

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, July 1, 2011**

**ONE HUNDRED THIRD SESSION DAY  
TWO HUNDRED EIGHTH 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.

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Friday, July 1, 2011

The Assembly met at 9 a.m.  
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 Knight moved a quorum call of the Assembly.  
Motion carried. Time, 9 a.m.  
The Assistant Speaker pro Tempore directed the Sergeant at Arms to  
close the doors, and to bring in the absent Members.

#### Quorum Present

At 9:09 a.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—62:

Achadjian	Cook	Hill	Olsen
Alejo	Davis	Huber	Pan
Allen	Dickinson	Hueso	Portantino
Beall	Donnelly	Huffman	Silva
Block	Eng	Jeffries	Skinner
Blumenfield	Feuer	Jones	Solorio
Bonilla	Fong	Knight	Swanson
Bradford	Fuentes	Logue	Torres
Brownley	Gaines	Mansoor	Valadao
Buchanan	Galgiani	Miller	Wagner
Butler	Gatto	Mitchell	Wieckowski
Calderon	Gordon	Monning	Williams
Campos	Hagman	Morrell	Yamada
Carter	Halderman	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	
Conway	Hernández	Norby	

**PRAYER**

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

*Lord, When the three Hebrew teenagers, Shadrach, Meshach and Abednego, were thrown into the fiery furnace by the King, You, Lord, did not deliver them from the fire; You delivered them through the fire. They walked and sang in the fire and came out without even the smell of smoke on them! (Daniel 3:1–30). They weren't worried, they knew everything was going to be alright. You didn't take away their problem, you gave them the power and the strength to handle it. Protect us from the fires we face, Lord, and give us Your strength to overcome them. And bless this great nation now, as we begin to celebrate its Independence Day, and always.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Gatto, Assembly Member Huber 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 Conway.

**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 Members Atkins, Bill Berryhill, Cedillo, Garrick, Lara, Bonnie Lowenthal, Ma, Perea, and Smyth.*

*On personal business, and waiving per diem: Assembly Members Ammiano, Fletcher, Grove, and Harkey.*

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

*Because of illness: Assembly Members Furutani and V. Manuel Pérez.*

The following Assembly Members were not excused for the day:

*Not excused, and per diem waived: Assembly Members Hall and Mendoza.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

June 29, 2011

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

Dear Speaker Pérez: The purpose of this letter is to request to be excused from Floor Session on July 1, 2011, on legislative business, due to district work in my District. Thank you for your consideration of this request.

Respectfully yours,

BILL BERRYHILL, Assembly Member  
 Twenty-sixth District

June 28, 2011

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

Dear Speaker Pérez: I respectfully request permission to be excused from Floor Session on Friday, July 1, 2011, on legislative business. I will be attending and speaking at an important event for the League of Latin American Citizens in Orange County. Consideration of this request is greatly appreciated.

Sincerely,

GILBERT CEDILLO, Assembly Member  
 Forty-fifth District

January 10, 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 Floor Session on Friday, July 1, 2011, to attend to legislative business. If there are any questions regarding this request please contact Emily Towner at (916) 319-2074. Thank you for your prompt attention to this request.

Sincerely,

MARTIN GARRICK, Assembly Member  
 Seventy-fourth District

June 29, 2011

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

Dear Speaker Pérez: I am requesting to be excused from Floor Session on legislative business on Friday, July 1, 2011. I will be attending a meeting in my district regarding RDA issues and the budget. Thank you in advance for your consideration. If you have any questions, please call my office at (916) 319-2050.

Sincerely,

RICARDO LARA, Assembly Member  
Fiftieth District

June 29, 2011

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

Dear Speaker Pérez: I respectfully request an excused absence from Floor Session on Friday, July 1. I will be traveling to Los Angeles on legislative business. I will be meeting with Marvin Kropke and Tom Martinez of the International Union of Electrical Workers on Assembly Bill 631 relating to electric vehicles. Should you have any questions, please feel free to contact my scheduler Patty Schapiro at 916-319-2012.

In Peace and Friendship,

FIONA MA, Assembly Member  
Twelfth District

June 29, 2011

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

Dear Mr. Speaker: I respectfully request permission to be excused from Floor Session on Friday, July 1, 2011 for legislative business; I will be hosting meetings in my district office. Thank you for your assistance. Please contact my office at 916-319-2031 should any questions arise.

Sincerely,

HENRY T. PEREA, Assembly Member  
Thirty-first District

June 29, 2011

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

Dear Mr. Speaker: I am respectfully requesting to be excused from Floor Session on legislative business on Friday, July 1, 2011, due to a speaking commitment in my district. Should you have any questions, please contact Donda Scholl in my office at 319-2038. Thank you for your attention to this matter.

Sincerely,

CAMERON M. SMYTH, Assembly Member  
Thirty-eighth District

(NOTE: For letter explaining the absence of Assembly Members Atkins and Bonnie Lowenthal on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for June 30, 2011.)

**COMMUNICATIONS**

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

July 1, 2011

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

Dear Dotson: Please be advised that I have appointed the following members to the Joint Legislative Committee on Emergency Management for the 2011–12 Regular Session:

- Assemblymember Bonnie Lowenthal, Chair
- Assemblymember Katcho Achadjian
- Assemblymember Beth Gaines
- Assemblymember Kevin Jeffries
- Assemblymember Holly Mitchell
- Assemblymember Richard Pan
- Assemblymember Bob Wieckowski

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

**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>71</b> -----	Rls.
<b>72</b> -----	Rls.

*Senate Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>33</b> -----	J., E.D. & E.

*Senate Joint  
Resolution No.*

<i>Resolution No.</i>	<i>Committee</i>
<b>7</b> -----	Pub. S.

**REQUEST FOR PHOTOGRAPHER**

Assembly Members Dickinson and Gatto was granted unanimous consent that photographers 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. 517 from the Committee on Appropriations to the Committee on Rules;

Senate Bill No. 855 from the Committee on Governmental Organization to the Committee on Rules.

**BILLS REMOVED FROM CONSENT CALENDAR**

The following bill was removed from the Consent Calendar and placed on the third reading file, pursuant to Joint Rule 22.2:

Senate Bill No. 860, on request of Assembly Member Charles Calderon.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

Senate Bill No. 900, on request of Assembly Member Charles Calderon.

**RECESS**

By unanimous consent, at 9:12 a.m., Assistant Speaker pro Tempore Gatto declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Dickinson introduced Poppy Bear, the official mascot of the California State Fair, upon the occasion of the 158th annual State Fair.

Assembly Member Dickinson noted that the State Fair's exhibits, competitions, and awards showcase our State's agricultural heritage, industrial and technological innovations, and entrepreneurial spirit, and encouraged all Californians to enjoy the 2011 State Fair.

**RECONVENED**

At 9:14 a.m., the Assembly reconvened.

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

**INTRODUCTION OF GUESTS**

Assistant Speaker pro Tempore Gatto, of the 43rd Assembly District, introduced his father Joe Gatto and his nephew Damien Gatto.

**CONSIDERATION OF DAILY FILE  
SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 117, ordered to third reading.

Senate Bills Nos. 381 and 423, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 134**—An act to amend Section 32121 of the Health and Safety Code, relating to health care districts.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 214**—An act to amend Sections 53395, 53395.3, 53395.4, 53395.5, 53395.6, 53395.7, 53395.10, 53395.11, 53395.12, 53395.14, 53395.19, 53395.20, 53396, 53397.1, and 53397.2 of, and to repeal Sections 53395.21, 53395.22, 53395.23, 53395.24, 53395.25, 53397.4, 53397.5, 53397.6, and 53397.7 of, the Government Code, relating to infrastructure financing districts.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 555**—An act to amend Sections 53313.5 and 53324 of, and to add Sections 53328.1, 53329.6, 53355.5, and 53355.7 to, the Government Code, and to amend Section 26104 of the Public Resources Code, relating to local government.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 513**—An act to amend Sections 47021 and 47026 of, to add Article 1.5 (commencing with Section 19218) to Chapter 5 of Part 3 of Division 9 of, and to add and repeal Section 19227 of, the Food and Agricultural Code, relating to regulatory fees, and making an appropriation therefor.

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

**SENATE BILL NO. 249**—An act to add Section 4132 to the Food and Agricultural Code, relating to district agricultural associations.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 276**—An act to amend Section 4108 of the Food and Agricultural Code, relating to expositions and fairs.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 668**—An act to add Section 51257.5 to the Government Code, relating to agricultural land.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 903**—An act to amend Section 7513.7 of the Government Code, relating to investments.

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



**SENATE BILL NO. 244**—An act to amend Sections 56375, 56425, and 56430 of, and to add Sections 56033.5 and 65302.10 to, the Government Code, relating to land use.

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

**SENATE BILL NO. 507**—An act to amend Sections 480, 480.1, 480.2, 482, and 483 of the Revenue and Taxation Code, relating to taxation.

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.

**UNFINISHED BUSINESS**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 454 (Silva)**—An act to amend Sections 527.6, 527.8, and 527.85 of the Code of Civil Procedure, to amend Section 6345 of the Family Code, and to amend Sections 213.5 and 15657.03 of the Welfare and Institutions Code, relating to protective orders.

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—62**

Achadjian	Cook	Hill	Olsen
Alejo	Davis	Huber	Pan
Allen	Dickinson	Hueso	Portantino
Beall	Donnelly	Huffman	Silva
Block	Eng	Jeffries	Skinner
Blumenfield	Feuer	Jones	Solorio
Bonilla	Fong	Knight	Swanson
Bradford	Fuentes	Logue	Torres
Brownley	Gaines	Mansoor	Valadao
Buchanan	Galgiani	Miller	Wagner
Butler	Gatto	Mitchell	Wieckowski
Calderon	Gordon	Monning	Williams
Campos	Hagman	Morrell	Yamada
Carter	Halderman	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	
Conway	Hernández	Norby	

**NOES—None**

Bill ordered enrolled.

**ASSEMBLY BILL NO. 1305 (Huber)**—An act to amend Sections 7620, 7660, 13050, 13100, 13101, 13151, 13152, 13154, 13200, 13600, 13601, and 13602 of the Probate Code, relating to decedents' estates.

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—62**

Achadjian	Cook	Hill	Olsen
Alejo	Davis	Huber	Pan
Allen	Dickinson	Hueso	Portantino
Beall	Donnelly	Huffman	Silva
Block	Eng	Jeffries	Skinner
Blumenfield	Feuer	Jones	Solorio
Bonilla	Fong	Knight	Swanson
Bradford	Fuentes	Logue	Torres
Brownley	Gaines	Mansoor	Valadao
Buchanan	Galgiani	Miller	Wagner
Butler	Gatto	Mitchell	Wieckowski
Calderon	Gordon	Monning	Williams
Campos	Hagman	Morrell	Yamada
Carter	Halderman	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	
Conway	Hernández	Norby	

**NOES—None**

Bill ordered enrolled.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6 (Gatto)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article II thereof, relating to initiatives.

Bill read third time.

**Motion to Amend by Assembly Member Gatto  
as Presented by Assembly Member Olsen**

Assembly Member Olsen moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—43**

Achadjian	Campos	Gatto	Pan
Alejo	Carter	Gordon	Portantino
Allen	Chesbro	Hayashi	Skinner
Beall	Cook	Hernández	Solorio
Block	Davis	Hill	Swanson
Blumenfield	Dickinson	Huber	Torres
Bonilla	Eng	Huffman	Wieckowski
Bradford	Feuer	Mitchell	Williams
Brownley	Fong	Monning	Yamada
Buchanan	Fuentes	Nestande	Mr. Speaker
Calderon	Galgiani	Olsen	

**NOES—15**

Conway	Halderman	Logue	Nielsen
Donnelly	Jeffries	Mansoor	Silva
Gaines	Jones	Miller	Wagner
Hagman	Knight	Morrell	

Bill ordered reprinted, and ordered returned to the third reading file.

**ASSEMBLY CONCURRENT RESOLUTION NO. 62 (Brownley)**—Relative to Read Across California Month.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 62**

Assembly Member Brownley was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 62.

**Additional Coauthors**

The following Assembly Members requested to be listed as additional coauthors:

Achadjian, Alejo, Allen, Beall, Block, Blumenfield, Bonilla, Buchanan, Charles Calderon, Campos, Carter, Chesbro, Conway, Cook, Davis, Dickinson, Donnelly, Eng, Fong, Fuentes, Beth Gaines, Galgiani, Gatto, Gordon, Hagman, Halderman, Hayashi, Roger Hernández, Hill, Huber, Hueso, Jeffries, Jones, Mansoor, Mitchell, Monning, Morrell, Nestande, Olsen, Pan, John A. Pérez, Portantino, Silva, Skinner, Solorio, Swanson, Torres, Wagner, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Brownley was granted unanimous consent to take up Assembly Concurrent Resolution No. 62, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 62, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 62**—Relative to Read Across California Month.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 63 (Mansoor)**—Relative to Veterans of the Republic of Vietnam Armed Forces Day.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 63**

Assembly Member Mansoor was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 63.

**Additional Coauthors**

The following Assembly Members requested to be listed as additional coauthors:

Achadjian, Alejo, Allen, Beall, Blumenfield, Bonilla, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Campos, Carter, Conway, Cook, Davis, Dickinson, Donnelly, Eng, Feuer, Fong, Fuentes, Beth Gaines, Galgiani, Gatto, Gordon, Hagman, Halderman, Hayashi, Roger Hernández, Hill, Huber, Hueso, Jeffries, Jones, Logue, Mitchell, Monning, Morrell, Nestande, Nielsen, Olsen, Pan, John A. Pérez, Portantino, Silva, Skinner, Swanson, Torres, Valadao, Wagner, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Mansoor was granted unanimous consent to take up Assembly Concurrent Resolution No. 63, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 63, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 63**—Relative to Veterans of the Republic of Vietnam Armed Forces Day.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 222 (Committee on Agriculture)**—An act to amend Sections 221.1, 492, 4171, 31108, 31752, and 77067 of the Food and Agricultural Code, relating to agriculture.

Bill presented by Assembly Member Galgiani.

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—62**

Achadjian	Cook	Hill	Olsen
Alejo	Davis	Huber	Pan
Allen	Dickinson	Hueso	Portantino
Beall	Donnelly	Huffman	Silva
Block	Eng	Jeffries	Skinner
Blumenfield	Feuer	Jones	Solorio
Bonilla	Fong	Knight	Swanson
Bradford	Fuentes	Logue	Torres
Brownley	Gaines	Mansoor	Valadao
Buchanan	Galgiani	Miller	Wagner
Butler	Gatto	Mitchell	Wieckowski
Calderon	Gordon	Monning	Williams
Campos	Hagman	Morrell	Yamada
Carter	Halderman	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	
Conway	Hernández	Norby	

**NOES—None**

Bill ordered enrolled.

**ASSEMBLY BILL NO. 741 (Huffman)**—An act to amend Section 5464 of, and to add Section 5465 to, the Health and Safety Code, relating to wastewater.

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—61**

Achadjian	Cook	Hill	Pan
Alejo	Davis	Huber	Portantino
Allen	Dickinson	Hueso	Silva
Beall	Donnelly	Huffman	Skinner
Block	Eng	Jeffries	Solorio
Blumenfield	Feuer	Jones	Swanson
Bonilla	Fong	Knight	Torres
Bradford	Fuentes	Logue	Valadao
Brownley	Gaines	Mansoor	Wagner
Buchanan	Galgiani	Miller	Wieckowski
Butler	Gatto	Mitchell	Williams
Calderon	Gordon	Morrell	Yamada
Campos	Hagman	Nestande	Mr. Speaker
Carter	Halderman	Nielsen	
Chesbro	Hayashi	Norby	
Conway	Hernández	Olsen	

**NOES—None**

Bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 235 (Negrete McLeod)**—An act to add Section 74209 to the Water Code, relating to water.

Bill presented by Assembly Member Gordon.

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

**AYES—48**

Achadjian	Campos	Gatto	Nestande
Alejo	Carter	Gordon	Norby
Allen	Chesbro	Halderman	Olsen
Beall	Conway	Hayashi	Pan
Block	Cook	Hernández	Portantino
Blumenfield	Davis	Hill	Skinner
Bonilla	Dickinson	Huber	Solorio
Bradford	Eng	Hueso	Swanson
Brownley	Feuer	Huffman	Wieckowski
Buchanan	Fong	Jeffries	Williams
Butler	Fuentes	Mitchell	Yamada
Calderon	Galgiani	Monning	Mr. Speaker

**NOES—11**

Donnelly	Jones	Mansoor	Nielsen
Gaines	Knight	Miller	Wagner
Hagman	Logue	Morrell	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 914 (Leno)**—An act to add Section 1542.5 to the Penal Code, relating to search warrants.

Bill read third time.

**Motion to Amend**

Assembly Member Knight moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 614 (Kehoe)**—An act to amend Section 8483.3 of the Education Code, relating to child care.

Bill read third time.

**Motion to Amend by Assembly Member Atkins  
as Presented by Assembly Member Hueso**

Assembly Member Hueso moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**Re-reference of Bills to Committee  
Pursuant to Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, Assistant Speaker pro Tempore Gatto re-referred Senate Bill No. 614 to the Committee on Health.

**CONSIDERATION OF CONSENT CALENDAR**

The Assistant Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Assembly Resolutions**

**ASSEMBLY CONCURRENT RESOLUTION NO. 61 (Hayashi)**—Relative to California Nurses Week.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**Consent Calendar—Senate Bills**

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

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**SENATE BILL NO. 918 (Anderson)**—An act to add Section 301.9 to the Corporations Code, relating to mutual water companies.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**SENATE BILL NO. 458 (Corbett)**—An act to amend Section 580e of the Code of Civil Procedure, relating to mortgages, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's  
Consent Calendar roll call.)*

**SENATE BILL NO. 491 (Evans)**—An act to amend Section 8250 of the Probate Code, relating to civil procedure.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**SENATE BILL NO. 713 (Ron Calderon)**—An act to add Article 11 (commencing with Section 10509.930) to Chapter 5 of Part 2 of Division 2 of the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

**AYES—62**

Achadjian	Cook	Hill	Olsen
Alejo	Davis	Huber	Pan
Allen	Dickinson	Hueso	Portantino
Beall	Donnelly	Huffman	Silva
Block	Eng	Jeffries	Skinner
Blumenfield	Feuer	Jones	Solorio
Bonilla	Fong	Knight	Swanson
Bradford	Fuentes	Logue	Torres
Brownley	Gaines	Mansoor	Valadao
Buchanan	Galgiani	Miller	Wagner
Butler	Gatto	Mitchell	Wieckowski
Calderon	Gordon	Monning	Williams
Campos	Hagman	Morrell	Yamada
Carter	Halderman	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	
Conway	Hernández	Norby	

**NOES—None****ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced the following session schedule:

Monday, July 4, 2011, Holiday in observance of Independence Day;  
Tuesday, July 5, 2011, Floor Session, 12 noon.

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

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 98 and Senate Bill No. 77 were continued until the next legislative day.

**ADJOURN IN MEMORY**

Assembly Member Beall was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Patterson of San Jose.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Conway was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lance Corporal Jared C. Verbeek, United States Marine Corps, resident of Visalia.

(Assembly Rule 45.5 suspended.)



**ADJOURN IN MEMORY**

Assembly Member Halderman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Reverend George Lee Johnson of Fresno.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Speaker Pérez and Assembly Member Davis were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gladys Wesson-Strickland, mother of former Speaker of the Assembly, Hon. Herb Wesson, resident of Los Angeles.

(Assembly Rule 45.5 suspended.)

**REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1279**

Assembly Member Allen was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1279; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on June 24, 2011 (Assembly Journal, page 2083); and that the bill be ordered returned to the Senate for further action.

**MESSAGES FROM THE GOVERNOR**

The following message from the Governor was received and ordered printed in the Journal:

July 1, 2011

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

Dear Speaker Pérez: Pursuant to your request, I am returning Assembly Bill 1279, on behalf of the Governor, for further action by the Assembly.

Sincerely,

JACQUELINE ROBERTS  
Private Secretary of the Governor

**RECEIPT**

Acknowledge receipt of the above Assembly Bill at 12:15 p.m., July 1, 2011.

MICHAEL D. CALLAHAN  
Engrossing and Enrolling Clerk

Bill ordered returned to the Senate pursuant to the motion by Assembly Member Allen.

**ADJOURN IN MEMORY**

Assembly Member Olsen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ellis M. Cogdill, Jr., father of Hon. Dave Cogdill, former Member of the Assembly and State Senator, resident of Modesto.

(Assembly Rule 45.5 suspended.)

**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. 454, Concurrence:** Davis, Donnelly, Galgiani, Hill, Huffman, Nielsen, and Swanson—Aye.

**Assembly Bill No. 1305, Concurrence:** Davis, Donnelly, Galgiani, Hill, Huffman, and Nielsen—Aye.

**Assembly Constitutional Amendment No. 6:** Galgiani, Hill, and Huffman—Aye.

**Assembly Bill No. 222, Concurrence:** Miller—Aye.

**Senate Bill No. 235:** Jeffries, Nestande, and Olsen—Aye.

**Consent Calendar:** Nielsen and Valadao—Aye.

**MOTION TO ADJOURN**

At 9:40 a.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 9:40 a.m., Assistant Speaker pro Tempore Gatto declared the quorum call of the Assembly dispensed with.

**JOINT RULE 62(a) SUSPENDED**

Without objection, unanimous consent was granted that Joint Rule 62(a) be suspended to permit the Committee on Business, Professions and Consumer Protection to hear Senate Bill No. 100, on Tuesday, July 5, 2011, at 10:30 a.m.

**AUTHOR'S AMENDMENTS****Committee on Labor and Employment**

July 1, 2011

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Senate Bill No. 829

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

SWANSON, Chair

**SENATE BILL NO. 829**—An act to amend Sections 148.5, 148.6, 148.8, 6309, 6317, 6600, 6601, 6601.5, 6602, 6603, 6610, 6625, and 6630 of, to add Sections 6319.6, 6603.1, 6603.2, and 6603.3 to, and to repeal Section 149.5 of, the Labor Code, relating to employment safety.

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**

July 1, 2011

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

Senate Bill No. 590

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

SOLORIO, Chair

**SENATE BILL NO. 590**—An act to amend Sections 789.10 and 10127.7 of the Insurance Code, relating to life insurance.

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 Judiciary**

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 110

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 bill be placed on the Consent Calendar.

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 563

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

FEUER, Chair

Above bill ordered to second reading.

**Committee on Rules**

Date of Hearing: July 1, 2011

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 682

With the recommendation: That the bill be re-referred to the Committee on Environmental Safety and Toxic Materials.

SKINNER, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

Date of Hearing: July 1, 2011

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 136

With the recommendation: That the bill be re-referred to the Committee on Labor and Employment.

SKINNER, Chair

Above bill re-referred to the Committee on Labor and Employment.

Date of Hearing: July 1, 2011

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 100

Senate Bill No. 415

With the recommendation: That the bills be re-referred to the Committee on Business, Professions and Consumer Protection.

SKINNER, Chair

Above bills re-referred to the Committee on Business, Professions and Consumer Protection.

**Committee on Water, Parks and Wildlife**

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 369

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

HUFFMAN, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: June 21, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 602

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

FEUER, Chair

Above bill ordered to second reading.

**Committee on Utilities and Commerce**

Date of Hearing: June 27, 2011

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 44

Senate Bill No. 585

Senate Bill No. 216

Senate Bill No. 705

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

BRADFORD, Chair

Above bills ordered to second reading.

**Committee on Natural Resources**

Date of Hearing: June 27, 2011

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 535

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

CHESBRO, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 474

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

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 293  
 Senate Bill No. 757  
 Senate Bill No. 859

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

FEUER, Chair

Above bills ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 1, 2011

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

Assembly Bill No. 82	Assembly Bill No. 713
Assembly Bill No. 159	Assembly Bill No. 912
Assembly Bill No. 169	Assembly Bill No. 1029
Assembly Bill No. 182	Assembly Bill No. 1082
Assembly Bill No. 208	Assembly Bill No. 1105
Assembly Bill No. 280	Assembly Bill No. 1269
Assembly Bill No. 315	Assembly Bill No. 1412
Assembly Bill No. 458	Assembly Bill No. 1414
Assembly Bill No. 611	Assembly Bill No. 1426

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

Above bills ordered enrolled.

Senate Chamber, July 1, 2011

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

Assembly Concurrent Resolution No. 31  
 Assembly Concurrent Resolution No. 36  
 Assembly Concurrent Resolution No. 37  
 Assembly Concurrent Resolution No. 46

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

Above resolutions ordered enrolled.

Senate Chamber, July 1, 2011

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

Assembly Bill No. 417	Assembly Bill No. 807
Assembly Bill No. 483	Assembly Bill No. 943
Assembly Bill No. 707	Assembly Bill No. 966
Assembly Bill No. 733	Assembly Bill No. 1014
Assembly Bill No. 782	Assembly Bill No. 1133

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.

Senate Chamber, July 1, 2011

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

Assembly Bill No. 1265

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, July 1, 2011

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

Assembly Concurrent Resolution No. 15

Assembly Concurrent Resolution No. 41

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, July 1, 2011

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

Senate Concurrent Resolution No. 45

Senate Concurrent Resolution No. 48

Senate Concurrent Resolution No. 49

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

### FIRST READING OF SENATE BILLS

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 45**—Relative to alcoholic beverage control.

**SENATE CONCURRENT RESOLUTION NO. 48**—Relative to the National Day of the Cowboy.

**SENATE CONCURRENT RESOLUTION NO. 49**—Relative to the Olympic Games.

### MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

#### **Governor's Message—Assembly Bill No. 114**

Governor's Office, Sacramento  
June 30, 2011

*To the Members of the California State Assembly:*

AB 114 directs schools to adhere to the level of state funding provided in the Budget and not assume a different, or lower, state funding level. If, in fact, revenues fall far short of projections—something we don't anticipate—this bill reduces funding beginning in February. It also provides schools the authority to shorten the school year by up to 7 days. This approach avoids the harmful effects of unnecessary cuts.

In fashioning their local budgets, school boards may nevertheless need to make reductions due to cost increases, loss of federal funds, enrollment declines or other factors. AB 114 does not interfere with these local school board decisions. School boards should take all reasonable steps to balance their budgets and to maintain positive cash balances.

Let us not forget that schools would have enjoyed billions more in state funding if Republicans in the Legislature had allowed the people of California to vote on tax extensions.

Sincerely,

EDMUND G. BROWN JR.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Allen, the Assembly adjourned until 12 noon, Tuesday, July 5, 2011, out of respect to the memory of Richard Patterson on motion of Assembly Member Beall; out of respect to the memory of Lance Corporal Jared C. Verbeek, United States Marine Corps on motion of Assembly Member Conway; out of respect to the memory of Reverend George Lee Johnson on motion of Assembly Member Halderman; out of respect to the memory of Gladys Wesson-Strickland on motion of Speaker Pérez and Assembly Member Davis; and out of respect to the memory of Ellis M. Cogdill, Jr. on motion of Assembly Member Olsen.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 1, 2011**

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

**ACA RN**

6 1121629

**SB RN**

244 1122311

507 1122285

513 1122232

590 1122412

614 1122559

684 1122554

829 1122546

903 1122346

914 1121897

**Daily Total: 10**

**Cumulative Total: 1887**

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