

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 18, 2011

SEVENTY-SIXTH SESSION DAY

ONE HUNDRED SIXTY-FOURTH 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
Wednesday, May 18, 2011

The Assembly met at 7 a.m.

Hon. Bill Monning, Assembly Member, 27th 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—77:

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

Quorum present.

At 12:13 p.m., Hon. Julia Brownley, 41st District, presiding

REGULAR BUSINESS DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Beall.

On personal business, and waiving per diem: Assembly Member Fletcher.

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

EXPLANATIONS OF ABSENCE

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

May 13, 2011

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

Dear Speaker Pérez: I respectfully request to be excused from the Assembly Check-in Session on Wednesday, May 18, 2011. I will be in my district during this time attending to legislative business. Thank you for your attention to this request.

Sincerely,

JIM BEALL, JR., Assembly Member
Twenty-fourth District

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 18, 2011

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 139

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 18, 2011

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 527
Assembly Bill No. 724

And reports the same correctly engrossed.

Assembly Bill No. 1082
Assembly Bill No. 1219

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 18, 2011

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 54

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 18, 2011

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 12

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 18, 2011

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 13

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 18, 2011

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

Assembly Bill No. 1156

Assembly Bill No. 1291

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

FUENTES, Chair

ASSEMBLY BILL NO. 1156—An act to amend Sections 32261, 32282, 32283, 48204, and 48900 of the Education Code, relating to pupils.

Bill read second time.

ASSEMBLY BILL NO. 1291—An act to amend Section 1685 of the Vehicle Code, relating to vehicles.

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.

May 18, 2011

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

Assembly Bill No. 1069

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

FUENTES, Chair

ASSEMBLY BILL NO. 1069—An act to repeal and amend Sections 17053.85 and 23685 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.

May 18, 2011

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

Assembly Bill No. 56

Assembly Bill No. 1208

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

FUENTES, Chair

ASSEMBLY BILL NO. 56—An act to add Sections 746 and 770.5 to the Public Utilities Code, relating to public utilities.

Bill read second time.

ASSEMBLY BILL NO. 1208—An act to amend Sections 77202 and 77207 of the Government Code, relating to courts.

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 Revenue and Taxation

May 18, 2011

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1278

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

PEREA, Chair

ASSEMBLY BILL NO. 1278—An act to add and repeal Sections 17053.82 and 23628 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 Rules

May 18, 2011

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

Senate Concurrent Resolution No. 15

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

SKINNER, Chair

SENATE CONCURRENT RESOLUTION NO. 15—Relative to Sexual Assault Awareness Month and Denim Day California.

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 18, 2011

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

Assembly Concurrent Resolution No. 52

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

SKINNER, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 52—Relative to the California State University system.

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 Elections and Redistricting

Date of Hearing: May 17, 2011

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Constitutional Amendment No. 6

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

FONG, Chair

Above resolution ordered to second reading.

Date of Hearing: May 17, 2011

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Constitutional Amendment No. 11

Assembly Constitutional Amendment No. 19

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

FONG, Chair

Above resolutions re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: May 18, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1181

Assembly Bill No. 1416

Assembly Bill No. 1245

Assembly Bill No. 1417

Assembly Bill No. 1247

Assembly Bill No. 1418

Assembly Bill No. 1314

Assembly Bill No. 1421

Assembly Bill No. 1398

Assembly Bill No. 1424

Assembly Bill No. 1411

With the recommendation: Do pass.

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 18, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 810

Assembly Bill No. 1020

Assembly Bill No. 813

Assembly Bill No. 1052

Assembly Bill No. 878

Assembly Bill No. 1098

Assembly Bill No. 936

Assembly Bill No. 1114

Assembly Bill No. 955

Assembly Bill No. 1128

Assembly Bill No. 981

Assembly Bill No. 1131

Assembly Bill No. 1016

Assembly Bill No. 1175

With the recommendation: Do pass.

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 18, 2011

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 28 | Assembly Bill No. 547 |
| Assembly Bill No. 74 | Assembly Bill No. 642 |
| Assembly Bill No. 89 | Assembly Bill No. 717 |
| Assembly Bill No. 212 | Assembly Bill No. 732 |
| Assembly Bill No. 319 | Assembly Bill No. 735 |
| Assembly Bill No. 344 | Assembly Bill No. 768 |
| Assembly Bill No. 396 | Assembly Bill No. 808 |
| Assembly Bill No. 504 | |

With the recommendation: Do pass.

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 18, 2011

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 1210
- Assembly Bill No. 1425

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 bills be placed on the Consent Calendar.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 18, 2011

Mr. Speaker: Your Committee on Appropriations reports:

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|-----------------------|------------------------|
| Assembly Bill No. 361 | Assembly Bill No. 1021 |
| Assembly Bill No. 403 | Assembly Bill No. 1389 |
| Assembly Bill No. 409 | |

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 18, 2011

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 40 | Assembly Bill No. 641 |
| Assembly Bill No. 146 | Assembly Bill No. 644 |
| Assembly Bill No. 156 | Assembly Bill No. 654 |
| Assembly Bill No. 200 | Assembly Bill No. 680 |
| Assembly Bill No. 274 | Assembly Bill No. 710 |
| Assembly Bill No. 278 | Assembly Bill No. 795 |
| Assembly Bill No. 420 | Assembly Bill No. 845 |
| Assembly Bill No. 514 | Assembly Bill No. 907 |
| Assembly Bill No. 592 | |

With the recommendation: Do pass.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: May 18, 2011

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 938 | Assembly Bill No. 1178 |
| Assembly Bill No. 976 | Assembly Bill No. 1280 |
| Assembly Bill No. 1017 | Assembly Bill No. 1290 |
| Assembly Bill No. 1019 | Assembly Bill No. 1346 |
| Assembly Bill No. 1027 | Assembly Bill No. 1364 |
| Assembly Bill No. 1081 | Assembly Bill No. 1401 |
| Assembly Bill No. 1087 | Assembly Bill No. 1420 |
| Assembly Bill No. 1116 | |

With the recommendation: Do pass.

FUENTES, Chair

Above bills 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. 724, 527, and 1219, ordered to third reading.

Assembly Bill No. 1082, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 558—An act to amend, repeal, and add Section 17085 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 1369—An act to amend Sections 17282 and 24436.1 of, and to repeal Sections 17281 and 24436 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 439—An act to amend Section 56.36 of the Civil Code, relating to health care information.

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 4 p.m., the Assembly adjourned until 9 a.m., Thursday, May 19, 2011.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 18, 2011**

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

AB RN

56 1118279
439 1118181
558 1118015
1069 1118094
1156 1117957
1208 1118088
1278 1118210
1291 1117539
1369 1117644

ACR RN

52 1118219

SCR RN

15 1117882

Daily Total: 11
Cumulative Total: 1362

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