

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 5, 2011**

**ONE HUNDRED FOURTH SESSION DAY  
TWO HUNDRED TWELFTH 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

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, July 5, 2011

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 Atkins 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 12:12 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—76:

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

**PRAYER**

Upon invitation of Assistant Speaker pro Tempore Gatto, the following prayer was offered by Assembly Member David G. Valadao, of the 30th Assembly District:

*Our Heavenly Father, We thank You today for the precious gift of life, for each and every one of us in this wonderful state of California. We further thank You for the great gift of freedom You have given each of us here today, and have so generously bestowed upon all who reside in the United States of America.*

Two hundred and thirty-five years ago yesterday, in a hall some three thousand miles away, our nation was officially born. Its Founders—each of whom pledged a firm reliance on the protection of Your Divine Providence—affixed their signatures to a Declaration of Independence . . . that for the first time in human history acknowledged the truth that all men are created equal . . . that each and every human being on the face of this earth is endowed by You, O Lord, with certain unalienable rights . . . rights that no man, and no government, can take away. It is therefore the duty of each one of us, particularly those who are privileged to serve in positions of elected office and public trust, to further the cause of these unalienable rights and timeless truths, which today are but imperfectly realized. To this end we invoke Your blessings, Your strength, Your wisdom, guidance and support, and humbly offer our sincere thanks.

As we today hear the words that announced the birth of a new nation, we also ask you to confer Your blessings, Your mercy and Your healing grace upon all those who have defended our freedoms, particularly those brave men and women who have suffered the injuries of battle, and who have given their last full measure of devotion to the nation to which we pledge our allegiance.

May all who have served in the armed forces of the United States of America, together with their families and loved ones, fully appreciate the magnitude of our thanks for their service and their sacrifice. And may we all be heartened and healed by Your mercy and grace. For all of this we pray.—AMEN.

**PRESENTATION OF COLORS  
AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The Presentation of Colors by the Adjutant General's Honor Guard from the California National Guard: Sergeant Richard Aller; Specialist John Young-Ahuna; Specialist Lucien Farmer; and Specialist Matthew Marfil, was followed by the pledge of allegiance to the Flag, led by Assembly Member Cook.

**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 illness: Assembly Member Charles Calderon.*

*Because of illness in his family: Assembly Member Davis.*

The following Assembly Member was not excused for the day:

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

**COMMUNICATIONS**

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

July 5, 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 Mike Gatto to replace Assemblymember Isadore Hall on the Assembly Elections and Redistricting Committee for today's hearing only.

Sincerely,

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 5, 2011

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

Assembly Constitutional Amendment No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

**SPECIAL COMMITTEE MEETINGS**

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

Environmental Safety and Toxic Materials, on Thursday, July 7, 2011, upon adjournment of Floor Session.

Select Committee on Homelessness, on Wednesday, July 20, 2011, at 1 p.m., in San Diego.

Select Committee on Homelessness, on Wednesday, July 27, 2011, at 1 p.m., in Los Angeles.

**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>73</b> -----	Higher Ed.
<b>74</b> -----	Rls.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Conway was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests on the Assembly Floor, for the Assembly's observance of Independence Day.

**ASSEMBLY RULE 56 AND JOINT RULE 62(a) SUSPENDED**

Assembly Member Allen was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended to permit the Committee on Judiciary to notice hearing of Senate Bill No. 684, on Thursday, July 7, 2011, upon adjournment of Floor Session pending re-referral to the committee.

**JOINT RULE 62(a) SUSPENDED**

Assembly Member Allen was granted unanimous consent that Joint Rule 62(a) be suspended to permit the following bills to be heard in committees as noted:

Committee on Labor and Employment, to hear Senate Bill No. 136, on Wednesday, July 6, 2011, at 1:30 p.m., in Room 447.

Committee on Natural Resources, to hear Senate Bill No. 35, on Wednesday, July 6, 2011, at 1:30 p.m., in Room 444.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE 62(a)**

Assembly Member Allen requested unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Water, Parks and Wildlife, to hear Senate Bill No. 580, on Thursday, July 7, 2011, upon adjournment of Floor Session.

Assembly Member Hagman withheld unanimous consent.

**Motion to Suspend Joint Rule 62(a)**

Assembly Member Allen moved that Joint Rule 62(a) be suspended to permit the Committee on Water, Parks and Wildlife, to hear Senate Bill No. 580, on Thursday, July 7, 2011, upon adjournment of Floor Session.

Assembly Member Feuer seconded the motion.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:19 p.m.

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

**JOINT RULE 62(a) SUSPENDED**

Assembly Member Allen was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Environmental Safety and Toxic Materials to hear Senate Bill No. 682, on Thursday, July 7, 2011, upon adjournment of Floor Session.

**BILLS ORDERED RETURNED TO SENATE**

Assembly Member Allen was granted unanimous consent that Assembly Bill No. 733 be ordered returned to the Senate for further action.

**ASSEMBLY BILLS WITHDRAWN FROM  
ENROLLMENT AND ORDERED RETURNED TO SENATE**

Assembly Member Allen was granted unanimous consent that Assembly Bills Nos. 1391 and 1392 be withdrawn from enrollment, and that the bills be ordered returned to the Senate for further action.

**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. 381, on request of Assembly Member Allen.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Norby was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his son Johnathan Norby, his wife Martha Norby, and his daughter Ana Norby, accompanied by her friend Chloe Yousling.

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

**HOUSE RESOLUTION NO. 18 (Hagman)**—Relative to the 4th of July.  
Resolution read.

**Members Made Coauthors of  
House Resolution No. 18**

Assembly Member Hagman was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of House Resolution No. 18.

**Additional Coauthors**

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

Achadjian, Alejo, Allen, Ammiano, Atkins, Beall, Bill Berryhill, Block, Blumenfield, Bonilla, Bradford, Brownley, Buchanan, Butler, Campos, Carter, Cedillo, Chesbro, Conway, Cook, Dickinson, Donnelly, Eng, Feuer, Fong, Fuentes, Furutani, Beth Gaines, Galgiani, Garrick, Gatto, Gordon, Grove, Halderman, Harkey, Roger Hernández, Hill, Huber, Hueso, Jeffries, Jones, Knight, Lara, Logue, Bonnie Lowenthal, Ma, Mansoor, Mitchell, Monning, Morrell, Nestande, Nielsen, Olsen, Pan, Perea, John A. Pérez, Silva, Smyth, Solorio, Swanson, Torres, Valadao, Wagner, Wieckowski, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Hagman was granted unanimous consent to take up House Resolution No. 18, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of House Resolution No. 18, as Amended**

**HOUSE RESOLUTION NO. 18**—Relative to the 4th of July.  
Resolution read, as amended, and adopted.

**RECESS IN OBSERVANCE OF INDEPENDENCE DAY**

By unanimous consent, at 12:25 p.m., Assistant Speaker pro Tempore Gatto declared the Assembly recessed for a ceremony in recognition of Independence Day.

In recognition of Independence Day, Assembly Members Jones and Atkins read excerpts from the Declaration of Independence.

**Moment of Silence Observed**

The Assembly observed a moment of silence in memory of and to express appreciation for the soldiers, citizens, and allies who sacrificed their lives in defense of our nation and for people around the world in an effort to secure the liberty and freedoms we honor today.

**RECONVENED**

At 12:30 p.m., the Assembly reconvened.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ALLEN MOTION TO SUSPEND JOINT RULE 62(a)  
RELATIVE TO SENATE BILL NO. 580**

At 12:31 p.m., on motion of Assembly Member Allen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to suspend Joint Rule 62(a) carried by the following vote:

**AYES—48**

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

**NOES—27**

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

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

**SENATE BILL NO. 110**—An act to amend Section 1103.4 of the Civil Code, relating to property disclosures.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**SENATE BILL NO. 563**—An act to amend Sections 1363, 1363.05, and 1365.2 of the Civil Code, relating to common interest developments.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 369**—An act to amend Sections 8276.2, 8276.3, 8279.1, 8280.1, 8280.2, 8280.3, 8280.4, 8280.5, and 8280.6 of, and to add and repeal Sections 8276.4 and 8276.5 of, the Fish and Game Code, relating to commercial fishing.

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

**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; 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. 44**—An act to add Chapter 4.5 (commencing with Section 950) to Part 1 of Division 1 of the Public Utilities Code, relating to public utilities.

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

**SENATE BILL NO. 216**—An act to add Chapter 4.5 (commencing with Section 950) to Part 1 of Division 1 of the Public Utilities Code, relating to public utilities.

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

**SENATE BILL NO. 585**—An act to add Section 2851.1 to the Public Utilities Code, relating to solar energy, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 705**—An act to add Chapter 4.5 (commencing with Section 950) to, and to repeal Chapter 2.2 (commencing with Section 328) of, Part 1 of Division 1 of the Public Utilities Code, relating to public utilities.

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

**SENATE BILL NO. 535**—An act to add Part 5 (commencing with Section 71420) to Division 34 of the Public Resources Code, relating to climate change.

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

**SENATE BILL NO. 474**—An act to amend Sections 2782 and 2783 of, and to add Section 2782.05 to, the Civil Code, relating to indemnity.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.



**SENATE BILL NO. 293**—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 8612 and 9560 of, and to amend and repeal Section 3252 of, the Civil Code, and to amend Sections 10262 and 10262.5 of, to amend, repeal, and add Section 10261 of, and to add and repeal Section 7201 of, the Public Contract Code, relating to payment bonds.

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. 757**—An act to amend Section 1374.58 of, and to add Section 1367.30 to, the Health and Safety Code, and to amend Sections 10112.5 and 10121.7 of the Insurance Code, relating to discrimination.

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. 859**—An act to amend Section 1808.23 of the Vehicle Code, relating to vehicles.

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.

**UNFINISHED BUSINESS  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 23 (Smyth)**—An act to add Section 54952.3 to the Government Code, relating to local government.

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—75**

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

**NOES—None**

Bill ordered enrolled.

**ASSEMBLY BILL NO. 426 (Bonnie Lowenthal)**—An act to amend Section 640 of the Penal Code, and to amend Section 99580 of the Public Utilities Code, relating to transportation.

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—76**

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

**NOES—None**

Bill ordered enrolled.

**ASSEMBLY BILL NO. 1265 (Nielsen)**—An act to amend, repeal, and add Sections 16142, 16142.1, and 51244 of, to add Section 51244.4 to, and to add and repeal Section 51244.3 of, the Government Code, relating to local government, 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—76**

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

**NOES—None**

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

**AYES—76**

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

**NOES—None**

Bill ordered enrolled immediately.

**ASSEMBLY BILL NO. 707 (Garrick)**—An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing, 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—72**

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

**NOES—None**

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

**AYES—72**

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

**NOES—None**

Bill ordered enrolled.

**ASSEMBLY BILL NO. 807 (Solorio)**—An act to amend Section 1808.1 of the Vehicle Code, relating to vehicles.

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—76**

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

**NOES—None**

Bill ordered enrolled.

**GOVERNOR’S VETOES STRICKEN FROM FILE**

Assembly Member Allen was granted unanimous consent that the Governor’s veto of Assembly Bill No. 98 be stricken from file.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**SENATE BILL NO. 77 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given on a previous day, Assembly Member Allen was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 77 was refused passage; and that the bill be placed upon the inactive file.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE PURSUANT TO ASSEMBLY RULE 96(b)**

Assembly Member Allen was granted unanimous consent that Senate Bill No. 745 be withdrawn from the Committee on Appropriations and placed on the second reading file pursuant to Assembly Rule 96(b).

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

**ASSEMBLY BILL NO. 943 (Williams)**—An act to amend Sections 22013, 22014, and 22034 of the Public Contract Code, relating to public contracts.

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—75**

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

**NOES—None**

Bill ordered enrolled.

**ASSEMBLY BILL NO. 1133 (Silva)**—An act to add Section 916.2 to the Penal Code, relating to grand juries.

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—76**

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

**NOES—None**

Bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 759 (Lieu)**—An act to amend Section 1353.8 of the Civil Code, relating to common interest developments.

Bill presented by Assembly Member Fletcher.

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

**AYES—63**

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

**NOES—11**

Conway	Grove	Harkey	Olsen
Donnelly	Hagman	Logue	Smyth
Gaines	Halderman	Morrell	

Bill ordered transmitted to the Senate.

**SENATE JOINT RESOLUTION NO. 3 (Pavley)**—Relative to toxic substances control.

Resolution presented by Assembly Member Feuer.

Resolution read, and adopted by the following vote:

**AYES—48**

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

**NOES—28**

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

Resolution ordered transmitted to the Senate.

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

Bill presented by Assembly Member Wieckowski.

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

**AYES—55**

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

**NOES—19**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 209: Assembly Member Jones from “No” to “Aye”.

Bill ordered transmitted to the Senate.



**SENATE BILL NO. 48 (Leno)**—An act to amend Sections 51204.5, 51500, 51501, 60040, and 60044 of the Education Code, relating to instruction.

Bill presented by Assembly Member Ammiano.

Bill read third time.

**Assembly Rule 112 Suspended**

Assembly Member Norby was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—50**

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

**NOES—26**

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

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 445 (Simitian)**—An act to amend Section 6267 of the Government Code, relating to public records.

Bill presented by Assembly Member Bonilla.

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

**AYES—74**

Achadjian	Cook	Hill	Olsen
Alejo	Dickinson	Huber	Pan
Allen	Eng	Hueso	Perea
Ammiano	Feuer	Huffman	Pérez, V.M.
Atkins	Fletcher	Jeffries	Portantino
Beall	Fong	Jones	Silva
Berryhill	Fuentes	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
Campos	Hagman	Mitchell	Williams
Carter	Halderman	Monning	Yamada
Cedillo	Harkey	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	
Conway	Hernández	Norby	

**NOES—2**

Donnelly                      Morrell

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 445: Assembly Members Harkey and Knight from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 180 (Corbett)**—An act to amend Section 1770 of the Civil Code, relating to consumer affairs.

Bill presented by Assembly Member Cook.

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

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced that the Committee on Business, Professions and Consumer Protection would meet today, upon adjournment of Floor Session, in Room 447.

**ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced the following session schedule:

Wednesday, July 6, 2011, Check-in Session, 7 a.m.–3 p.m.;

Thursday, July 7, 2011, Floor Session, 9 a.m.

**ADJOURN IN MEMORY**

Assembly Member Allen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dewitt Clinton Burris of Vallejo.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Logue was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Staff Sergeant Russell Jeremiah Proctor, United States Army, resident of Oroville.

(Assembly Rule 45.5 suspended.)

**COMMITTEE MEETING ANNOUNCEMENTS**

Assistant Speaker pro Tempore Gatto announced that the Committee on Health would meet today, upon adjournment of Floor Session, in Room 4202.

**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 LaVerne Odin of Long Beach.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Allen Motion to Suspend Joint Rule 62(a), Relative to Senate Bill No. 580:** Cedillo, Eng, Mendoza, Portantino, and Wieckowski—Aye; Fletcher and Morrell—No.

**Assembly Bill No. 23, Concurrence:** Eng, Huber, Huffman, Mendoza, Monning, Swanson, and Valadao—Aye.

**Assembly Bill No. 426, Concurrence:** Cedillo, Fletcher, Huber, Huffman, Mendoza, Swanson, and Williams—Aye.

**Assembly Bill No. 1265, Urgency and Concurrence:** Fletcher, Huber, Huffman, Mendoza, Smyth, and Swanson—Aye.

**Assembly Bill No. 707, Urgency and Concurrence:** Cedillo, Fletcher, Huber, Mendoza, Norby, Smyth, and Swanson—Aye.

**Assembly Bill No. 807, Concurrence:** Eng, Fletcher, Huber, Mendoza, and Swanson—Aye.

**Assembly Bill No. 943, Concurrence:** Huber—Aye.

**Assembly Bill No. 1133, Concurrence:** Hayashi and Huber—Aye.

**Senate Bill No. 759:** Garrick, Hayashi, and Nestande—Aye; Harkey—No.

**Senate Joint Resolution No. 3:** Block and Hayashi—Aye; Fletcher, Huber, and Nestande—No.

**Senate Bill No. 209:** Block, Fletcher, Hayashi, Huber, and Nestande—Aye; Bill Berryhill and Valadao—No.

**Senate Bill No. 48:** Fletcher—Aye; Jones—No.

**Senate Bill No. 445:** Fletcher, Nielsen, Norby, and Williams—Aye.

**Senate Bill No. 180:** Fletcher and Nielsen—Aye.

#### MOTION TO ADJOURN

At 1:44 p.m., Assembly Member Ma moved that the Assembly do now adjourn.

Assembly Member Knight seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:44 p.m., Assistant Speaker pro Tempore Gatto declared the quorum call of the Assembly dispensed with.

#### AUTHOR'S AMENDMENTS

##### Committee on Insurance

July 1, 2011

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

Senate Bill No. 684

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

SOLORIO, Chair

**SENATE BILL NO. 684**—An act to add Section 11658.5 to the Insurance Code, relating to workers' compensation 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.

##### Committee on Appropriations

July 5, 2011

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

Senate Bill No. 495

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

FUENTES, Chair

**SENATE BILL NO. 495**—An act to amend Sections 1513, 1513.5, 1514, 1516, 1518, 1520, and 1565 of, and to add Section 1576.5 to, the Code of Civil Procedure, relating to unclaimed property.

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 Agriculture**

Date of Hearing: June 29, 2011

Mr. Speaker: Your Committee on Agriculture reports:  
Senate Bill No. 618

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GALGIANI, Chair

Above bill ordered to second reading.

**Committee on Human Services**

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Human Services reports:  
Senate Bill No. 737

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

BEALL, Chair

Above bill ordered to second reading.

**Committee on Veterans Affairs**

Date of Hearing: June 29, 2011

Mr. Speaker: Your Committee on Veterans Affairs reports:  
Senate Bill No. 813

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

COOK, Chair

Above bill ordered to second reading.

**Committee on Rules**

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Rules reports:  
Assembly Bill No. 1278

With the recommendation: That the bill be re-referred to the Committee on Jobs, Economic Development, and the Economy; and the Committee on Revenue and Taxation.

SKINNER, Chair

Above bill re-referred to the Committee on Jobs, Economic Development, and the Economy; and the Committee on Revenue and Taxation.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Rules reports:  
Senate Bill No. 855

With the recommendation: That the bill be re-referred to the Committee on Utilities and Commerce.

SKINNER, Chair

Above bill re-referred to the Committee on Utilities and Commerce.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Rules reports:  
Senate Joint Resolution No. 1

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

SKINNER, Chair

Above resolution ordered to the Consent Calendar.

**Committee on Judiciary**

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 422

With the recommendation: Do pass.

FEUER, Chair

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 5, 2011

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

Assembly Bill No. 455

Assembly Bill No. 1127

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

Above bills ordered enrolled.

Senate Chamber, July 5, 2011

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

Assembly Bill No. 612

Assembly Bill No. 1066

Assembly Bill No. 1267

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 5, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 46

Senate Joint Resolution No. 6

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

July 5, 2011

*The Honorable E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: By direction of the Senate, I am returning SB 491 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

Above bill ordered held at Desk.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 5, 2011

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

Assembly Bill No. 1265

And reports the same correctly enrolled, and presented to the Governor on the 5th day of July, 2011, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

**INTRODUCTION OF GUESTS**

Assembly Member Silva, of the 67th Assembly District, introduced Hon. Bill Campbell, former Member of the Assembly.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Ma, the Assembly adjourned until 7 a.m., Wednesday, July 6, 2011, out of respect to the memory of Dewitt Clinton Burris on motion of Assembly Member Allen; out of respect to the memory of Staff Sergeant Russell Jeremiah Proctor, United States Army on motion of Assembly Member Logue; and out of respect to the memory of LaVerne Odin on motion of Assembly Member Bonnie Lowenthal.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 5, 2011**

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

<b>SB</b>	<b>RN</b>	
44	1122472	
110	1122339	
216	1122473	
293	1122351	
369	1122335	
474	1122336	
495	1122464	
535	1122328	
563	1122358	
585	1122413	
602	1121715	
705	1122606	
757	1122363	
859	1122341	
<b>Daily Total:</b>		<b>14</b>
<b>Cumulative Total:</b>		<b>1901</b>

O