

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 6, 2011

EIGHTY-SEVENTH SESSION DAY

ONE HUNDRED EIGHTY-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
Monday, June 6, 2011

The Assembly met at 12 noon.

Hon. John A. Pérez, Speaker 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 Gordon moved a quorum call of the Assembly.

Motion carried. Time, 12 noon.

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

Quorum Present

At 12:08 p.m., Speaker Pérez declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—73:

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

PRAYER

Upon invitation of Speaker Pérez, the following prayer was offered by Assembly Member Roger Hernández, of the 57th Assembly District:

Father, Give us the strength to recognize that we are weak, the ability to recognize our faults, and the humility that public servants must possess. Give us the wisdom to serve the good people of this state in accordance with Thy will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Pérez, Assembly Member Eng 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 Allen, 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 Fletcher.

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

Because of illness: Assembly Member Skinner.

Because of a travel delay: Assembly Members Charles Calderon, Donnelly, Miller, and Nestande.

COMMUNICATIONS

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

June 1, 2011

E. Dotson Wilson

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

RE: Appointment of Barbara Yaroslavsky
to Medical Board of California

Dear Mr. Wilson: Please be advised I have reappointed Ms. Barbara Yaroslavsky to the Medical Board of California. This is a term appointment starting June 1, 2011 and the expiration date is June 1, 2015.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

June 1, 2011

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

RE: Appointment of Lucille Acquaye-Baddoo
to Board of Psychology

Dear Mr. Wilson: Please be advised I have reappointed Ms. Lucille Acquaye-Baddoo to the Board of Psychology. This is a term appointment starting June 1, 2011 and the expiration date is June 1, 2014.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 6, 2011

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

Assembly Bill No. 970
Assembly Bill No. 1250

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Bonilla, Brownley, and Mendoza were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

JOINT RULE 62(a) SUSPENDED

Assembly Member Allen was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Budget to meet on Wednesday, June 8, 2011 and Thursday, June 9, 2011, upon call of the Chair.

RECESS

By unanimous consent, at 12:11 p.m., Speaker Pérez declared the Assembly recessed to convene the First Extraordinary Session.

RECONVENED

At 12:26 p.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Member Ma was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alexander “Zander” Urban of San Francisco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Furutani, Garrick, Swanson, and Eng were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Matt Fong, former California State Treasurer, resident of Pasadena.

(Assembly Rule 45.5 suspended.)

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Jones was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor to permit a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his son Christopher.

Assembly Member Olsen was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor to permit a guest to sit at her desk in the Assembly Chamber, whereupon she introduced her daughter Sophie.

RECESS

By unanimous consent, at 12:27 p.m., Speaker Pérez declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Brownley introduced Nancy Yarbrough, President of the California Scholarship Federation (CSF), the oldest scholarship institution in California.

Assembly Member Brownley recognized the California Scholarship Federation for their efforts to promote high standards of scholarship and community service among California's high school students and noted that with CSF's support, thousands of students each year are able to achieve their academic goals.

On their 90th anniversary, Assembly Member Brownley extended best wishes to the California Scholarship Federation for continued success in the years to come, whereupon she presented a Members' Resolution.

* * *

Assembly Member Mendoza introduced members of the California Strawberry Commission and recognized the organization's efforts to support farm employees and their children through the California Strawberry Scholarship Program.

In its 17-year history, the California Strawberry Scholarship Program has contributed to the successful completion of education degrees including bachelors, masters, and doctorate programs for more than 1,200 students.

Assembly Member Mendoza recognized California Strawberry Scholarship recipients present today for their outstanding academic achievements, whereupon he presented a Members' Resolution.

* * *

Assembly Member Bonilla, on behalf of Assembly Member Skinner, introduced Matthew Feddersen and Blake Marggraff, seniors at Acalanes High School in Lafayette, who won the Intel International Science and Engineering Fair (ISEF) Best of Category Award, Medicine and Health Science; First Place Grand Award, Medicine and Health Sciences; and the top prize of the international competition, a First Place Gordon E. Moore Award for their project, *Simulated Treatment of Cancer with Photoelectric Effect-Produced Secondary Radiation*.

Assembly Member Bonilla congratulated Matthew Feddersen and Blake Marggraff for receiving top honors for their innovative science project, commended their results-oriented vision and bold initiative, and extended best wishes for continued success in their future endeavors, whereupon she presented a Members' Resolution.

RECONVENED

At 12:32 p.m., the Assembly reconvened.
Hon. John A. Pérez, Speaker of the Assembly, presiding.

ANNOUNCEMENTS

Speaker Pérez announced the following session schedule:
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.

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

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 1276 and Senate Bill No. 77 were continued until the next legislative day.

ADJOURN IN MEMORY

Assembly Member Bonnie Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sylvia Jean Frick and Rosemary Murray of Long Beach.

MOTION TO ADJOURN

At 12:33 p.m., Assembly Member Allen moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.
Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:33 p.m., Speaker Pérez declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS**Committee on Business, Professions and Consumer Protection**

June 6, 2011

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

Senate Bill No. 704

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

HAYASHI, Chair

SENATE BILL NO. 704—An act to amend Section 4996.28 of, to amend, add, and repeal Sections 4992.1, 4996.1, 4996.3, and 4996.4 of, to amend, repeal, and add Sections 4980.40, 4980.50, 4984.01, 4984.7, and 4984.72 of, and to add Sections 4980.397, 4980.398, 4980.399, 4992.05, and 4992.07 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 Housing and Community Development

June 6, 2011

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 209

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

TORRES, Chair

SENATE BILL NO. 209—An act to add Section 1353.9 to the Civil Code, relating to common interest developments.

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 Governmental Organization

June 6, 2011

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Senate Bill No. 332

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

HALL, Chair

SENATE BILL NO. 332—An act to add Article 1.5 (commencing with Section 104497) to Chapter 1 of Part 3 of Division 103 of the Health and Safety Code, relating to smoking.

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 Insurance

June 6, 2011

Mr. Speaker: The Chair of your Committee on Insurance reports:
Senate Bill No. 863

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

SOLORIO, Chair

SENATE BILL NO. 863—An act to amend Sections 4903.1, 4903.5, 4904, and 4905 of, and to add Section 4903.05 to, the Labor Code, relating to workers' compensation.

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

June 6, 2011

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 602

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

FEUER, Chair

SENATE BILL NO. 602—An act to add Title 1.81.15 (commencing with Section 1798.90) to Part 4 of Division 3 of the Civil Code, relating to privacy.

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

June 6, 2011

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

Senate Bill No. 475

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

SMYTH, Chair

SENATE BILL NO. 475—An act to amend Sections 5956, 5956.1, 5956.2, 5956.3, 5956.4, 5956.5, 5956.6, 5956.7, 5956.8, 5956.9, and 5956.10 of, and to add Section 5956.12 to, the Government Code, relating to infrastructure financing.

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.

REPORTS OF STANDING COMMITTEES

Committee on Health

Date of Hearing: June 6, 2011

Mr. Speaker: Your Committee on Health reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1306

MONNING, Chair

Above bill ordered filed with the Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber, June 6, 2011

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

Assembly Bill No. 184

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

Above bill ordered enrolled.

Senate Chamber, June 6, 2011

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

Assembly Concurrent Resolution No. 29

Assembly Joint Resolution No. 5

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

Above resolutions ordered enrolled.

Senate Chamber, June 6, 2011

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

Senate Concurrent Resolution No. 46

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

Senate Chamber, June 6, 2011

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

Assembly Concurrent Resolution No. 38

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 46—Relative to “Parks Make Life Better!” Month.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 6, 2011

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

Assembly Concurrent Resolution No. 7

And reports the same correctly enrolled, and presented to the Secretary of State on the 6th day of June, 2011, at 10:45 a.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Allen, the Assembly adjourned until 7 a.m., Tuesday, June 7, 2011, out of respect to the memory of Alexander “Zander” Urban on motion of Assembly Member Ma; out of respect to the memory of Hon. Matt Fong on motion of Assembly Members Furutani, Garrick, Swanson, and Eng; and out of respect to the memory of Sylvia Jean Frick and Rosemary Murray on motion of Assembly Member Bonnie Lowenthal.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 6, 2011**

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

SB	RN	
209	1120130	
332	1117294	
475	1119145	
602	1120164	
704	1119130	
863	1119645	
Daily Total:		6
Cumulative Total:		1587

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