACTIVE FILE

13

S.B. No. 13—Jones et al. (**Harrison**)*

An act relating to property, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2013

- Jan. 6—In Assembly. Read first time. Held at Desk.
- Jan. 7—To Com. on BUDGET.
- Jan. 13—From committee: Do pass. (Ayes 13. Noes 4.).
- Jan. 14—Read second time. To third reading.
- Jan. 15—To Inactive File on motion of Assembly Member Harrison.
- Jan. 21—Notice of intention to remove bill from Inactive File given by Assembly Member Harrison.

*Indicates Assembly Member who will carry measure on the floor.

Third Reading is a listing of bills eligible for final passage. A bill on **Third Reading** has already gone through the committee process and Second Reading.

At this stage, the bill is eligible for debate and a Floor vote.

ASSEMBLY THIRD READING FILE

14

A.B. No. 2808–Serra.

An act relating to education.

Vote required: 41

2012

Dec. 8–Read first time. To print.

Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 11–Referred to Com. on ED.

Jan. 13–From committee: Do pass. (Ayes 18. Noes 0.)

Jan. 14–Read second time. To third reading.

ASSEMBLY THIRD READING FILE

14

A.B. No. 2808–Serra.

An act relating to education.

Vote required: 41

2012

Dec. 8–Read first time. To print.

Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 11–Referred to Com. on ED.

Jan. 13–From committee: Do pass. (Ayes 18. Noes 0.)

Jan. 14–Read second time. To third reading.

Sometimes you can determine if a bill is controversial by looking at the History line actions.

For example, a bill that has received many “No” votes in committee, or that has “Failed Passage” in committee may be controversial.

You can also determine which committees have heard the bill, and how many times the bill has been amended.

This bill appears to be non-controversial, and has never been amended.

15

A.B. No. 3014—Cabrillo.

An act relating to water, and declaring the urgency thereof, to take effect immediately.

Vote required: 54

2012

Dec. 3—Read first time. To print.

Dec. 4—From printer. May be heard in committee Jan. 3.

2013

Jan. 11—Referred to Com. on W.,P.&W.

Jan. 12—From committee: Do pass. (Ayes 17. Noes 0.).

Jan. 13—Read second time. To third reading.

Jan. 21—Read third time, amended. **May be considered for passage on or after Jan. 23, 2013 pursuant to A.R. 69(d).**

“One-Day Waiting Period for Amended Bills”

There is a one-day waiting period after a bill has been amended on **Third Reading** (Assembly Rule 69(d)).

If this bill was amended yesterday, it would not be eligible for passage until tomorrow (the one-day waiting period is satisfied today).

The date the measure is eligible for passage is printed in the File.



PARLIAMENTARY NOTE

“Exceptions to Assembly Rule 69(d)”

If amendments merely add or delete an urgency clause or make changes to the Budget Bill, the one-day waiting period does not apply.

Also, the waiting period does not apply to resolutions.

“Floor Amendments Prohibited Near Deadlines”

No motion to amend a bill on the Floor is in order on the last two legislative days preceding the January 31 deadline in the second year of session. This rule can be suspended by 41 votes.

Additionally, floor amendments are not in order on the last three legislative days preceding interim or Final Recess. This rule can be suspended by two-thirds of those present and voting. (A.R. 69(e)).

15

A.B. No. 3014—Cabrillo.

An act relating to water, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2012

Dec. 3—Read first time. To print.

Dec. 4—From printer. May be heard in committee Jan. 3.

2013

Jan. 11—Referred to Com. on W.,P.&W.

Jan. 12—From committee: Do pass. (Ayes 17. Noes 0.).

Jan. 13—Read second time. To third reading.

Jan. 21—Read third time, amended. **May be considered for passage on or after Jan. 23, 2013 pursuant to A.R. 69(d).**

16

A.B. No. 2601—Adams.

An act relating to fish, and declaring the urgency thereof, to take effect immediately.

Vote required: **54**

2012

Dec. 8—Read first time. To print.

Dec. 9—From printer. May be heard in committee Jan. 8.

2013

Jan. 6—Referred to Com. on W.,P.&W.

Jan. 13—From committee: Do pass. (Ayes 7. Noes 2.).

Jan. 14—Read second time. To third reading.

PARLIAMENTARY NOTE

“Amending Bills on the Floor”

A Member may offer “Floor Amendments” to modify a bill on **Third Reading**, provided the amendments are delivered to the Desk by 5 p.m. the business day before session is scheduled to convene (A.R. 69(b)(1)). Four key points to note:

- 1) Before taking up the amendments, the author should ask Desk staff if the floor analysis is ready.
- 2) Amendments are adopted *viva voce* (voice vote) or by a majority of those present and voting.
- 3) Hostile amendments can be tabled by the author with a vote of a majority of those present and voting.
- 4) “Amendments Must be Germane”

Amendments are required to be germane to the subject matter of the bill (A.R. 92). The House has authority to determine if an amendment is germane.

ASSEMBLY THIRD READING FILE—Continued

17

A.B. No. 2243—Cortes.

An act relating to air pollution.

Vote required: 41

2012

Dec. 8—Read first time. To print.

Dec. 9—From printer. May be heard in committee Jan. 8.

Dec. 10—Art. IV, Sec. 8(a) of the Constitution invoked and Joint Rule 55 suspended. Referred to Com. on NAT. RES.

Dec. 15—From committee: Amend, and do pass as amended. (Ayes 4. Noes 2.).

2013

Jan. 6—Read second time and amended. Ordered returned to second reading file.

Jan. 7—Read second time. To third reading.

Jan. 21—Passed on File.

This bill was “Passed on File” yesterday.

If this bill were “Passed on File” again today, it would be sent to the Inactive File pursuant to A.R. 78.

PARLIAMENTARY NOTE

“Pass on File v. Pass and Retain”

Authors who are not prepared to take up their bills when called to do so have two options: “**Passing and Retaining**” or “**Passing on File.**”

The House usually grants unanimous consent to “**Pass and Retain**” measures on Third Reading if the author is not prepared to consider the bill that day.

Passing and Retaining ensures that the measure retains its place on the agenda for the next day without penalty. A measure may be **Passed and Retained** indefinitely, provided the House grants unanimous consent to do so each time.

If a Member withholds unanimous consent to **Pass and Retain**, the author must “**Pass on File,**” or garner 41 votes to **Pass and Retain** so that the measure retains its place on File.

If a Member chooses to **Pass on File**, or is denied unanimous consent to **Pass and Retain**, the measure will go to the Inactive File the second consecutive time it is **Pass on File.**

17

A.B. No. 2243—Cortes.

An act relating to air pollution.

Vote required: 41

2012

Dec. 8—Read first time. To print.

Dec. 9—From printer. May be heard in committee Jan. 8.

Dec. 10—Art. IV, Sec. 8(a) of the Constitution invoked and Joint Rule 55 suspended. Referred to Com. on NAT. RES.

Dec. 15—From committee: Amend, and do pass as amended. (Ayes 4. Noes 2.).

2013

Jan. 6—Read second time and amended. Ordered returned to second reading file.

Jan. 7—Read second time. To third reading.

Jan. 21—Passed on File.

17

A.B. No. 2243—Cortes.

An act relating to air pollution.

Vote required: 41

2012

Dec. 8—Read first time. To print.

Dec. 9—From printer. May be heard in committee Jan. 8.

Dec. 10—Art. IV, Sec. 8(a) of the Constitution invoked and Joint Rule 55 suspended. Referred to Com. on NAT. RES.

Dec. 15—From committee: Amend, and do pass as amended. (Ayes 4. Noes 2.).

2013

Jan. 6—Read second time and amended. Ordered returned to second reading file.

Jan. 7—Read second time. To third reading.

Jan. 21—Passed on File.

Jeopardizing Bills

Placing a bill on Inactive File can be punitive – the one legislative day notice requirement must be met prior to placing the measure back on the agenda. When the bill is subsequently placed back on the agenda, it is placed at the end of the potentially voluminous Daily File. Placing a bill on the Inactive File near a legislative deadline could jeopardize passage of the bill if it cannot be placed back on the agenda prior to the deadline.

18

A.B. No. 2920—Smith.

An act relating to transportation.

Vote required: 41

2012

Dec. 8—Read first time. To print.

Dec. 9—From printer. May be heard in committee Jan. 8.

2013

Jan. 9—Referred to Com. on TRANS.

Jan. 11—From committee: Do pass and re-refer to Com. on APPR.
With the recommendation: To Consent Calendar. (Ayes 11.
Noes 0.). Re-referred.

Jan. 15—From committee: Do pass. To Consent Calendar.

Jan. 16—Read second time. To Consent Calendar.

Jan. 21—From Consent Calendar on request of Assembly Member
Smith. To third reading file.

“Bills Removed from
Consent Calendar”

When a bill is removed from the
Consent Calendar, it is placed on the
Third Reading File.

In this case, the author removed his or
her own bill from the Consent Calendar
on a previous day, so it now appears
here (on Third Reading). A Member
may want to remove a bill from the
Consent Calendar because it is
controversial, needs amendments, or for
any reason whatsoever. Once removed
from Consent, a bill is placed on Third
Reading and can be amended, passed,
re-referred to committee, etc. The bill
printed here is now eligible for such
actions.



PARLIAMENTARY NOTE

“Moving a Call (Delaying a Vote)”

To delay the announcement of the final vote on a bill, a Member may “**Move a Call.**” This motion must be made prior to the Presiding Officer’s announcement of the final vote.

Members generally “Move a Call” if their measure is FAILING passage. The electronic roll call is then stored in the voting system so Members can read the print outs of the vote tally. Using the roll call print out (“Call Sheets”), Members “work their calls,” attempting to persuade others to change their votes.

At the end of each Floor session (and prior to adjournment), the Calls are “lifted.” The clerk posts the vote totals on the board, and Members may switch their votes at this point. If a bill still falls short of passage, the Member usually can notice reconsideration and take up the bill for reconsideration on the following day.

Calls can also be used by the opponent of a bill so as to delay its passage while building opposition. The House cannot adjourn for that day while items are still on call.

18

A.B. No. 2920—Smith.

An act relating to transportation.

Vote required: 41

2012

Dec. 8—Read first time. To print.

Dec. 9—From printer. May be heard in committee Jan. 8.

2013

Jan. 9—Referred to Com. on TRANS.

Jan. 11—From committee: Do pass and re-refer to Com. on APPR.
With the recommendation: To Consent Calendar. (Ayes 11.
Noes 0.). Re-referred.

Jan. 15—From committee: Do pass. To Consent Calendar.

Jan. 16—Read second time. To Consent Calendar.

Jan. 21—From Consent Calendar on request of Assembly Member
Smith. To third reading file.

CONSENT CALENDAR-FIRST LEGISLATIVE DAY

ASSEMBLY MEASURES

19

A.B. No. 79–Bell.

An act relating to mobile homes.

Vote required: 41

2012

Dec. 8–Read first time. To print.

Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 11–Referred to Com. on H.&C.D.

Jan. 13–From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0).
Re-referred.

Jan. 17–From committee: Do pass. To Consent Calendar.

Jan. 21–Read second time. To Consent Calendar.

Non-controversial bills that have received no “No” votes at any time in the process are eligible for the **Consent Calendar**.

A bill is placed on **Consent** by the committee reporting the bill to the Floor. The recommendation of the committee must be “Do pass, to Consent Calendar” or “Do pass, as amended, to Consent Calendar.”

Consent Calendar bills are not debated.

The **Consent Calendar** is divided into **1st Legislative Day** and **2nd Legislative Day**.

“1st Day Consent Calendar”

Bills on the **1st Legislative Day Consent Calendar** are NOT eligible for adoption until the following day, at which time they would appear on the **2nd Legislative Day Consent Calendar**.

CONSENT CALENDAR-FIRST LEGISLATIVE DAY

ASSEMBLY MEASURES

19

A.B. No. 79–Bell.

An act relating to mobile homes.

Vote required: 41

2012

Dec. 8–Read first time. To print.

Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 11–Referred to Com. on H.&C.D.

Jan. 13–From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0).
Re-referred.

Jan. 17–From committee: Do pass. To Consent Calendar.

Jan. 21–Read second time. To Consent Calendar.

“2nd Day Consent Calendar”

Measures on the 2nd Legislative Day Consent Calendar are voted on with electronic roll call. This one vote is applied to all bills listed on the Consent Calendar, avoiding the tedious process of opening the roll on each individual bill.

Any Member may unilaterally remove a bill from either the **1st or 2nd Day Consent Calendar**. Members usually remove bills from **Consent** during Motions and Resolutions. Bills removed from **Consent** appear on the Third Reading File the following day.

CONSENT CALENDAR-SECOND LEGISLATIVE DAY

ASSEMBLY MEASURES

20

A.B. No. 31–Garfield.
An act relating to parks.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 10–Referred to Com. on W.,P.&W.
Jan. 16–From committee: Do pass. To Consent Calendar. (Ayes 9. Noes 0.).
Jan. 17–Read second time. To Consent Calendar

21

A.B. No. 1–Alvarado.
An act relating to vehicles.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 9–Referred to Com. on TRANS.
Jan. 16–From committee: Do pass. To Consent Calendar. (Ayes 15. Noes 0.).
Jan. 17–Read second time. To Consent Calendar

CONSENT CALENDAR-SECOND LEGISLATIVE DAY

ASSEMBLY MEASURES

20

A.B. No. 31–Garfield.
An act relating to parks.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 10–Referred to Com. on W.,P.&W.
Jan. 16–From committee: Do pass. To Consent Calendar. (Ayes 9.
Noes 0.).
Jan. 17–Read second time. To Consent Calendar

21

A.B. No. 1–Alvarado.
An act relating to vehicles.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 9–Referred to Com. on TRANS.
Jan. 16–From committee: Do pass. To Consent Calendar. (Ayes 15.
Noes 0.).
Jan. 17–Read second time. To Consent Calendar

Note that there have been no “No” votes on this bill. Also note that on Jan. 16 the W.P.&W. Committee recommended that the measure be placed on the Consent Calendar.

CONSENT CALENDAR-SECOND LEGISLATIVE DAY

ASSEMBLY MEASURES

20

A.B. No. 31–Garfield.
An act relating to parks.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 10–Referred to Com. on W.,P.&W.
Jan. 16–From committee: Do pass. To Consent Calendar. (Ayes 9.
Noes 0.).
Jan. 17–Read second time. To Consent Calendar

21

A.B. No. 1–Alvarado.
An act relating to vehicles.

Vote required: 41

2012

Dec. 8–Read first time. To print.
Dec. 9–From printer. May be heard in committee Jan. 8.

2013

Jan. 9–Referred to Com. on TRANS.
Jan. 16–From committee: Do pass. To Consent Calendar. (Ayes 15.
Noes 0.).
Jan. 17–Read second time. To Consent Calendar

PARLIAMENTARY NOTE

Bills that were on the **1st Day Consent Calendar** yesterday are listed on **2nd Day** today. At this stage, these non-controversial bills are voted on and passed with one roll call vote.

A Member can remove a bill from **Consent** prior to opening of the roll call.

The **Inactive File** is a list of bills that the House has removed from the regular order of business and placed in an **inactive** or “dormant” state.

Note that bills on the Inactive File are assigned file letter “A” plus a number. This number may change on a daily basis.

INACTIVE FILE

A-1 **S.B. No. 144 -Paine (Concurrence)**
An act relating to school reports.

2013

Jan. 16-To inactive file on motion of Assembly Member Paine.

A-2 **S.B. No. 13-Jones (Harrison) (Third Reading)**
An act relating to highways.

2013

Jan. 15-To inactive file on motion of Assembly Member Harrison.

A-3 **A.B. No. 217-Lincoln (Third Reading)**
An act relating to vehicles.

2013

Jan. 16-To inactive file on motion of Assembly Member Lincoln.

PARLIAMENTARY NOTES

Most bills moved to the **Inactive File** are placed there at the request of the author. Once an author wishes to have the bill placed back on the regular File agenda, an author gives a one-day notice on the Floor.

This notice is published in the Unfinished Business File for one day, and then the bill is moved to the foot of the Third Reading File and is once again eligible for action.

Also, Third Reading bills are automatically placed on the **Inactive File** if the author “Passes on File” two consecutive times (A.R. 78).

INACTIVE FILE

A-1 **A.B. No. 144 -Paine (Concurrence)**

An act relating to school reports.

2013

Jan. 6-To inactive file on motion of Assembly Member Paine.

A-2 **S.B. No. 13-Jones (Harrison) (Third Reading)**

An act relating to highways.

2013

Jan. 15-To inactive file on motion of Assembly Member Harrison.

A-3 **A.B. No. 217-Lincoln (Third Reading)**

An act relating to vehicles.

2013

Jan. 16-To inactive file on motion of Assembly Member Lincoln.

BILLS ON THE ASSEMBLY DAILY FILE

BILL NO.	ITEM NO.	AUTHOR	LOCATION	VOTE REQ
A.B. 1	21	ALVARADO	2ND DAY CONSENT	maj
A.B. 11	6	MADISON	CONCURRENCE	maj
A.B. 13	7	JACKSON	CONCURRENCE	maj
A.B. 15	12	POLK	GOVERNOR'S VETO	
A.B. 31	20	GARFIELD	2ND DAY CONSENT	maj
A.B. 79	19	BELL	1ST DAY CONSENT	maj
A.B. 144	A-1	PAINE	CONCURRENCE	maj
A.B. 217	A-3	LINCOLN	THIRD READING	maj
A.B. 324	2	FILMORE	SECOND READING	maj
A.B. 337	4	GARFIELD	SECOND READING	maj
A.B. 690	5	MCKINLEY	SECOND READING	maj
A.B. 1356	8	PIERCE	CONCURRENCE	2/3
A.B. 2243	17	CORTES	THIRD READING	maj
A.B. 2289	3	BUCHANAN	SECOND READING	maj
A.B. 2368	11	HANOVER	RECONSIDERATION	
A.B. 2419	1	HAMILTON	SPECIAL ORDER	maj
A.B. 2601	16	ADAMS	THIRD READING	2/3
A.B. 2808	14	SERRA	THIRD READING	maj
A.B. 2796	10	HOOVER	RECONSIDERATION	maj
A.B. 2920	18	SMITH	THIRD READING	maj
A.B. 3014	15	CABRILLO	THIRD READING	2/3
A.B. 3153	9	FRANKLIN	CONFERENCE REPORT	2/3
S.B. 135	13	JONES(HARRISON)		

This is a listing of bills, in bill number order, that appear on this day's Daily File.

The item numbers, authors, locations, and vote requirements are also on the list.

This index makes it easy to find a particular bill on the Daily File, especially when there are several hundred bills on the agenda.