

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 17, 2011**  
**FORTY-FIFTH SESSION DAY**  
**ONE HUNDRED SECOND 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.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, March 17, 2011

The Assembly met at 11 a.m.

Hon. Fiona Ma, 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 Garrick moved a quorum call of the Assembly.

Motion carried. Time, 11:02 a.m.

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

#### Quorum Present

At 11:02 a.m., Speaker pro Tempore Ma declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Ma and in honor of Irish-American Heritage Month, the following Irish blessing was offered by Assembly Member Skinner, of the 14th Assembly District:

An Old Irish Blessing

*Lord,*

May love and laughter light our days, and warm our hearts and homes.

May good and faithful friends be ours, wherever we may roam.

May peace and plenty bless our world with joy that long endures.

May all life’s passing seasons bring the best to us and ours!—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Ma, Assembly Member Williams 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 John A. Pérez, seconded by Assembly Member Conway.

**COMMUNICATIONS**

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

March 17, 2011

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Appointment of Hong Beom Rhee to Board for Professional Engineers, Land Surveyors, and Geologists

Dear Mr. Wilson: Please be advised I have appointed Dr. Hong Beom Rhee to the Board for Professional Engineers, Land Surveyors, and Geologists. This is a term appointment starting March 17, 2011 and the expiration date is June 30, 2011.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

March 17, 2011

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

RE: Appointment of Maria Mehranian  
to International Genocide Memorial Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Maria Mehranian to the International Genocide Memorial Commission. This is a pleasure appointment starting March 17, 2011. Ms. Mehranian will be replacing Mr. Morris Price.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

#### **SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Governmental Organization, on April 13, 2011, at the regularly scheduled time, in Room 4202.

Joint Legislative Audit Committee, to consider new audit requests on April 27, 2011, at 9:30 a.m., in Room 444.

Joint Legislative Audit Committee, to convene an oversight hearing on "Potential Budget Savings By Implementing State Auditor Recommendations" on March 23, 2011, at 10 a.m., in Room 447.

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 17, 2011

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

Assembly Bill No. 56

Assembly Bill No. 394

Assembly Bill No. 58

Assembly Bill No. 438

Assembly Bill No. 145

Assembly Bill No. 454

Assembly Bill No. 148

Assembly Bill No. 1034

Assembly Bill No. 329

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 17, 2011

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

House Resolution No. 10

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, March 17, 2011

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

Assembly Bill No. 177

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to second reading file.

**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>42</b> -----	W.,P. & W.
<b>87</b> -----	B.,P. & C.P.
<b>199</b> -----	Ed.
<b>470</b> -----	Trans.
<b>604</b> -----	Health
<b>779</b> -----	W.,P. & W. and L. Gov.
<b>813</b> -----	G.O. and Pub. S.
<b>855</b> -----	Pub. S.
<b>881</b> -----	Health
<b>1015</b> -----	L. Gov.
<b>1026</b> -----	Pub. S.
<b>1068</b> -----	Trans.
<b>1080</b> -----	B. & F. and Jud.
<b>1087</b> -----	L. Gov.
<b>1088</b> -----	B.,P. & C.P.
<b>1090</b> -----	Rev. & Tax.
<b>1099</b> -----	Trans.
<b>1101</b> -----	P.E.,R. & S.S.
<b>1104</b> -----	Pub. S. and Trans.
<b>1105</b> -----	Trans.
<b>1108</b> -----	Jud.
<b>1110</b> -----	Hum. S. and Jud.
<b>1112</b> -----	Nat. Res. and W.,P. & W.
<b>1114</b> -----	Pub. S. and Jud.
<b>1115</b> -----	L. & E.
<b>1116</b> -----	G.O.
<b>1117</b> -----	Pub. S.
<b>1118</b> -----	Ed.
<b>1122</b> -----	Pub. S.
<b>1124</b> -----	U. & C.
<b>1127</b> -----	B.,P. & C.P.
<b>1129</b> -----	Ins.
<b>1133</b> -----	Jud.
<b>1134</b> -----	Trans.
<b>1136</b> -----	L. & E.
<b>1137</b> -----	J., E.D. & E.
<b>1140</b> -----	Hum. S.
<b>1142</b> -----	Hum. S.
<b>1143</b> -----	B.,P. & C.P.
<b>1146</b> -----	E. & R.
<b>1148</b> -----	E. & R.
<b>1149</b> -----	Nat. Res.
<b>1150</b> -----	U. & C. and Nat. Res.
<b>1152</b> -----	W.,P. & W.
<b>1155</b> -----	Ins.
<b>1156</b> -----	Ed.
<b>1158</b> -----	B. & F.
<b>1163</b> -----	Higher Ed.
<b>1164</b> -----	Trans.

1166	-----	Ed.
1167	-----	B.,P. & C.P. and H. & C.D.
1168	-----	Ins.
1175	-----	Rev. & Tax.
1178	-----	Nat. Res.
1179	-----	L. & E.
1181	-----	B.,P. & C.P.
1182	-----	Hum. S.
1184	-----	P.E.,R. & S.S.
1185	-----	Nat. Res.
1189	-----	Nat. Res.
1200	-----	E.S. & T.M.
1211	-----	B. & F. and Jud.
1212	-----	P.E.,R. & S.S.
1213	-----	B.,P. & C.P.
1215	-----	Trans. and Jud.
1395	-----	P.E.,R. & S.S.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
24	----- Rls.
26	----- Rls.
27	----- Rls.
31	----- Trans.
32	----- Rls.
33	----- Trans.
38	----- Rls.

*Assembly Joint*

<i>Resolution No.</i>	<i>Committee</i>
2	----- Rls.
6	----- V.A.

*House*

<i>Resolution No.</i>	<i>Committee</i>
11	----- L. & E.

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Garrick was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**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. 177, ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 80**—An act to amend Sections 340, 1000, 1001, and 1202 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2**—An act to amend Section 66903 of, to add Chapter 12.5 (commencing with Section 67050) and Chapter 12.7 (commencing with Section 67070) to Part 40 of Division 5 of Title 3 of, to repeal Sections 66742 and 66743 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of, the Education Code, relating to postsecondary education.

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

**ASSEMBLY BILL NO. 130**—An act to amend Section 68130.7 of, to amend, repeal, and add Section 68130.5 of, and to add Section 66021.7 to, the Education Code, relating to student financial aid.

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

**ASSEMBLY BILL NO. 131**—An act to add Sections 66021.6, 69508.5, and 76300.5 to the Education Code, relating to student financial aid.

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

**THIRD READING OF ASSEMBLY BILLS**

**HOUSE RESOLUTION NO. 9 (Garrick)**—Relative to Irish American Heritage Month.

Resolution read.

**Assembly Rule 112 Suspended**

Assembly Member Garrick was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly, whereupon he recited a traditional Irish greeting and presented an ornamental shamrock to the Members.

**Members Made Coauthors of  
House Resolution No. 9**

Assembly Member Garrick was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 9.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Achadjian, Alejo, Allen, Atkins, Beall, Bill Berryhill, Blumenfield, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Campos, Carter, Chesbro, Conway, Cook, Dickinson, Donnelly, Eng, Feuer, Fletcher, Fong, Fuentes, Furutani, Gatto, Gordon, Gorell, Grove, Hagman, Halderman, Hall, Harkey, Hayashi, Roger Hernández, Hill, Huber, Hueso, Huffman, Jeffries, Jones, Lara, Logue, Bonnie Lowenthal, Ma, Mansoor, Mendoza, Monning, Morrell, Nestande, Nielsen, Olsen, Pan, Perea, John A. Pérez, V. Manuel Pérez, Portantino, Skinner, Swanson, Torres, Valadao, Wagner, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Garrick was granted unanimous consent to take up House Resolution No. 9, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of House Resolution No. 9, as Amended**

**HOUSE RESOLUTION NO. 9**—Relative to Irish American Heritage Month.

Resolution read, as amended, and adopted.

**RECESS**

By unanimous consent, at 11:16 a.m., Speaker pro Tempore Ma declared the Assembly recessed to permit the introduction of special guests.

In recognition of Irish-American Heritage Month, Assembly Member Garrick introduced the Whelan-Kennelly Academy, whereupon they performed traditional Irish dances for the assemblage.

**RECONVENED**

At 11:19 a.m., the Assembly reconvened.

Hon. Fiona Ma, Speaker pro Tempore of the Assembly, presiding.

**CAUCUS ANNOUNCEMENTS**

At 11:21 a.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 11:21 a.m., Speaker pro Tempore Ma declared the Assembly recessed.

**RECONVENED**

At 12:40 p.m., the Assembly reconvened.

Hon. John A. Pérez, Speaker of the Assembly, presiding.



**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Calderon was granted unanimous consent to suspend Assembly Rules 63 and 96 for the purpose of withdrawing Senate Bills Nos. 84, 70, 78, and 86 from the Committee on Budget, to be placed on the third reading file for the purpose of consideration of proposed amendments, without reference to file.

**At 12:42 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding**

**CONSIDERATION OF SENATE BILLS BY UNANIMOUS CONSENT**

**SENATE BILL NO. 84 (Committee on Budget and Fiscal Review)**—An act to amend Item 0890-001-0001 of, and to add Items 0502-012-0022, 2120-011-0117, 2240-011-0101, 2240-011-0929, 2660-013-0042, 3360-011-0382, 3500-011-0100, 3500-013-3065, 3600-011-0321, 3680-011-0516, 3790-011-0263, 3940-011-0225, 3940-011-3147, 3960-011-0014, 3960-011-0018, 3960-011-0065, 3960-012-1003, 5180-011-0131, 8660-011-0470, 8660-011-3141, and 8660-012-0462 to, Section 2.00 of, and to add Section 39.00 to, the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, Budget Bill.

Bill read third time.

**Motion to Amend**

Assembly Member Blumenfield moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**SENATE BILL NO. 70 (Committee on Budget and Fiscal Review)**—An act to amend Sections 1240.3, 2550, 2558.46, 8201, 8208, 8263.1, 8263.4, 8354, 8357, 8447, 8499, 14041.5, 14041.6, 17070.766, 17463.7, 17584.1, 17587, 17592.71, 33128.3, 41203.1, 42238.146, 42605, 42606, 45023.1, 45023.4, 46201.2, 52124.3, 60200.7, 69432.7, 69432.9, 69433.6, 76243, 76300, 84043, and 84321.6 of, to amend and renumber Section 60422.1 of, to add Sections 8263.2, 14041.65, 41204.3, 69433.2, and 84321.7 to, and to repeal and add Section 41204.2 of, the Education Code, to amend Section 11323.2 of the Welfare and Institutions Code, and to amend Items 6110-161-0001, 6110-485, and 6110-488 of Section 2.00 of the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, bill related to the budget.

Bill read third time.

**Motion to Amend**

Assembly Member Blumenfield moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**SENATE BILL NO. 78 (Committee on Budget and Fiscal Review)**—An act to amend Sections 11044, 20398, 68511.8, and 77206 of the Government Code, to amend Sections 830.2, 830.5, and 6126.1 of, and to amend and repeal Section 1465.8 of, the Penal Code, to amend Sections 1051, 1826, 1850, 1850.5, 1851, 2250, 2250.4, 2250.6, 2253, and 2620 of the Probate Code, and to add Part 2.5 (commencing with Section 19201) to Division 2 of the Public Contract Code, relating to the administration of justice, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, bill related to the budget.

Bill read third time.

**Motion to Amend**

Assembly Member Blumenfield moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**SENATE BILL NO. 86 (Committee on Budget and Fiscal Review)**—An act to amend Sections 6452.1, 17052.6, 18510, 19116, 19164, 19504, 19774, and 19777 of, to add Sections 19266 and 19560.5 to, to add the headings of Article 1 (commencing with Section 19751), Article 2 (commencing with Section 19755), and Article 4 (commencing with Section 19772) to, and to add Article 3 (commencing with Section 19761) to, Chapter 9.5 of Part 10.2 of Division 2 of, and to repeal and amend Sections 19751, 19752, 19753, 19754, and 19755 of, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, bill related to the budget.

Bill read third time.

#### Motion to Amend

Assembly Member Blumenfield moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

#### CONSIDERATION OF SENATE BILL NO. 84, AS AMENDED BY UNANIMOUS CONSENT

Assembly Member Blumenfield was granted unanimous consent to take up Senate Bill No. 84 as amended, without reference to print or file, for purpose of consideration.

**SENATE BILL NO. 84 (Committee on Budget and Fiscal Review)**—An act to amend Item 0890-001-0001 of, and to add Items 0502-012-0022, 2120-011-0117, 2240-011-0101, 2240-011-0929, 2660-013-0042, 3360-011-0382, 3500-011-0100, 3500-013-3065, 3600-011-0321, 3680-011-0516, 3790-011-0263, 3940-011-0225, 3940-011-3147, 3960-011-0014, 3960-011-0018, 3960-011-0065, 3960-012-1003, 5180-011-0131, 8660-011-0470, 8660-011-3141, and 8660-012-0462 to, Section 2.00 of, and to add Section 39.00 to, the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to the support of state government, making an appropriation therefor, to take effect immediately, Budget Bill.

Bill presented by Assembly Member Blumenfield.

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

#### AYES—52

Alejo	Campos	Gordon	Monning
Allen	Carter	Hall	Pan
Ammiano	Cedillo	Hayashi	Perea
Atkins	Chesbro	Hernández	Pérez, V.M.
Beall	Davis	Hill	Portantino
Block	Dickinson	Huber	Skinner
Blumenfield	Eng	Hueso	Solorio
Bonilla	Feuer	Huffman	Swanson
Bradford	Fong	Lara	Torres
Brownley	Fuentes	Lowenthal	Wieckowski
Buchanan	Furutani	Ma	Williams
Butler	Galgiani	Mendoza	Yamada
Calderon	Gatto	Mitchell	Mr. Speaker

#### NOES—26

Achadjian	Gorell	Knight	Norby
Berryhill	Grove	Logue	Olsen
Conway	Hagman	Mansoor	Smyth
Cook	Halderman	Miller	Valadao
Donnelly	Harkey	Morrell	Wagner
Fletcher	Jeffries	Nestande	
Garrick	Jones	Nielsen	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 70, AS AMENDED  
BY UNANIMOUS CONSENT**

Assembly Member Blumenfield was granted unanimous consent to take up Senate Bill No. 70 as amended, without reference to print or file, for purpose of consideration.

**SENATE BILL NO. 70 (Committee on Budget and Fiscal Review)**—An act to amend Sections 1240.3, 2550, 2558.46, 8201, 8208, 8263.1, 8263.4, 8354, 8357, 8447, 8499, 14041.5, 14041.6, 17070.766, 17463.7, 17584.1, 17587, 17592.71, 33128.3, 41203.1, 42238.146, 42605, 42606, 45023.1, 45023.4, 46201.2, 52124.3, 60200.7, 69432.7, 69432.9, 69433.6, 76243, 76300, 84043, and 84321.6 of, to amend and renumber Section 60422.1 of, to add Sections 8263.2, 14041.65, 41204.3, 69433.2, and 84321.7 to, and to repeal and add Section 41204.2 of, the Education Code, to amend Section 11323.2 of the Welfare and Institutions Code, and to amend Items 6110-161-0001, 6110-485, and 6110-488 of Section 2.00 of the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to education finance, making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Assembly Member Blumenfield.

Bill read third time.

**Point of Order**

Assembly Member Feuer arose to the following point of order:

The comments by Assembly Member Harkey are not germane to Senate Bill No. 70, the bill before the Body.

**Ruling by Speaker pro Tempore Ma**

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

**Point of Personal Privilege**

Assembly Member Jeffries arose to a point of personal privilege.

**Ruling by Speaker pro Tempore Ma**

The Speaker pro Tempore ruled the point of personal privilege not well-taken; that Assembly Member Jeffries' character was not attacked during debate.

**Point of Order**

Assembly Member Jeffries arose to the following point of order:

The Rules are not being applied equally during debate.

**Ruling by Speaker pro Tempore Ma**

The Speaker pro Tempore ruled the point of order not well-taken.

**Remarks on Condition of the File**

Majority Floor Leader Calderon was granted unanimous consent to suspend Assembly Rule 84 to speak on condition of the file at this time, prior to the motion to adjourn Floor Session.

**Point of Order**

Assembly Member Jeffries arose to the following point of order:

The comments by Assembly Member Blumenfield are not germane to, Senate Bill No. 70, the bill before the Body.

The question being on the passage of the bill.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:16 p.m.

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

**CONSIDERATION OF SENATE BILL NO. 78, AS AMENDED  
BY UNANIMOUS CONSENT**

Assembly Member Blumenfield was granted unanimous consent to take up Senate Bill No. 78 as amended, without reference to print or file, for purpose of consideration.

**SENATE BILL NO. 78 (Committee on Budget and Fiscal Review)**—An act to amend Sections 11044, 20398, 68511.8, and 77206 of the Government Code, to amend Sections 830.2, 830.5, and 6126.1 of, and to amend and repeal Section 1465.8 of, the Penal Code, to amend Sections 1051, 1826, 1850, 1850.5, 1851, 2250, 2250.4, 2250.6, 2253, and 2620 of the Probate Code, and to add Part 2.5 (commencing with Section 19201) to Division 2 of the Public Contract Code, relating to the administration of justice, making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Assembly Member Blumenfield.

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

**AYES—66**

Achadjian	Cedillo	Hall	Nielsen
Alejo	Chesbro	Harkey	Olsen
Allen	Cook	Hayashi	Pan
Ammiano	Davis	Hernández	Perea
Atkins	Dickinson	Hill	Pérez, V.M.
Beall	Eng	Huber	Portantino
Berryhill	Feuer	Hueso	Skinner
Block	Fletcher	Huffman	Solorio
Blumenfield	Fong	Jeffries	Swanson
Bonilla	Fuentes	Lara	Torres
Bradford	Furutani	Logue	Wagner
Brownley	Galgiani	Lowenthal	Wieckowski
Buchanan	Garrick	Ma	Williams
Butler	Gatto	Mendoza	Yamada
Calderon	Gordon	Mitchell	Mr. Speaker
Campos	Gorell	Monning	
Carter	Hagman	Nestande	

**NOES—10**

Conway	Jones	Miller	Valadao
Donnelly	Knight	Morrell	
Halderman	Mansoor	Smyth	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 86, AS AMENDED  
BY UNANIMOUS CONSENT**

Assembly Member Blumenfield was granted unanimous consent to take up Senate Bill No. 86 as amended, without reference to print or file, for purpose of consideration.

**SENATE BILL NO. 86 (Committee on Budget and Fiscal Review)**—An act to amend Sections 6452.1, 17052.6, 18510, 19116, 19164, 19504, 19774, and 19777 of, to add Sections 19266 and 19560.5 to, to add the headings of Article 1 (commencing with Section 19751), Article 2 (commencing with Section 19755), and Article 4 (commencing with Section 19772) to, and to add Article 3 (commencing with Section 19761) to, Chapter 9.5 of Part 10.2 of Division 2 of, and to repeal and amend Sections 19751, 19752, 19753, 19754, and 19755 of, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and to take effect immediately, bill related to the budget.

Bill presented by Assembly Member Blumenfield.

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

**AYES—52**

Alejo	Campos	Gordon	Monning
Allen	Carter	Hall	Pan
Ammiano	Cedillo	Hayashi	Perea
Atkins	Chesbro	Hernández	Pérez, V.M.
Beall	Davis	Hill	Portantino
Block	Dickinson	Huber	Skinner
Blumenfield	Eng	Hueso	Solorio
Bonilla	Feuer	Huffman	Swanson
Bradford	Fong	Lara	Torres
Brownley	Fuentes	Lowenthal	Wieckowski
Buchanan	Furutani	Ma	Williams
Butler	Galgiani	Mendoza	Yamada
Calderon	Gatto	Mitchell	Mr. Speaker

**NOES—25**

Achadjian	Grove	Logue	Silva
Berryhill	Hagman	Mansoor	Smyth
Conway	Halderman	Miller	Valadao
Cook	Harkey	Morrell	Wagner
Donnelly	Jeffries	Nestande	
Fletcher	Jones	Nielsen	
Garrick	Knight	Olsen	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 70**

At 1:27 p.m., on motion of Assembly Member Blumenfield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Blumenfield moved to continue the call of the Assembly.

Motion carried. Time, 1:27 p.m.

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

**RECESS**

By unanimous consent, at 1:28 p.m., Speaker pro Tempore Ma declared the Assembly recessed to convene the First Extraordinary Session.

**RECONVENED**

At 3 p.m., the Assembly reconvened.

Hon. Fiona Ma, Speaker pro Tempore of the Assembly, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 17, 2011

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

Assembly Bill No. 95

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

Above bill ordered to unfinished business file.

**RULES SUSPENDED BY UNANIMOUS CONSENT**

Assembly Member Calderon was granted unanimous consent to suspend Assembly Rules 63 and 77 to waive the one calendar day wait to permit consideration of Senate amendments to Assembly Bill 95, without reference to file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 70**

At 3:03 p.m., on motion of Assembly Member Calderon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 70 passed by the following vote:

**AYES—53**

Alejo	Carter	Hayashi	Perea
Allen	Cedillo	Hernández	Pérez, V.M.
Ammiano	Chesbro	Hill	Portantino
Atkins	Davis	Huber	Skinner
Beall	Dickinson	Hueso	Solorio
Block	Eng	Huffman	Swanson
Blumenfield	Feuer	Lara	Torres
Bonilla	Fong	Lowenthal	Wieckowski
Bradford	Fuentes	Ma	Williams
Brownley	Furutani	Mendoza	Yamada
Buchanan	Galgiani	Mitchell	Mr. Speaker
Butler	Gatto	Monning	
Calderon	Gordon	Norby	
Campos	Hall	Pan	

**NOES—25**

Achadjian	Gorell	Knight	Silva
Berryhill	Grove	Logue	Smyth
Conway	Hagman	Mansoor	Valadao
Cook	Halderman	Miller	Wagner
Donnelly	Harkey	Morrell	
Fletcher	Jeffries	Nestande	
Garrick	Jones	Nielsen	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 95  
BY UNANIMOUS CONSENT**

**ASSEMBLY BILL NO. 95 (Committee on Budget)**—An act to amend Sections 19606.1, 19607.5, 19608.3, 19620.1, and 19627.5 of, to amend and renumber Sections 19621.1, 19621.3, 19622.1, 19622.2, 19622.3, 19622.4, 19630.5, and 19639 of, and to repeal Sections 19606.3, 19606.4, 19620.2, 19621, 19621.2, 19630, 19632.5, 19632.6, 19635, 19638, and 19638.5 of, the Business and Professions Code, to add Section 5007 to the Public Resources Code, to add Section 326 to the Public Utilities Code, to amend Section 8352.6 of the Revenue and Taxation Code, to amend Section 13260 of the Water Code, and to amend Section 27 of Chapter 718 of the Statutes of 2010, relating to public resources, making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Assembly Member Blumenfield.

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—52**

Alejo	Campos	Gordon	Monning
Allen	Carter	Hall	Pan
Ammiano	Cedillo	Hayashi	Perea
Atkins	Chesbro	Hernández	Pérez, V.M.
Beall	Davis	Hill	Portantino
Block	Dickinson	Huber	Skinner
Blumenfield	Eng	Hueso	Solorio
Bonilla	Feuer	Huffman	Swanson
Bradford	Fong	Lara	Torres
Brownley	Fuentes	Lowenthal	Wieckowski
Buchanan	Furutani	Ma	Williams
Butler	Galgiani	Mendoza	Yamada
Calderon	Gatto	Mitchell	Mr. Speaker

**NOES—26**

Achadjian	Gorell	Knight	Norby
Berryhill	Grove	Logue	Olsen
Conway	Hagman	Mansoor	Smyth
Cook	Halderman	Miller	Valadao
Donnelly	Harkey	Morrell	Wagner
Fletcher	Jeffries	Nestande	
Garrick	Jones	Nielsen	

Bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**HOUSE RESOLUTION NO. 4 (Galgiani)**—Relative to California Agriculture Day.

Resolution read and presented by Assembly Member Yamada.

**Members Made Coauthors of**  
**House Resolution No. 4**

Assembly Member Galgiani was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 4.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Achadjian, Allen, Ammiano, Atkins, Beall, Blumenfield, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Campos, Carter, Cedillo, Chesbro, Conway, Cook, Davis, Dickinson, Eng, Feuer, Fletcher, Fong, Fuentes, Furutani, Garrick, Gatto, Gordon, Gorell, Grove, Hagman, Halderman, Hall, Harkey, Hayashi, Roger Hernández, Huber, Hueso, Huffman, Jeffries, Jones, Knight, Lara, Logue, Bonnie Lowenthal, Mansoor, Miller, Monning, Morrell, Nestande, Nielsen, Pan, John A. Pérez, V. Manuel Pérez, Portantino, Silva, Skinner, Smyth, Solorio, Swanson, Torres, Wagner, Wieckowski, and Williams.

**Request for Unanimous Consent**

Assembly Member Galgiani was granted unanimous consent to take up House Resolution No. 4, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of House Resolution No. 4, as Amended**

**HOUSE RESOLUTION NO. 4**—Relative to California Agriculture Day.

Resolution read, as amended, and adopted.



**ASSEMBLY CONCURRENT RESOLUTION NO. 17 (Fong)**—Relative to Campus Safety Month.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 17**

Assembly Member Fong was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 17.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Achadjian, Alejo, Allen, Ammiano, Atkins, Beall, Bill Berryhill, Block, Blumenfield, Bonilla, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Campos, Carter, Cedillo, Chesbro, Cook, Davis, Dickinson, Eng, Feuer, Fletcher, Fuentes, Furutani, Galgiani, Garrick, Gatto, Gordon, Gorell, Grove, Hagman, Hall, Harkey, Hayashi, Roger Hernández, Hill, Huber, Hueso, Huffman, Jeffries, Jones, Lara, Logue, Bonnie Lowenthal, Ma, Mansoor, Mendoza, Miller, Mitchell, Monning, Nestande, Nielsen, Olsen, Pan, Perea, John A. Pérez, V. Manuel Pérez, Silva, Skinner, Solorio, Swanson, Torres, Valadao, Wagner, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Fong was granted unanimous consent to take up Assembly Concurrent Resolution No. 17, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 17, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 17**—Relative to Campus Safety Month.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 17, 2011

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

Assembly Bill No. 111

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

Above bill ordered to unfinished business file.

**RULES SUSPENDED BY UNANIMOUS CONSENT**

Assembly Member Calderon was granted unanimous consent to suspend Assembly Rules 63 and 77 to waive the one calendar day wait to permit consideration of Senate amendments to Assembly Bill No. 111, without reference to file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 111  
BY UNANIMOUS CONSENT**

**ASSEMBLY BILL NO. 111 (Committee on Budget)**—An act to amend Sections 15820.903, 15820.913, and 158220.917 of, and to repeal Section 15820.918 of, the Government Code, relating to criminal justice realignment, making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Assembly Member Blumenfield.

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—52**

Alejo	Campos	Gordon	Monning
Allen	Carter	Hall	Pan
Ammiano	Cedillo	Hayashi	Perea
Atkins	Chesbro	Hernández	Pérez, V.M.
Beall	Davis	Hill	Portantino
Block	Dickinson	Huber	Skinner
Blumenfield	Eng	Hueso	Solorio
Bonilla	Feuer	Huffman	Swanson
Bradford	Fong	Lara	Torres
Brownley	Fuentes	Lowenthal	Wieckowski
Buchanan	Furutani	Ma	Williams
Butler	Galgiani	Mendoza	Yamada
Calderon	Gatto	Mitchell	Mr. Speaker

**NOES—23**

Conway	Grove	Knight	Nielsen
Cook	Hagman	Logue	Olsen
Donnelly	Halderman	Mansoor	Smyth
Fletcher	Harkey	Miller	Valadao
Garrick	Jeffries	Morrell	Wagner
Gorell	Jones	Nestande	

Bill ordered enrolled.

**SPECIAL RECOGNITION**

Speaker Pérez arose to acknowledge Assembly Member Gorell on his last Floor Session prior to his yearlong deployment to Afghanistan as a Lieutenant Commander in the United States Navy, and was joined by the Members of the Assembly in honoring Assembly Member Gorell for serving his state and country. Speaker Pérez also recognized Assembly Member Gorell's wife, Laura, and their two children, Ashley and Jack.

Assembly Member Gorell was granted unanimous consent to address the assemblage, whereupon he expressed his appreciation for the support he has received from the Body and the citizens of the 37th Assembly District.

*(NOTE: For letter relative to the leave of absence for the active duty deployment of Assembly Member Gorell, see Assembly Journal, page 452.)*

**MESSAGES FROM THE SENATE**

Senate Chamber, March 17, 2011

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

Assembly Bill No. 109

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 17, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 78  
Senate Bill No. 84

Senate Bill No. 86  
Senate Bill No. 70

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

**ANNOUNCEMENTS**

Majority Floor Leader Calderon announced that the Sergeants are in the process of removing unauthorized lobbying material relative to redevelopment agencies from the Members' desks and will deliver it to the Members' offices.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Calderon requested unanimous consent that Assembly Rules 63 and 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 109, without reference to file.

Assembly Member Hagman withheld unanimous consent.

**MOTION TO SUSPEND THE RULES**

Assembly Member Calderon moved that Assembly Rules 63 and 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 109, without reference to file.

Assembly Member Gatto seconded the motion.

Motion to suspend the Rules carried by the following vote:

**AYES—47**

Alejo	Calderon	Gatto	Mendoza
Allen	Campos	Gordon	Monning
Ammiano	Carter	Hall	Pan
Atkins	Cedillo	Hayashi	Perea
Beall	Chesbro	Hernández	Pérez, V.M.
Block	Dickinson	Hill	Swanson
Blumenfield	Eng	Huber	Torres
Bonilla	Feuer	Hueso	Wieckowski
Bradford	Fong	Huffman	Williams
Brownley	Fuentes	Lara	Yamada
Buchanan	Furutani	Lowenthal	Mr. Speaker
Butler	Galgiani	Ma	

**NOES—24**

Achadjian	Garrick	Jones	Nestande
Berryhill	Grove	Knight	Nielsen
Conway	Hagman	Logue	Olsen
Cook	Halderman	Mansoor	Silva
Donnelly	Harkey	Miller	Smyth
Fletcher	Jeffries	Morrell	Wagner

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 109**

**ASSEMBLY BILL NO. 109 (Committee on Budget)**—An act to amend Sections 585, 650, 654.1, 655.5, 729, 1282.3, 1701, 1701.1, 1960, 2052, 2315, 4324, 5536.5, 6126, 6153, 6788, 7028.16, 7739, 10238.6, 11020, 11023, 11286, 11287, 11320, 16755, 17511.9, 17550.19, 22430, and 25618 of the Business and Professions Code, to amend Sections 892, 1695.8, 1812.125, 1812.217, 2945.7, 2985.2, and 2985.3 of the Civil Code, to amend Sections 2255, 2256, 6811, 6814, 8812, 8815, 12672, 12675, 22002, 25540, 27202, 28880, 29102, 29550, 31410, 31411, and 35301 of the Corporations Code, to amend Section 7054 of the Education Code, to amend Sections 18002, 18100, 18101, 18102, 18106, 18200, 18201, 18203, 18204, 18205, 18310, 18311, 18400, 18403, 18502, 18520, 18521, 18522, 18523, 18524, 18540, 18544, 18545, 18560, 18561, 18564, 18566, 18567, 18568, 18573, 18575, 18578, 18611, 18613, 18614, 18620, 18621, 18640, 18660, 18661, and 18680 of the Elections Code, to amend Sections 3510, 3532, 5300, 5302, 5303, 5304, 5305, 5307, 10004, 12102, 14752, 17700, 18349.5, 18435, 22753, 22780, 31880, and 50500 of the Financial Code, to amend Sections 12004 and 12005 of the Fish and Game Code, to amend Sections 17701, 18932, 18933, 19440, 19441, and 80174 of the Food and Agriculture Code, to amend Sections 1195, 1368, 1369, 3108, 3109, 5954, 6200, 6201, 9056, 27443, and 51018.7 of the Government Code, to amend Sections 264, 310, and 668 of the Harbors and Navigation Code, to amend Sections 1390, 1522.01, 1621.5, 7051, 7051.5, 8113.5, 8785, 11100, 11100.1, 11105, 11153, 11153.5, 11162.5, 11350, 11351, 11351.5, 11352, 11353.5, 11353.6, 11353.7, 11356, 11357, 11358, 11359, 11360, 11362, 11366.5, 11366.6, 11366.8, 11370.6, 11371, 11371.1, 11374.5, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380.7, 11381, 11383, 11383.5, 11383.6, 11383.7, 12401, 12700, 17061, 18124.5, 25180.7, 25189.5, 25189.6, 25189.7, 25190, 25191, 25395.13, 25515, 25541, 42400.3, 44209, 100895, 109335, 115215, 116730, 116750, 118340, and 131130 of the Health and Safety Code, to amend Sections 700, 750, 833, 1043, 1215.10, 1764.7, 1814, 1871.4, 10192.165, 11161, 11162, 11163, 11760, 11880, 12660, and 12845 of the Insurance Code, to amend Sections 227, 6425, and 7771 of the Labor Code, to amend Sections 145, 1318, 1672, and 1673, of the Military and Veterans Code, to amend Sections 17, 18, 19.2, 33, 38, 67.5, 69, 71, 72, 72.5, 76, 95, 95.1, 96, 99, 107, 109, 113, 114, 115.1, 126, 136.7, 137, 139, 140, 142, 146a, 146e, 148, 148.1, 148.3, 148.4, 148.10, 149, 153, 156, 157, 168, 171c, 171d, 181, 182, 186.10, 186.22, 186.26, 186.28, 186.33, 191.5, 193, 193.5, 210.5, 217.1, 218.1, 219.1, 222, 237, 241.1, 241.4, 241.7, 243, 243.1, 243.6, 244.5, 245, 245.6, 246.3, 247.5, 261.5, 265, 266b, 266e, 266f, 266g, 271, 271a, 273.4, 273.6, 273.65, 273d, 278, 278.5, 280, 284, 288.2, 290.018, 290.4, 290.45, 290.46, 298.2, 299.5, 311.9, 313.4, 337.3, 337.7, 337b, 337c, 337d, 337e, 337f, 350, 367f, 367g, 368, 374.2, 374.8, 375, 382.5, 382.6, 386, 387, 399.5, 404.6, 405b, 417, 417.3, 417.6, 422, 422.7, 453, 455, 461, 463, 464, 470a, 470b, 473, 474, 478, 479, 480, 481, 483.5, 484b, 484i, 487b, 487d, 489, 496, 496a, 496d, 499c, 499d, 500, 502, 506b, 520, 529, 529a, 530.5, 532a, 532f, 533, 535, 537e, 538.5, 548, 549, 550, 551, 560, 560.4, 566, 570, 577, 578, 580, 581, 587, 587.1, 591, 593, 594, 594.3, 594.35, 594.4, 597, 597.5, 598c, 598d, 600, 601, 610, 617, 620, 621, 625b, 626.9, 626.95, 626.10, 629.84, 631, 636, 637, 647.6, 653f, 653h, 653j, 653s, 653t, 653u, 653w, 664, 666, 666.5, 667.5, 668, 800, 801, 803, 836.6, 1168, 1170, 1174.4, 1203.016, 1208.2, 1213, 1320, 1320.5, 2600, 2650, 2772, 2790, 2900.5, 2932, 3000, 3000.1, 3001, 3003, 3056, 3057, 4011.7, 4016.5, 4019, 4131.5, 4501.1, 4502, 4530, 4532, 4533, 4536, 4550, 4573, 4573.6, 4573.9, 4574, 4600, 11411, 11413, 11418, 11419, 12021, 12021.1, 12021.5, 12022, 12022.5, 12022.9, 12025, 12035, 12040, 12072, 12076, 12090, 12101, 12220, 12280, 12281, 12303.3, 12303.6, 12304, 12312, 12320, 12355, 12370, 12403.7, 12422, 12520, 18715, 18720, 18725, 18730, 18735, 18740, 20110, 22810, 22910, 23900, 25110, 25300, 25400, 25850, 27590, 28250, 29700, 30315, 30600, 30605, 30725, 31360, 32625, and 33410 of, to add Sections 17.5, 1203.018, 1230.1, 2057, 3000.08, and 3000.09 to, to add Title 2.05 (commencing with Section 3450) to Part 3 of, and to repeal Sections 3060 and 3061 of, the Penal Code, to amend Sections 10283 and 10873 of the Public Contract Code, to amend Sections 5097.99, 14591, 25205, and 48680 of the Public Resources Code, to amend Sections 7680, 7724, 7903, and 21407.6 of the Public Utilities Code, to amend Sections 7093.6, 9278, 14521, 16910, 18631.7, 19705, 19708, 30459.15, 32471.5, 32555, 38800, 40211.5, 41171.5, 43522.5, 43606, 45867.5, 45955, 46628, 46705, 50156.18, 55332.5, 55363, and 60637 of the Revenue and Taxation Code, to amend Sections 2478, 2800.4, 4463, 10501, 10752, 10801, 10802, 10803, 10851, 21464, 21651, 23104, 23105, 23109, 23109.1, 23110, 23550, and 42000 of the Vehicle Code, to amend Section 13387 of the Water Code, and to amend Sections 871.5, 1001.5, 1731.5, 1768.7, 1768.85, 3002, 7326, 8100, 8101, 8103, 10980, 14107.2, 14107.3, 14107.4, and 17410 of, and to add Section 1710.5 to, the Welfare and Institutions Code, relating to criminal justice realignment, making an appropriation therefor, to take effect immediately, bill related to the budget.

**Point of Order**

Assembly Member Hagman arose to the following point of order:

Assembly Bill No. 109 contains sections that amend statutory initiatives that can only be amended by a two-thirds vote of the Legislature.

**Ruling by Speaker pro Tempore Ma**

The Speaker pro Tempore ruled the point of order not well-taken; Legislative Counsel has opined that a majority vote is required for passage of Assembly Bill No. 109.

**Motion to Appeal from the Decision of the Chair**

Assembly Member Hagman moved to appeal from the decision of the Chair.

Assembly Member Jones seconded the motion.

The question being: Shall the decision of the Chair be overruled?

**Point of Order**

Assembly Member Calderon arose to the following point of order:

Assembly Member Hagman’s comments are not germane to the motion before the House.

**Parliamentary Inquiry**

Assembly Member Jeffries arose to the following parliamentary inquiry:

Is the Legislative Counsel opinion in writing?

**Reply by Speaker pro Tempore Ma**

The Speaker pro Tempore replied in the negative; that the Legislative Counsel opinion is an oral opinion which has also been shared with Senate leadership.

**Further Consideration of Motion to Appeal from the Decision of the Chair**

The question being: Shall the decision of the Chair be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

**AYES—25**

Achadjian	Grove	Logue	Silva
Berryhill	Hagman	Mansoor	Smyth
Conway	Halderman	Miller	Valadao
Cook	Harkey	Morrell	Wagner
Donnelly	Jeffries	Nestande	
Fletcher	Jones	Nielsen	
Garrick	Knight	Olsen	

**NOES—51**

Alejo	Campos	Gordon	Monning
Allen	Carter	Hall	Pan
Ammiano	Cedillo	Hayashi	Perea
Atkins	Chesbro	Hernández	Pérez, V.M.
Beall	Davis	Hill	Portantino
Block	Dickinson	Huber	Skinner
Blumenfield	Eng	Hueso	Swanson
Bonilla	Feuer	Huffman	Torres
Bradford	Fong	Lara	Wieckowski
Brownley	Fuentes	Lowenthal	Williams
Buchanan	Furutani	Ma	Yamada
Butler	Galgiani	Mendoza	Mr. Speaker
Calderon	Gatto	Mitchell	

**Assembly Rule 112 Suspended**

Assembly Member Torres was granted unanimous consent that Assembly Rule 112 be suspended to permit her to read a paper on the Floor of the Assembly.

The question being on concurrence in Senate amendments.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 4:55 p.m.

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

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS**

**CONFERENCE COMMITTEE REPORTS**

**SENATE BILL NO. 69 (As proposed by the Conference Committee)**—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, to take effect immediately, Budget Bill.

Conference Committee Report presented by Assembly Member Blumenfield.

**At 5:07 p.m., Assistant Speaker pro Tempore Mike Gatto,  
43rd District, presiding**

Report adopted by the following vote:

**AYES—52**

Alejo	Campos	Gordon	Monning
Allen	Carter	Hall	Pan
Ammiano	Cedillo	Hayashi	Perea
Atkins	Chesbro	Hernández	Pérez, V.M.
Beall	Davis	Hill	Portantino
Block	Dickinson	Huber	Skinner
Blumenfield	Eng	Hueso	Solorio
Bonilla	Feuer	Huffman	Swanson
Bradford	Fong	Lara	Torres
Brownley	Fuentes	Lowenthal	Wieckowski
Buchanan	Furutani	Ma	Williams
Butler	Galgiani	Mendoza	Yamada
Calderon	Gatto	Mitchell	Mr. Speaker

**NOES—26**

Achadjian	Grove	Logue	Olsen
Berryhill	Hagman	Mansoor	Silva
Conway	Halderman	Miller	Smyth
Cook	Harkey	Morrell	Valadao
Donnelly	Jeffries	Nestande	Wagner
Fletcher	Jones	Nielsen	
Garrick	Knight	Norby	

**MESSAGES FROM THE SENATE**

Senate Chamber, March 17, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 69

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

Senate Chamber, March 17, 2011

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

Assembly Bill No. 93

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

Above bill ordered to unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 109**

At 5:28 p.m., on motion of Assembly Member Blumenfield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Blumenfield moved to continue the call of the Assembly.

Motion carried. Time, 5:28 p.m.

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

At 5:29 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 109**

At 5:31 p.m., on motion of Assembly Member Blumenfield, 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. 109 by the following vote:

**AYES—51**

Alejo	Campos	Gordon	Monning
Allen	Carter	Hall	Pan
Ammiano	Cedillo	Hayashi	Perea
Atkins	Chesbro	Hernández	Pérez, V.M.
Beall	Davis	Hill	Skinner
Block	Dickinson	Huber	Solorio
Blumenfield	Eng	Hueso	Swanson
Bonilla	Feuer	Huffman	Torres
Bradford	Fong	Lara	Wieckowski
Brownley	Fuentes	Lowenthal	Williams
Buchanan	Furutani	Ma	Yamada
Butler	Galgiani	Mendoza	Mr. Speaker
Calderon	Gatto	Mitchell	

**NOES—27**

Achadjian	Grove	Logue	Olsen
Berryhill	Hagman	Mansoor	Portantino
Conway	Halderman	Miller	Silva
Cook	Harkey	Morrell	Smyth
Donnelly	Jeffries	Nestande	Valadao
Fletcher	Jones	Nielsen	Wagner
Garrick	Knight	Norby	

Bill ordered enrolled.

**RE-REFERENCE OF BILLS TO COMMITTEE  
PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Ma re-referred Assembly Bill No. 93 to the Committee on Elections and Redistricting.

**JOINT RULE 62(a) SUSPENDED**

Assembly Member Calderon was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Elections and Redistricting to hear Assembly Bill No. 93, on Monday, March 21, 2011, at 11 a.m.

**ANNOUNCEMENTS**

Speaker pro Tempore Ma announced the following session schedule:  
Friday, March 18, 2011, Floor Session, upon call of the Speaker;  
Saturday, March 19, 2011, Floor Session, upon call of the Speaker;  
Sunday, March 20, 2011, Floor Session, upon call of the Speaker;  
Monday, March 21, 2011, Floor Session, 11:30 a.m., or upon call of the Speaker.



**ADJOURN IN MEMORY**

Assembly Member Smyth was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jason David Oliver of Simi Valley.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 77 was continued until the next legislative day.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Senate Bill No. 84:** Block, Davis, Huber and Solorio—Aye; Conway and Fletcher—No.

**Senate Bill No. 78:** Logue—Aye; Conway and Smyth—No.

**Senate Bill No. 70:** Davis and Portantino—Aye.

**Assembly Bill No. 95, Concurrence:** Miller—No.

**Assembly Bill No. 109, Concurrence:** Portantino—No.

**MOTION TO ADJOURN**

At 5:33 p.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 5:33 p.m., Speaker pro Tempore Ma declared the quorum call of the Assembly dispensed with.

**AUTHOR'S AMENDMENTS  
Committee on Budget**

March 17, 2011

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

Senate Bill No. 79

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

BLUMENFIELD, Chair

**SENATE BILL NO. 79**—An act to amend Sections 17276.1, 17276.20, 23101, 24416.1, 24416.20, and 25128 of, to amend and repeal Sections 17053.33, 17053.34, 17053.45, 17053.46, 17053.47, 17053.70, 17053.74, 17053.75, 17235, 17267.2, 17267.6, 17268, 17276.2, 17276.4, 17276.5, 17276.6, 23612.2, 23622.7, 23622.8, 23633, 23634, 23645, 23646, 24356.6, 24356.7, 24356.8, 24384.5, 24416.2, 24416.4, 24416.5, and 24416.6 of, to amend, repeal, and add Section 25136 of, to add Sections 17053.31 and 23611 to, to repeal Section 25128.5 of, and to repeal and add Sections 17276.22 and 24416.22 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Business, Professions and Consumer Protection**

March 17, 2011

Mr. Speaker: The Chair of your Committee on Business, Professions and Consumer Protection reports:

Assembly Bill No. 465

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

HAYASHI, Chair

**ASSEMBLY BILL NO. 465**—An act to add Chapter 25 (commencing with Section 22756) to Division 8 of the Business and Professions Code, relating to gardening or landscape maintenance services.

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.

March 17, 2011

Mr. Speaker: The Chair of your Committee on Business, Professions and Consumer Protection reports:

Assembly Bill No. 87

Assembly Bill No. 305

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

HAYASHI, Chair

**ASSEMBLY BILL NO. 87**—An act relating to home furnishings.

Bill read second time.

**ASSEMBLY BILL NO. 305**—An act to amend Sections 7296.2 and 7299.6 of the Government Code, relating to state government.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bills ordered reprinted, and to be re-referred to the committee.

**Committee on Education**

March 17, 2011

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

Assembly Bill No. 199

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

BROWNLEY, Chair

**ASSEMBLY BILL NO. 199**—An act relating to pupil instruction.

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 Environmental Safety and Toxic Materials**

March 17, 2011

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1200

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

WIECKOWSKI, Chair

**ASSEMBLY BILL NO. 1200**—An act to amend Section 345 of the Water Code, relating to the Department of Water Resources.

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 Health**

March 17, 2011

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

Assembly Bill No. 604

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

MONNING, Chair

**ASSEMBLY BILL NO. 604**—An act relating to public health.

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 Judiciary**

March 17, 2011

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

Assembly Bill No. 456

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

FEUER, Chair

**ASSEMBLY BILL NO. 456**—An act to amend Sections 1281.4 of, and to amend and repeal Section 1281.5 of, the Code of Civil Procedure, relating to arbitration.

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 Local Government**

March 17, 2011

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 964

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

SMYTH, Chair

**ASSEMBLY BILL NO. 964**—An act to amend Section 25507 of, and to add Section 5420 to, the Health and Safety Code, and to add Sections 5898.15, 5898.23, and 5899.1 to the Streets and Highways Code, relating to environmental protection.

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 Public Employees, Retirement and Social Security**

March 17, 2011

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1395

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

FURUTANI, Chair

**ASSEMBLY BILL NO. 1395**—An act to amend Section 12940 of the Government Code, relating to employment.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**Committee on Water, Parks and Wildlife**

March 17, 2011

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 19

Assembly Bill No. 42

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

HUFFMAN, Chair

**ASSEMBLY BILL NO. 19**—An act to add Section 17922.14 to the Health and Safety Code, and to add Chapter 8.5 (commencing with Section 537) to Division 1 of the Water Code, relating to water.

Bill read second time.

**ASSEMBLY BILL NO. 42**—An act relating to state parks.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bills ordered reprinted, and to be re-referred to the committee.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Rules**

Date of Hearing: March 17, 2011

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 29

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

SKINNER, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: March 17, 2011

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 7

Assembly Concurrent Resolution No. 12

Assembly Concurrent Resolution No. 28

Assembly Concurrent Resolution No. 38

With the recommendation: Be adopted.

SKINNER, Chair

Above resolutions ordered to third reading.

**Committee on Judiciary**

Date of Hearing: March 15, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 354

With the recommendation: Do pass, as amended.

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.

FEUER, Chair

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 17, 2011

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

Senate Concurrent Resolution No. 11

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 11**—Relative to Irish American Heritage Month.

**INTRODUCTION OF GUESTS**

Assembly Member Conway, of the 34th Assembly District, introduced participants from “Leadership Tulare”.

**ADJOURNMENT**

At 6 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 11:30 a.m., Monday, March 21, 2011, or upon call of the Speaker, out of respect to the memory of Jason David Oliver on motion of Assembly Member Smyth.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 17, 2011

—————

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

<b>AB</b>	<b>RN</b>
2	1113229
19	1113183
42	1112591
87	1112456
130	1113182
131	1113185
199	1112358
305	1113583
456	1113101
465	1112760
604	1112296
964	1113381
1200	1113062
1395	1112428

<b>SB</b>	<b>RN</b>
70	*
78	*
79	1113854
84	*
86	*

<b>Daily Total:</b>	<b>15</b>
<b>Cumulative Total:</b>	<b>168</b>

(NOTE: \* Refers to amendments received in non-Legislative Counsel form.)