

CALIFORNIA LEGISLATURE  
2011–12 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 6, 2011**

**ONE HUNDRED FIFTH SESSION DAY  
TWO HUNDRED THIRTEENTH 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  
Wednesday, July 6, 2011

The Assembly met at 7 a.m.

Hon. Paul Fong, Assembly Member, 22nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Timothy Morland reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Achadjian	Cook	Hill	Olsen
Alejo	Dickinson	Huber	Pan
Allen	Donnelly	Hueso	Perea
Ammiano	Eng	Huffman	Pérez, V. Manuel
Atkins	Feuer	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
Calderon	Hagman	Mitchell	Williams
Campos	Halderman	Monning	Yamada
Carter	Hall	Morrell	Mr. Speaker
Cedillo	Harkey	Nestande	
Chesbro	Hayashi	Nielsen	
Conway	Hernández	Norby	

Quorum present.

**At 1:02 p.m., Hon. Steve Knight, 36th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

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

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*On personal business, and waiving per diem: Assembly Member Fletcher.*

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

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

**COMMUNICATIONS**

The following communications were 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 Das Williams to replace Assemblymember Mike Davis on the Assembly Local Government Committee for the Wednesday, July 6 hearing only.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

July 6, 2011

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

Dear Dotson: Please be advised that I have created the Select Committee on Job Creation for the New Economy and have appointed Assemblymember Nathan Fletcher as Chair.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

July 6, 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 Ricardo Lara to replace Assemblymember Luis Alejo on the Assembly Local Government Committee for today's hearing only.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

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

Veterans Affairs, on Wednesday, August 17, 2011, at 9:30 a.m., in Room 126.

Select Committee on Sustainable and Organic Agriculture, on Wednesday, July 13, 2011, at 3 p.m.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 75—Nielsen (Principal coauthor: Senator La Malfa).** Relative to the CHP Officer Charles T. Smith Memorial Highway.

**ASSEMBLY JOINT RESOLUTION NO. 14—Monning (Principal coauthor: Mitchell).** Relative to the national debt ceiling.

**AUTHOR’S AMENDMENTS  
Committee on Appropriations**

July 6, 2011

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 674

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

FUENTES, Chair

**SENATE BILL NO. 674**—An act to amend Sections 739.5, 8380, and 8381 of, and to repeal Section 709.7 of, the Public Utilities Code, relating to public utilities.

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.

July 6, 2011

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 503

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

FUENTES, Chair

**SENATE BILL NO. 503**—An act to amend Section 75506.5 of the Government Code, relating to judges’ retirement.

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 Business, Professions and Consumer Protection**

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Business, Professions and Consumer Protection reports:

Senate Bill No. 943

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

HAYASHI, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Business, Professions and Consumer Protection reports:

Senate Bill No. 67

Senate Bill No. 671

Senate Bill No. 100

Senate Bill No. 746

Senate Bill No. 538

Senate Bill No. 773

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HAYASHI, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Business, Professions and Consumer Protection reports:

- Senate Bill No. 306
- Senate Bill No. 658

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

HAYASHI, Chair

Above bills ordered to second reading.

**Committee on Public Safety**

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

- Senate Bill No. 852

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

AMMIANO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

- Senate Bill No. 756

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

AMMIANO, Chair

Above bill ordered to second reading.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

- |                     |                     |
|---------------------|---------------------|
| Senate Bill No. 9   | Senate Bill No. 514 |
| Senate Bill No. 57  | Senate Bill No. 586 |
| Senate Bill No. 124 | Senate Bill No. 601 |
| Senate Bill No. 296 | Senate Bill No. 622 |

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

AMMIANO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

- Senate Bill No. 33
- Senate Bill No. 913

With the recommendation: Do pass.

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

AMMIANO, Chair

Above bills ordered to second reading.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

- Senate Bill No. 798

With the recommendation: Do pass.

AMMIANO, Chair

Above bill ordered to second reading.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 360

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

AMMIANO, Chair

Above bill ordered to second reading.

**Committee on Insurance**

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 684

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

SOLORIO, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 826

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

SOLORIO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 596

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.

SOLORIO, Chair

Above bill ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 127

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

SOLORIO, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Elections and Redistricting**

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Senate Bill No. 183

Senate Bill No. 397

Senate Bill No. 199

Senate Bill No. 439

Senate Bill No. 202

Senate Bill No. 488

Senate Bill No. 205

Senate Bill No. 641

Senate Bill No. 334

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

FONG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Senate Bill No. 398

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

FONG, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Health**

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 20

Senate Bill No. 416

Senate Bill No. 60

Senate Bill No. 431

Senate Bill No. 155

Senate Bill No. 442

Senate Bill No. 173

Senate Bill No. 844

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MONNING, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 945

Senate Bill No. 946

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MONNING, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Health reports:

Assembly Concurrent Resolution No. 69

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.

MONNING, Chair

Above resolution ordered to the Consent Calendar.

**Committee on Local Government**

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 310

With the recommendation: Do pass.

SMYTH, Chair

Above bill ordered to second reading.

**Committee on Higher Education**

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 292

Senate Bill No. 760

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BLOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 5, 2011

Mr. Speaker: Your Committee on Higher Education reports:  
Senate Bill No. 185  
Senate Bill No. 619

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

BLOCK, Chair

Above bills ordered to second reading.

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:  
Senate Bill No. 456

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

WIECKOWSKI, Chair

Above bill ordered to second reading.

**Committee on Public Employees, Retirement and Social Security**

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 27  
Senate Bill No. 857

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

FURUTANI, Chair

Above bills ordered to second reading.

**Committee on Judiciary**

Date of Hearing: June 28, 2011

Mr. Speaker: Your Committee on Judiciary reports:  
Senate Bill No. 557

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.

**Committee on Appropriations**

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 24	Senate Bill No. 341
Senate Bill No. 39	Senate Bill No. 350
Senate Bill No. 88	Senate Bill No. 420
Senate Bill No. 105	Senate Bill No. 470
Senate Bill No. 168	Senate Bill No. 493
Senate Bill No. 182	Senate Bill No. 508
Senate Bill No. 206	Senate Bill No. 559
Senate Bill No. 207	Senate Bill No. 609
Senate Bill No. 328	

With the recommendation: Do pass.

FUENTES, Chair

Above bills ordered to second reading.



Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 702  
Senate Bill No. 704  
Senate Bill No. 888

Senate Bill No. 910  
Senate Bill No. 917  
Senate Bill No. 929

With the recommendation: Do pass.

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 38  
Senate Bill No. 112  
Senate Bill No. 133  
Senate Bill No. 177  
Senate Bill No. 224  
Senate Bill No. 226  
Senate Bill No. 238  
Senate Bill No. 264

Senate Bill No. 285  
Senate Bill No. 290  
Senate Bill No. 305  
Senate Bill No. 327  
Senate Bill No. 339  
Senate Bill No. 349  
Senate Bill No. 384

With the recommendation: Do pass.

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 390  
Senate Bill No. 406  
Senate Bill No. 425  
Senate Bill No. 428  
Senate Bill No. 593  
Senate Bill No. 608  
Senate Bill No. 627

Senate Bill No. 636  
Senate Bill No. 720  
Senate Bill No. 723  
Senate Bill No. 724  
Senate Bill No. 741  
Senate Bill No. 796  
Senate Bill No. 801

With the recommendation: Do pass.

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 21  
Senate Concurrent Resolution No. 35  
Senate Concurrent Resolution No. 37

With the recommendation: Be adopted.

FUENTES, Chair

Above resolutions ordered to third reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 805  
Senate Bill No. 824  
Senate Bill No. 909

Senate Bill No. 922  
Senate Bill No. 940

With the recommendation: Do pass.

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 28  
Senate Bill No. 427  
Senate Bill No. 739

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

FUENTES, Chair

Above bills ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 107  
Senate Bill No. 274

Senate Bill No. 565  
Senate Bill No. 885

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 bills be placed on the Consent Calendar.

FUENTES, Chair

Above bills ordered to second reading.

### **Committee on Governmental Organization**

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 732

With the recommendation: Do pass.

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.

HALL, Chair

Above bill ordered to second reading.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 8  
Senate Bill No. 332

With the recommendation: Do pass.

HALL, Chair

Above bills ordered to second reading.

### **Committee on Appropriations**

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 58  
Assembly Concurrent Resolution No. 66

With the recommendation: Be adopted.

FUENTES, Chair

Above resolutions ordered to third reading.

### **Committee on Governmental Organization**

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 103  
Senate Bill No. 263

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HALL, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Governmental Organization reports:  
Senate Bill No. 32  
Senate Bill No. 712

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

HALL, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 6, 2011

Mr. Speaker: Your Committee on Governmental Organization reports:  
Senate Constitutional Amendment No. 7

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

HALL, Chair

Above resolution re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)  
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 Bills Nos. 563 and 474, ordered to third reading.

Senate Bill No. 110, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 745**—An act to amend Section 48306 of, and to add Section 48313.5 to, the Education Code, relating to pupils.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 618**—An act to add Section 51255.1 to, and to add Chapter 6.9 (commencing with Section 51190) to Part 1 of Division 1 of Title 5, of the Government Code, and to amend Section 402.1 of the Revenue and Taxation Code, relating to local government.

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. 737**—An act to amend Section 8484.3 of the Education Code, and to amend Sections 1596.793 and 18897 of, and to add Section 18897.8 to, the Health and Safety Code, relating to organized camps.

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

**SENATE BILL NO. 813**—An act to amend Section 66025.8 of the Education Code, relating to public postsecondary education.

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

**SENATE BILL NO. 422**—An act to amend Section 121015 of the Health and Safety Code, relating to health reporting.

Bill read second time, and ordered to third reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, July 7, 2011.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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

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

<b>SB</b>	<b>RN</b>	
503	1122608	
618	1122561	
674	1122643	
737	1122510	
813	1122513	
<b>Daily Total:</b>		<b>5</b>
<b>Cumulative Total:</b>		<b>1906</b>

O