

CALIFORNIA LEGISLATURE
2011–12 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 15, 2011

FORTY-FIFTH SESSION DAY

ONE HUNDRED NINETY-SECOND 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.

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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 15, 2011

The Assembly met at 2:32 p.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, and the following answered to their names—78:

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

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

PRAYER

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

Lord, We have heard that “love is kind” (1 Corinthians 13:4). But kindness isn’t just about being nice. It is looking for ways to improve someone else’s life. Kindness involves bringing out the best in others. Help us to start this day, Lord, not by spending time thinking about ourselves or how we can make our own life better. Inspire us to think of ways how we can make someone else’s life better by encouraging them. For as we sow seeds of encouragement and kindness, You will send people along our path to build us up as well.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Pérez, Assembly Member Chesbro 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 Charles Calderon, 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 active duty military deployment, and waiving per diem (Assembly Journal, page 452): Assembly Member Gorell.

Because of a death in her family, and waiving per diem: Assembly Member Halderman.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 19 (Blumenfield)—An act to amend Sections 1324.20, 1324.22, 1324.23, 1324.29, 1324.30, 1424, and 1424.5 of the Health and Safety Code, and to amend Sections 14126.022, 14126.023, 14126.027, 14126.033, and 14126.036 of, and to add Section 14105.193 to, the Welfare and Institutions Code, relating to long-term care, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

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

NOES—5

Donnelly	Jones	Mendoza
Gaines	Knight	

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—69

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

NOES—5

Donnelly	Jones	Mendoza
Gaines	Knight	

Bill ordered enrolled.

ASSEMBLY BILL NO. 34 (Blumenfield)—An act to amend Section 16213 of, and to repeal and add Section 16180 of, the Government Code, and to amend and repeal Section 20623 of the Revenue and Taxation Code, relating to state government, making an appropriation therefor, to take effect immediately, bill related to the budget.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

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

NOES—None

Bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, June 15, 2011

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

Assembly Bill No. 22

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.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 22 BY UNANIMOUS CONSENT—ASSEMBLY RULE 77 SUSPENDED

Assembly Member Blumenfield was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 22 without reference to file.

ASSEMBLY BILL NO. 22 (Blumenfield)—An act to amend Section 11003 of the Revenue and Taxation Code, and to amend Section 9250 of the Vehicle Code, relating to vehicles, and making an appropriation therefor, to take effect immediately, bill related to the budget.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—52

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

NOES—26

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

Bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, June 15, 2011

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

Assembly Bill No. 23

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.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 23
BY UNANIMOUS CONSENT—ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Blumenfield was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 23 without reference to file.

ASSEMBLY BILL NO. 23 (Blumenfield)—An act to add Section 41204.4 to the Education Code, and to amend Sections 97.68 and 7203.1 of the Revenue and Taxation Code, relating to local government finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—52

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

NOES—26

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

Bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, June 15, 2011

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

Assembly Bill No. 29

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.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 29 BY UNANIMOUS CONSENT—ASSEMBLY RULE 77 SUSPENDED

Assembly Member Blumenfield was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 29 without reference to file.

ASSEMBLY BILL NO. 29 (Blumenfield)—An act to add Chapter 1.5 (commencing with Section 4210) to Part 2 of Division 4 of the Public Resources Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—52

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

NOES—26

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

Bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, June 15, 2011

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

Assembly Bill No. 28

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 15, 2011

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

Assembly Bill No. 26

Assembly Bill No. 27

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Parliamentary Inquiry

Assembly Member Hagman arose to the following parliamentary inquiry:

Is the Democratic analysis available for Assembly Bills Nos. 26, 27, and 28?

Reply by Speaker pro Tempore Ma

The non-partisan analysis is available on the Assembly Floor System laptops on the Members' desks.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 26 BY UNANIMOUS CONSENT—ASSEMBLY RULE 77 SUSPENDED

Assembly Member Blumenfield was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 26 without reference to file.

ASSEMBLY BILL NO. 26 (Blumenfield)—An act to amend Sections 33500, 33501, 33607.5, and 33607.7 of, and to add Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) to Division 24 of, the Health and Safety Code, and to add Sections 97.401 and 98.2 to the Revenue and Taxation Code, relating to redevelopment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Point of Information

Assembly Member Portantino arose to the following point of information:

That he takes offense at the comments made by Assembly Member Wagner during debate.

Reply by Speaker pro Tempore Ma

The Speaker pro Tempore asked Assembly Member Wagner if he wished to apologize for his comments in debate.

Apology Offered

Assembly Member Wagner offered an apology for his comments during debate on Assembly Bill No. 26.

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

AYES—52

Allen	Carter	Gordon	Mitchell
Ammiano	Cedillo	Hall	Monning
Atkins	Chesbro	Hayashi	Nielsen
Beall	Davis	Hernández	Norby
Block	Dickinson	Hill	Pan
Blumenfield	Eng	Huber	Perea
Bonilla	Feuer	Hueso	Skinner
Bradford	Fong	Huffman	Solorio
Brownley	Fuentes	Lara	Torres
Buchanan	Furutani	Logue	Wieckowski
Butler	Gaines	Lowenthal	Williams
Calderon	Galgiani	Ma	Yamada
Campos	Gatto	Mansoor	Mr. Speaker

NOES—24

Achadjian	Fletcher	Knight	Pérez, V.M.
Alejo	Garrick	Mendoza	Portantino
Berryhill	Grove	Miller	Silva
Conway	Hagman	Morrell	Smyth
Cook	Jeffries	Nestande	Swanson
Donnelly	Jones	Olsen	Valadao

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 26: Assembly Member Logue from “No” to “Aye”; Assembly Member Wagner from “No” to “Not Voting”.

Bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 27
BY UNANIMOUS CONSENT—ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Blumenfield was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 27 without reference to file.

ASSEMBLY BILL NO. 27 (Blumenfield)—An act to add Part 1.9 (commencing with Section 34192) to Division 24 of the Health and Safety Code, relating to redevelopment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—47

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

NOES—31

Achadjian	Garrick	Mansoor	Pérez, V.M.
Alejo	Grove	Mendoza	Portantino
Berryhill	Hagman	Miller	Silva
Conway	Harkey	Morrell	Smyth
Cook	Jeffries	Nestande	Swanson
Donnelly	Jones	Nielsen	Valadao
Fletcher	Knight	Norby	Wagner
Gaines	Logue	Olsen	

Bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 28
BY UNANIMOUS CONSENT—ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Blumenfield was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 28 without reference to file.

ASSEMBLY BILL NO. 28 (Blumenfield)—An act to amend Section 6203 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, to take effect immediately, bill related to the budget.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Request for Use of Visual Aids

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

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

AYES—53

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

NOES—23

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

Bill ordered enrolled.

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. 19, Concurrence: Mendoza—No.

Assembly Bill No. 34, Concurrence: Fletcher—Aye;

Assembly Bill No. 22, Concurrence: Fletcher—No.

Assembly Bill No. 23, Concurrence: Fletcher—No.

Assembly Bill No. 29, Concurrence: Fletcher—No.

Assembly Bill No. 26, Concurrence: Donnelly, Morrell, and Valadao—No.

Assembly Bill No. 27, Concurrence: Donnelly, Jeffries, and Morrell—No.

Assembly Bill No. 28, Concurrence: Silva—No.

RECESS

By unanimous consent, at 4:17 p.m., Speaker pro Tempore Ma declared the Assembly recessed to reconvene Regular Session.

AUTHOR'S AMENDMENTS
Committee on Budget

June 15, 2011

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

Senate Bill No. 15

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

BLUMENFIELD, Chair

SENATE BILL NO. 15—An act to add Part 1.9 (commencing with Section 34192) to Division 24 of the Health and Safety Code, relating to redevelopment, and making an appropriation therefor, to take effect immediately, bill relating to the budget.

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.

ADJOURNMENT

At 5 p.m., the Assembly adjourned to reconvene upon call of the Speaker.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 15, 2011**

The following measure was amended in the Assembly on this day:

SB	RN
15	1121270

Daily Total:	1
Cumulative Total:	16

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