

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, June 3, 2011

EIGHTY-SIXTH SESSION DAY

ONE HUNDRED EIGHTIETH 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
Friday, June 3, 2011

The Assembly met at 10 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 Perea moved a quorum call of the Assembly.

Motion carried. Time, 10 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 10:06 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—76:

Achadjian	Cook	Harkey	Nielsen
Alejo	Davis	Hayashi	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	Gaines	Logue	Solorio
Brownley	Galgiani	Lowenthal	Swanson
Buchanan	Garrick	Ma	Torres
Butler	Gatto	Mansoor	Valadao
Calderon	Gordon	Mendoza	Wagner
Campos	Grove	Miller	Wieckowski
Cedillo	Hagman	Mitchell	Williams
Chesbro	Halderman	Monning	Yamada
Conway	Hall	Morrell	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Ma, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, Sometimes, when things start going our way, when we start to do better, the people around us don't celebrate. They become jealous. Shield us, Lord, from the attitudes of others who would hold us back. Instead, help us shake off the criticism of others and receive Your blessing. For when we honor You, You will continue to increase and support us all the days of our lives.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Ma, Assembly Member Jeffries 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 Feuer, seconded by Assembly Member Hagman.

LEAVES OF ABSENCE FOR THE DAY

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

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

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

Because of illness: Assembly Member Roger Hernández.

Because of a death in her family: Assembly Member Carter.

COMMUNICATIONS

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

June 3, 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 Rich Gordon to the Select Committee on the Status of Boys and Men of Color in California for the 2011–12 Regular Session.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Jobs, Economic Development, and the Economy, on Wednesday, July 6, 2011, at 9 a.m.

Higher Education, on Thursday, June 9, 2011.

Banking and Finance, on Monday, June 27, 2011.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1250—An act to amend Sections 33080.3, 33080.6, 33320.1, 33334.2, 33353.2, 33367, 33426.5, 33488, 33601, 33610, and 33670 of, to add Sections 33080.14, 33444.7, 33444.8, 33491, 33607.9, and 33675.1 to, and to add Article 6.5 (commencing with Section 33679.1) to Chapter 6 of Part 1 of Division 24 of, the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 438—An act to amend Sections 19104 and 19116 of, and to add Section 19104.5 to, the Education Code, relating to libraries.

Bill read second time, and ordered to third reading.

REQUEST FOR PHOTOGRAPHER

Speaker Pérez was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**RE-REFERENCE OF BILLS
PURSUANT TO ASSEMBLY RULE 96(a)**

Assembly Member Charles Calderon was granted unanimous consent that the following bills be re-referred as noted pursuant to Assembly Rule 96(a):

Senate Bill No. 947 from the Committee on Revenue and Taxation to the Committee on Local Government, and to be returned to the Committee on Revenue and Taxation;

Senate Bill No. 948 from the Committee on Revenue and Taxation to the Committee on Local Government, and to be returned to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES

Assembly Member Charles Calderon requested unanimous consent that Assembly Rule 63 be suspended to permit consideration of Assembly Bill No. 438 without reference to file.

Assembly Member Hagman withheld unanimous consent.

Motion to Suspend the Rules

Assembly Member Charles Calderon moved that Assembly Rule 63 be suspended to permit consideration of Assembly Bill No. 438 without reference to file.

Assembly Member Feuer seconded the motion.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:12 a.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**

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 834
ASSEMBLY BILL NO. 834 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given on a previous day, Assembly Member Roger Hernández was granted unanimous consent that the vote be reconsidered, whereby Assembly Bill No. 834 was refused passage; and that the bill be placed upon the inactive file.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:
Assembly Bill No. 356, on request of Assembly Member Hill.

**At 10:15 a.m., Assistant Speaker pro Tempore Mike Gatto,
43rd District, presiding**

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

ASSEMBLY BILL NO. 631 (Ma)—An act to amend Section 216 of the Public Utilities Code, relating to public utilities.

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

AYES—74

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

NOES—1

Fuentes

Bill ordered transmitted to the Senate.

At 10:19 a.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

ASSEMBLY BILL NO. 1300 (Blumenfield)—An act to amend Section 11362.83 of the Health and Safety Code, relating to medical marijuana.

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

AYES—71

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

NOES—1

Ammiano

Bill ordered transmitted to the Senate.

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

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

AYES—75

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

NOES—1

Ammiano

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1027 (Buchanan)—An act to add the heading of Part 1 (commencing with Section 9500) to, and to add Part 2 (commencing with Section 9510) to, Division 4.8 of the Public Utilities Code, relating to local publicly owned electric utilities.

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

AYES—70

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

NOES—4

Jeffries	Mansoor	Morrell	Olsen
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 145 (Galgiani)—An act to repeal and add Division 19.5 (commencing with Section 185000) of the Public Utilities Code, relating to high-speed rail.

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

AYES—57

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

NOES—18

Donnelly	Halderman	Mansoor	Smyth
Gaines	Harkey	Morrell	Valadao
Garrick	Jones	Nielsen	Wagner
Grove	Knight	Olsen	
Hagman	Logue	Silva	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 770 (Torres)—An act to amend Sections 53114.2, 53115.1, and 53115.2 of the Government Code, relating to emergency telephone systems.

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

AYES—53

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

NOES—23

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

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1221 (Alejo)—An act to amend Sections 13400 and 13442 of the Water Code, relating to water, and making an appropriation therefor.

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

AYES—64

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

NOES—10

Donnelly	Harkey	Mansoor	Wagner
Gaines	Jones	Morrell	
Garrick	Knight	Silva	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1276 (Feuer)—An act to add Sections 17226 and 24343.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

Request for Use of Visual Aids

Assembly Member Donnelly was granted unanimous consent to use visual aids on the Floor to assist in debate.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:01 a.m.

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

**RECESS FOR MEMORIAL CEREMONY HONORING
CAPTAIN JOSEPH WILLIAM SCHULTZ**

By unanimous consent, at 11 a.m., Speaker pro Tempore Ma declared the Assembly recessed to honor the life and service of United States Army Green Beret Special Forces Officer, Captain Joseph William Schultz, in a memorial ceremony.

REMARKS IN MEMORIAM

Speaker Pérez was granted unanimous consent to present a memorial statement to the assemblage.

RESOLUTION PRESENTED

Speaker Pérez joined the Schultz family in the rear of the Chamber to present them with a Memorial Resolution in recognition of Captain Joseph William Schultz' many accomplishments and dedicated service to the Office of former Governor Gray Davis, the State of California, and the United States of America.

ADJOURN IN MEMORY

Speaker Pérez was granted unanimous consent that when the Assembly adjourns this day it do so out of respect to the memory of Captain Joseph William Schultz of Port Angeles, Washington.

MOMENT OF SILENCE OBSERVED

The Assembly observed a moment of silence out of respect to the memory of Captain Joseph William Schultz.

RECONVENED

At 11:06 a.m., the Assembly reconvened.

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

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

ASSEMBLY BILL NO. 1334 (Feuer)—An act to add Section 1366.5 to the Health and Safety Code, and to add Section 10112.58 to the Insurance Code, relating to health care coverage.

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

AYES—46

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

NOES—27

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

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 1112
Request for Unanimous Consent**

In compliance with a motion given on a previous day, Assembly Member Huffman requested unanimous consent that the vote be reconsidered whereby Assembly Bill No. 1112 was refused passage.

Assembly Member Hagman withheld unanimous consent.

Motion to Reconsider

Assembly Member Huffman moved that the vote be reconsidered whereby Assembly Bill No. 1112 was refused passage.

Assembly Bill No. 1112 reconsidered by the following vote:

AYES—49

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

NOES—25

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

Further Consideration of Assembly Bill No. 1112

ASSEMBLY BILL NO. 1112 (Huffman)—An act to amend Sections 8670.39, 8670.40, and 8670.41 of, to amend and repeal Section 8670.42 of, and to add Section 8670.32 to, the Government Code, and to add and repeal Section 6226 of the Public Resources Code, relating to oil spills.

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

AYES—42

Allen	Cedillo	Gordon	Pan
Ammiano	Chesbro	Hayashi	Portantino
Atkins	Davis	Hill	Skinner
Beall	Dickinson	Huber	Solorio
Block	Eng	Hueso	Swanson
Blumenfield	Feuer	Huffman	Wieckowski
Bradford	Fong	Lowenthal	Williams
Brownley	Fuentes	Ma	Yamada
Buchanan	Furutani	Mendoza	Mr. Speaker
Butler	Galgiani	Mitchell	
Campos	Gatto	Monning	

NOES—26

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

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 372 (Roger Hernández)—An act to amend Section 78212 of the Education Code, relating to community colleges.

Bill presented by Assembly Member Hueso.

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

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 210 (Solorio)—An act to amend Sections 1797.224 and 1797.270 of, to add Sections 1797.95 and 1797.225 to, and to repeal Section 1797.201 of, the Health and Safety Code, relating to emergency medical services.

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

AYES—53

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

NOES—20

Achadjian	Grove	Knight	Olsen
Berryhill	Hagman	Mansoor	Silva
Donnelly	Halderman	Morrell	Smyth
Gaines	Harkey	Nielsen	Valadao
Garrick	Jones	Norby	Wagner

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 493 (Perea)—An act to add Section 10072.5 to the Welfare and Institutions Code, relating to public social services.

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

AYES—59

Achadjian	Fong	Huffman	Pan
Alejo	Fuentes	Jeffries	Perea
Allen	Gaines	Jones	Pérez, V.M.
Berryhill	Galgiani	Knight	Portantino
Block	Garrick	Lara	Silva
Buchanan	Gatto	Logue	Smyth
Campos	Grove	Lowenthal	Solorio
Cedillo	Hagman	Ma	Swanson
Conway	Halderman	Mansoor	Torres
Cook	Hall	Mendoza	Valadao
Dickinson	Harkey	Miller	Wagner
Donnelly	Hayashi	Morrell	Wieckowski
Eng	Hill	Nielsen	Williams
Feuer	Huber	Norby	Mr. Speaker
Fletcher	Hueso	Olsen	

NOES—10

Ammiano	Bonilla	Gordon	Yamada
Atkins	Bradford	Mitchell	
Beall	Brownley	Skinner	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 934 (Feuer)—An act to amend Section 47 of the Civil Code, relating to privileged communications.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:53 a.m.

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

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 338

ASSEMBLY BILL NO. 338 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given on a previous day, Assembly Member Wagner was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 338 was refused passage.

Further Consideration of Assembly Bill No. 338

ASSEMBLY BILL NO. 338 (Wagner)—An act to amend Sections 11343.4 and 11349.3 of the Government Code, relating to regulations.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:56 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
THE CALDERON MOTION TO SUSPEND ASSEMBLY RULE 63**

At 11:56 a.m., on motion of Assembly Member Charles Calderon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to suspend Assembly Rule 63 relative to Assembly Bill No. 438 carried by the following vote:

AYES—47

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

NOES—25

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

Further Consideration of Assembly Bill No. 438

ASSEMBLY BILL NO. 438 (Williams)—An act to amend Sections 19104 and 19116 of, and to add Section 19104.5 to, the Education Code, relating to libraries.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:21 p.m.

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

RECESS

By unanimous consent, at 12:22 p.m., Speaker pro Tempore Ma declared the Assembly recessed to convene the First Extraordinary Session.

RECONVENED

At 12:28 p.m., the Assembly reconvened.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 338**

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

Assembly Bill No. 338 passed by the following vote:

AYES—41

Achadjian	Galgiani	Jeffries	Perea
Allen	Garrick	Jones	Pérez, V.M.
Berryhill	Gatto	Knight	Silva
Buchanan	Gordon	Logue	Smyth
Calderon	Grove	Mansoor	Solorio
Conway	Hagman	Miller	Valadao
Cook	Halderman	Morrell	Wagner
Donnelly	Hall	Nielsen	Wieckowski
Fletcher	Harkey	Norby	
Fuentes	Hayashi	Olsen	
Gaines	Huber	Pan	

NOES—21

Alejo	Dickinson	Lowenthal	Torres
Ammiano	Feuer	Ma	Yamada
Atkins	Fong	Mitchell	Mr. Speaker
Beall	Furutani	Portantino	
Block	Hill	Skinner	
Bradford	Huffman	Swanson	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 934**

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

Assembly Bill No. 934 refused passage by the following vote:

AYES—13

Allen	Butler	Huffman	Mr. Speaker
Ammiano	Dickinson	Monning	
Blumenfield	Feuer	Wieckowski	
Brownley	Fong	Williams	

NOES—49

Achadjian	Galgiani	Jones	Pan
Beall	Garrick	Knight	Perea
Berryhill	Gatto	Lara	Pérez, V.M.
Block	Gordon	Logue	Silva
Bonilla	Grove	Ma	Smyth
Buchanan	Hagman	Mansoor	Solorio
Campos	Halderman	Mendoza	Swanson
Conway	Hall	Miller	Torres
Cook	Harkey	Mitchell	Valadao
Donnelly	Hayashi	Morrell	Wagner
Fletcher	Hill	Nielsen	
Fuentes	Huber	Norby	
Gaines	Jeffries	Olsen	

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 438**

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

Assembly Bill No. 438 passed by the following vote:

AYES—43

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

NOES—28

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1276**

At 12:29 p.m., on motion of Assembly Member Feuer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1276 refused passage by the following vote:

AYES—50

Alejo	Campos	Hall	Perea
Allen	Cedillo	Hayashi	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	Pan	

NOES—25

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

**Motion to Reconsider Assembly Bill No. 1276
on Next Legislative Day**

Assembly Member Feuer moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1276 was this day refused passage.

Assembly Bill No. 1276 ordered to the unfinished business file.

ANNOUNCEMENTS

Speaker pro Tempore Ma announced the following session schedule:

Monday, June 6, 2011, Floor Session, 12 noon;

Tuesday, June 7, 2011, Check-in Session, 7 a.m.–3 p.m., and Floor Session, upon call of the Speaker;

Wednesday, June 8, 2011, Check-in Session, 7 a.m.–3 p.m., and Floor Session, upon call of the Speaker;

Thursday, June 9, 2011, Floor Session, 9 a.m.;

Friday, June 10, 2011, Floor Session, upon call of the Speaker;

Monday, June 13, 2011, Floor Session, 12 noon;

Tuesday, June 14, 2011, Check-in Session, 7 a.m.–3 p.m., and Floor Session, upon call of the Speaker;

Wednesday, June 15, 2011, Check-in Session, 7 a.m.–3 p.m., and Floor Session, upon call of the Speaker;

Thursday, June 16, 2011, Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Cook was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Norman Rosenthal of San Jacinto.

JOINT RULE DEADLINE ANNOUNCEMENTS

June 3 Last day for Assembly to pass non-urgency, non-tax levy Assembly Bills.

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):

Assembly Bill No. 631: Fletcher, Grove, Hayashi, Hill, Huffman, Logue, Mendoza, Miller, Portantino, Skinner, and Solorio—Aye; Fuentes—No.

Assembly Bill No. 1300: Cedillo, Conway, Fletcher, Fuentes, Grove, Harkey, Hayashi, Hill, Huffman, Logue, Mendoza, Miller, Morrell, Olsen, V. Manuel Pérez, Skinner, Smyth, and Solorio—Aye.

Assembly Bill No. 1219: Brownley, Cedillo, Conway, Fletcher, Fuentes, Harkey, Hayashi, Hill, Huffman, Logue, Mendoza, Miller, Smyth, Solorio, and Wieckowski—Aye.

Assembly Bill No. 1027: Brownley, Cedillo, Conway, Dickinson, Feuer, Fletcher, Hall, Hayashi, Hill, Huffman, Lara, Logue, Mendoza, Miller, Portantino, Silva, Smyth, Solorio, and Torres—Aye.

Assembly Bill No. 145: Block, Brownley, Fletcher, Hill, Lara, Mendoza, and Yamada—Aye; Olsen and Smyth—No.

Assembly Bill No. 770: Brownley, Fletcher, Hayashi, Hill, and Mendoza—Aye; Conway—No.

Assembly Bill No. 1221: Brownley, Conway, Fletcher, Hall, Hill, Mendoza, and Norby—Aye; Jones—No.

Assembly Bill No. 1334: Buchanan, Hayashi, Hill, and Mendoza—Aye; Conway, Cook, Fletcher, Logue, Norby, and Smyth—No.

Huffman Motion to Reconsider Assembly Bill No. 1112: Alejo, Hayashi, Hill, and V. Manuel Pérez—Aye; Norby and Olsen—No.

Assembly Bill No. 1112: Hill—Aye; Fletcher and Norby—No.

Assembly Bill No. 372: Conway, Feuer, Fletcher, Hayashi, Hill, Knight, Mendoza, Norby, and Olsen—Aye.

Assembly Bill No. 210: Dickinson, Eng, Fletcher, Hayashi, Hill, Mendoza, Wieckowski, and Williams—Aye; Morrell—No.

Assembly Bill No. 493: Fletcher, Fuentes, Hayashi, Hill, Jones, Bonnie Lowenthal, Mendoza, Solorio, and Wieckowski—Aye; Atkins and Bradford—No.

Charles Calderon Motion to Suspend the Rules Relative to Assembly Bill No. 438: Beall and Campos—Aye; Logue and Morrell—No.

Assembly Bill No. 338: Bradford, Dickinson, Bonnie Lowenthal, and Portantino—No.

Assembly Bill No. 934: Block—No.

Assembly Bill No. 438: Butler and Bonnie Lowenthal—Aye; Achadjian, Huber, and Olsen—No.

MOTION TO ADJOURN

At 12:30 p.m., Assembly Member Allen moved that the Assembly do now adjourn.

Assembly Member Conway seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:29 p.m., Speaker pro Tempore Ma declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 66—V. Manuel Pérez (Coauthor: Senator Vargas). Relative to the Deputy Probation Officer Irene Rios Memorial Highway.

AUTHOR'S AMENDMENTS

Committee on Health

June 3, 2011

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

Senate Bill No. 303

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

MONNING, Chair

SENATE BILL NO. 303—An act to amend Sections 113790, 113947.3, and 113948 of the Health and Safety Code, relating to food safety, 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 Business, Professions and Consumer Protection

June 3, 2011

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

Senate Bill No. 274

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

HAYASHI, Chair

SENATE BILL NO. 274—An act to amend Sections 4980.10 and 4999.47 of, and to add Sections 4989.13, 4991.1, and 4999.13 to, the Business and Professions Code, relating to healing arts.

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

June 3, 2011

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

Senate Joint Resolution No. 3

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

WIECKOWSKI, Chair

SENATE JOINT RESOLUTION NO. 3—Relative to toxic substances control.

Resolution read.

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

Committee on Higher Education

June 3, 2011

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

Assembly Bill No. 970

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

BLOCK, Chair

ASSEMBLY BILL NO. 970—An act to add Section 66025.1 to the Education Code, relating to postsecondary education.

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.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 3, 2011

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

Assembly Bill No. 329

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of June, 2011, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Allen, the Assembly adjourned until 12 noon, Monday, June 6, 2011, out of respect to the memory of Captain Joseph William Schultz on motion of Speaker Pérez; and out of respect to the memory of Norman Rosenthal on motion of Assembly Member Cook.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 03, 2011**

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

AB	RN
970	1120287
1250	1120158

SB	RN
274	1119139
303	1115185

SJR	RN
3	1119627

Daily Total:	5
Cumulative Total:	1581

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