

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, May 17, 2011

SEVENTY-FIFTH SESSION DAY

ONE HUNDRED SIXTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, May 17, 2011

The Assembly met at 7 a.m.

Hon. Martin Garrick, Assembly Member, 74th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Timothy Morland reading.

ROLL CALL

The following were placed upon the morning roll call—75:

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

Quorum present.

At 12:48 p.m., Hon. Paul Cook, 65th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Cedillo, Fletcher, and Olsen.

On paternity leave: Assembly Member Norby.

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

COMMUNICATIONS

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

May 17, 2011

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

Dear Dotson: Please be advised that I have appointed Assemblymember Cameron Smyth to replace Assemblymember Chris Norby on the Assembly Appropriations Committee for the Wednesday, May 18 hearing only.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 17, 2011

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

Assembly Bill No. 42

Assembly Bill No. 1073

Assembly Bill No. 126

Assembly Bill No. 1074

Assembly Bill No. 202

Assembly Bill No. 1288

Assembly Bill No. 876

Assembly Bill No. 1358

Assembly Bill No. 905

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 17, 2011

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

Assembly Bill No. 1081

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 17, 2011

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

Assembly Bill No. 1429

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 61—Hayashi. Relative to California Nurses Week 2011.

ASSEMBLY JOINT RESOLUTION NO. 12—Solorio. Relative to the Strengthening Medicare and Repaying Taxpayers Act of 2011.

HOUSE RESOLUTION NO. 16—Garrick. Relative to Motorcycle Awareness Month.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 17, 2011

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

Assembly Bill No. 139

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

FUENTES, Chair

ASSEMBLY BILL NO. 139—An act relating to state claims, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Rules

May 17, 2011

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

House Resolution No. 13

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

SKINNER, Chair

HOUSE RESOLUTION NO. 13—Relative to Elder and Vulnerable Adult Abuse Awareness Month.

Resolution read.

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

May 17, 2011

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

Senate Concurrent Resolution No. 20

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

SKINNER, Chair

SENATE CONCURRENT RESOLUTION NO. 20—Relative to California Safe Digging Month.

Resolution read.

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

REPORTS OF STANDING COMMITTEES
Committee on Revenue and Taxation

Date of Hearing: May 16, 2011

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 558

Assembly Bill No. 1369

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

PEREA, Chair

Above bills ordered to second reading.

Date of Hearing: May 16, 2011

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 218

Assembly Bill No. 1130

Assembly Bill No. 865

Assembly Bill No. 1239

Assembly Bill No. 1069

Assembly Bill No. 1276

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

PEREA, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: May 16, 2011

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 12

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: May 16, 2011

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 32

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: May 16, 2011

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 42

With the recommendation: Be adopted.

SKINNER, Chair

Above resolution ordered to third reading.

Date of Hearing: May 16, 2011

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 54

With the recommendation: Be adopted.

SKINNER, Chair

Above resolution ordered to third reading.

Committee on Judiciary

Date of Hearing: May 10, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 439

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

FEUER, Chair

Above bill ordered to second reading.

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

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

Assembly Bills Nos. 42, 126, 1358, 1288, 876, 1073, and 1074, ordered to third reading.

Assembly Bills Nos. 905 and 202, ordered to the Consent Calendar.

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

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

Senate Bills Nos. 191, 192, and 193, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 724—An act to add and repeal Section 2800 of the Public Utilities Code, relating to utility service.

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

ASSEMBLY BILL NO. 527—An act to amend Sections 1090 and 1091 of, and to add Section 1096.5 to, the Government Code, relating to public officials.

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

ASSEMBLY BILL NO. 1082—An act to amend Sections 4260, 4264, 4401, 4407, 4457, 4458, 4460, 4461, and 4462 of, and to repeal and add Section 4465 of, the Probate Code, relating to powers of attorney.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1219—An act to amend Section 1747.08 of the Civil Code, relating to credit cards.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, May 18, 2011.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 17, 2011**

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

AB	RN
139	1117556
527	1117461
724	1117709
1082	1117635
1219	1117632

HR	RN
13	1118072

SCR	RN
20	1117496

Daily Total:	7
Cumulative Total:	1351

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