

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, June 4, 2012**

**TWO HUNDRED TENTH SESSION DAY**

**FIVE HUNDRED FORTY-SEVENTH 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.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

(Corrected 6-11-12)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, June 4, 2012

The Assembly met at 12 noon.  
Hon. Mike Gatto, Assistant 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 Hagman moved a quorum call of the Assembly.  
Motion carried. Time, 12 noon.  
The Assistant Speaker pro Tempore directed the Sergeant at Arms to  
close the doors, and to bring in the absent Members.

#### Quorum Present

At 12:05 p.m., Assistant Speaker pro Tempore Gatto declared a  
quorum of the Assembly present.

The roll call was completed, and the following answered to their  
names—64:

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

**PRAYER**

Upon invitation of Assistant Speaker pro Tempore Gatto, the following prayer was offered by Assembly Member Susan A. Bonilla, of the 11th Assembly District:

*Father, Help us to welcome each day as if it were our first, so that we may have enthusiasm in our hearts and warmth in our dispositions to do all that is pleasing in Your sight. Help us to also welcome each day as if it were our last, so that we may have urgency in our efforts, a deep concern for the world, and the genuine love for You in our hearts.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Gatto, Assembly Member Torres 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 Hagman, seconded by Assembly Member Conway.

**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 Allen, Brownley, Charles Calderon, Donnelly, Fletcher, Garrick, Grove, Hill, Jeffries, Logue, Ma, Mansoor, Miller, Mitchell, and Williams.*

*Because of illness: Assembly Member Bonnie Lowenthal.*

**COMMUNICATIONS**

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

June 1, 2012

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

Dear Dotson: Please be advised that I have appointed Assemblymember Roger Dickinson to replace Assemblymember Das Williams on the Assembly Rules Committee for the Monday, June 4 hearing only.

Sincerely,

**JOHN A. PÉREZ**  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 4, 2012

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

Assembly Bill No. 1648

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading file.

Assembly Chamber, June 4, 2012

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

Assembly Bill No. 2231

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>158</b> -----	Rls.

*House*

<i>Resolution No.</i>	<i>Committee</i>
<b>29</b> -----	Rls.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>52</b> -----	Nat. Res. and J., E.D. & E.
<b>952</b> -----	Higher Ed.
<b>972</b> -----	Nat. Res.
<b>989</b> -----	Pub. S.
<b>1062</b> -----	Higher Ed.
<b>1067</b> -----	Pub. S.
<b>1087</b> -----	Hum. S.
<b>1099</b> -----	B.,P. & C.P.
<b>1130</b> -----	Nat. Res.
<b>1154</b> -----	Ed.
<b>1174</b> -----	Trans.
<b>1216</b> -----	Ins.
<b>1221</b> -----	W.,P. & W.
<b>1229</b> -----	Jud.
<b>1245</b> -----	Ed.
<b>1272</b> -----	E. & R.
<b>1280</b> -----	Higher Ed.
<b>1287</b> -----	W.,P. & W.
<b>1288</b> -----	W.,P. & W.
<b>1298</b> -----	Trans.
<b>1299</b> -----	Pub. S.
<b>1306</b> -----	E.S. & T.M.

1339	-----	Trans.
1345	-----	B.,P. & C.P.
1349	-----	Higher Ed. and Jud.
1371	-----	Pub. S.
1395	-----	B.,P. & C.P.
1408	-----	Trans.
1464	-----	Trans.
1516	-----	B.,P. & C.P.

*Senate Concurrent*

<i>Resolution No.</i>		<i>Committee</i>
79	-----	Trans.
80	-----	Trans.
82	-----	B.,P. & C.P.

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

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

Senate Bill No. 1377 from the Committee on Human Services to the Committee on Judiciary, and to be returned to the Committee on Human Services.

**RECESS**

By unanimous consent, at 12:08 p.m., Assistant Speaker pro Tempore Gatto declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Chesbro introduced Edgar B. "Pete" Downs, Senior Vice President of Kendall-Jackson Wine Estates, upon his retirement and acknowledged his tireless efforts on behalf of the wine industry in California whereupon he presented a Members' Resolution and introduced Pete's wife, Mary Ellen Downs.

\* \* \*

Assembly Member Skinner introduced the Salesian High School Boys basketball team, winners of the California Interscholastic Federation (CIF) Division IV state championship and acknowledged Captains Mario Dunn, Leonard Markel, and Davion Mize and Head Coach, Bill Mellis whereupon she presented a Members' Resolution.

Assembly Member Skinner introduced the Salesian High School Girls basketball team, second place winners of the CIF Division IV state championship and acknowledged Captains Michelle Brown, Sumiko Erves, and Mariya Moore whereupon she presented a Members' Resolution.

**RECONVENED**

At 12:13 p.m., the Assembly reconvened.

Hon. Mike Gatto, Assistant Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**SENATE CONCURRENT RESOLUTION NO. 86 (Correa)**—Relative to the California Peace Officers' Memorial Day.

Resolution presented by Assembly Member Ammiano.

Resolution read, and adopted by the following vote:

**AYES—61**

Achadjian	Cook	Harkey	Pérez, V.M.
Alejo	Davis	Hayashi	Portantino
Ammiano	Dickinson	Hernández	Silva
Atkins	Eng	Huber	Skinner
Beall	Feuer	Huffman	Smyth
Berryhill	Fong	Jones	Solorio
Block	Fuentes	Knight	Swanson
Blumenfield	Furutani	Lara	Torres
Bonilla	Gaines	Mendoza	Valadao
Bradford	Galgiani	Monning	Wagner
Buchanan	Gatto	Morrell	Wieckowski
Butler	Gordon	Nestande	Yamada
Campos	Gorell	Nielsen	Mr. Speaker
Carter	Hagman	Olsen	
Cedillo	Halderman	Pan	
Conway	Hall	Perea	

**NOES—None**

**ADJOURN IN MEMORY**

Assembly Member Pan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph Benvenuti of Sacramento.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced the following session schedule:

Tuesday, June 5, 2012, No session;

Wednesday, June 6, 2012, Check-in Session, 7 a.m.–3 p.m.;

Thursday, June 7, 2012, Floor Session, 9 a.m.;

Friday, June 8, 2012, No session.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS**

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 923 was continued until Thursday, June 7, 2012.

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record his vote on the following item:

**Senate Concurrent Resolution No. 86:** Davis—Aye.

**MOTION TO ADJOURN**

At 12:25 p.m., Assembly Member Swanson moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:25 p.m., Assistant Speaker pro Tempore Gatto declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolution was offered:

**HOUSE RESOLUTION NO. 30—Williams.** Relative to International Surf Day.

**AUTHOR’S AMENDMENTS**

**Committee on Local Government**

June 4, 2012

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

Senate Bill No. 878

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

SMYTH, Chair

**SENATE BILL NO. 878**—An act to add Section 66536.3 to the Government Code, relating to regional planning.

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 Higher Education**

June 4, 2012

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

Senate Bill No. 736

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

BLOCK, Chair

**SENATE BILL NO. 736**—An act to amend Section 12440.1 of the Government Code, relating to the California State University.

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 4, 2012

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

Senate Bill No. 1360

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

WIECKOWSKI, Chair

**SENATE BILL NO. 1360**—An act to amend Sections 72401, 72410, 72420, 72420.2, 72421, 72430, 72440, and 72441 of, and to repeal Section 72420.1 of, the Public Resources Code, relating to vessels.

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**

June 4, 2012

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Senate Bill No. 200

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

HUFFMAN, Chair

**SENATE BILL NO. 200**—An act to amend Sections 12986 and 12987.5 of the Water Code, relating to water projects.

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**

June 4, 2012

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

Assembly Concurrent Resolution No. 115

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

SKINNER, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 115**—Relative to India's Independence Day.

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 Rules**

Date of Hearing: June 4, 2012

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 156

With the recommendation: Be adopted.

SKINNER, Chair

Above resolution ordered to third reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, June 4, 2012

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

Assembly Bill No. 633

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, June 4, 2012

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

Assembly Bill No. 1519

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

Above bill ordered enrolled.



Senate Chamber, June 4, 2012

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

- Assembly Concurrent Resolution No. 50
- Assembly Concurrent Resolution No. 93
- Assembly Concurrent Resolution No. 134

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

Above resolutions ordered enrolled.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 1, 2012

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

- Assembly Concurrent Resolution No. 89
- Assembly Concurrent Resolution No. 104
- Assembly Concurrent Resolution No. 136
- Assembly Concurrent Resolution No. 146

And reports the same correctly enrolled, and presented to the Secretary of State on the 1st day of June, 2012, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

**INTRODUCTION OF GUESTS**

Assembly Member Block, of the 78th Assembly District, introduced guests from the San Diego Jewish Academy.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Swanson, the Assembly adjourned until 7 a.m., Wednesday, June 6, 2012, out of respect to the memory of Joseph Benvenuti on motion of Assembly Member Pan.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 4, 2012**

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

**ACR RN**

115 1216472

**SB RN**

200 1213498

736 1214988

878 1216736

1360 1215348

**Daily Total: 5****Cumulative Total: 3984**

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