

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, August 31, 2012

**TWO HUNDRED FORTY-SIXTH SESSION DAY
SIX HUNDRED THIRTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



NOTE: Official record of roll call votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, August 31, 2012

The Assembly met at 10 a.m.

Hon. Fiona Ma, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Timothy Morland reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Achadjian moved a quorum call of the Assembly.

Motion carried. Time, 10:01 a.m.

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

Quorum Present

At 10:11 a.m., Speaker pro Tempore Ma declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—80:

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

PRAYER

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

Lord, You are an invisible God who is concerned with all good things and only good things. You bless and look favorably on people who not only do good things, but also have good thoughts in their minds and good inclinations in their heart. Remind us, Lord, that You may not bless us immediately, sometimes it may take days or even years, but You do bless us. And You provide for us in ways that we might not even expect. Lord, You hold everything in the palm of Your hand. Guide us to come closer to You in everything we think and do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Ma, Assembly Member Chesbro then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Charles Calderon, seconded by Assembly Member Hagman.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>House</i>	
<i>Resolution No.</i>	<i>Committee</i>
43 -----	Rls.
<i>Senate Concurrent</i>	
<i>Resolution No.</i>	<i>Committee</i>
102 -----	Rls.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Labor and Employment, on Friday, August 31, 2012, at 9:30 a.m., in Room 447.

ITEM VETO RETURNED TO UNFINISHED BUSINESS FILE

In compliance with a motion given on a previous day pursuant to Assembly Rule 78, the following item veto was withdrawn from the inactive file, and placed upon the unfinished business file:

Item No. 6110-488, Governor’s Budget Item Veto to Assembly Bill No. 1497, on request of Assembly Member Hagman.

ADJOURN IN MEMORY

Assembly Member Garrick was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gil Wolters of San Marcos.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Knight was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Neil Armstrong, United States astronaut, Commander of the Apollo 11 Mission and the first man to walk on the moon July 20, 1969, resident of Columbus, Ohio.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dickinson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tom Friery of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Nielsen and Bonnie Lowenthal were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Zolin of Long Beach.

(Assembly Rule 45.5 suspended.)

**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 Bills Nos. 1148, 1186, 1225, and 1195, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

HOUSE RESOLUTION NO. 37—Relative to umbilical cord blood banking.

Resolution read; amendments proposed by the Committee on Health read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1197—An act to amend Sections 17053.85 and 23685 of, and to add Section 38.7 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1118—An act to add Chapter 21 (commencing with Section 42985) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

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

SENATE BILL NO. 1572—An act to add Sections 16428.81, 16428.82, and 16428.83 to the Government Code, relating to greenhouse gases, and making an appropriation therefor.

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

SENATE BILL NO. 1359—An act to amend Sections 18796 and 18864 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1455—An act to amend Sections 41081, 44060.5, 44225, 44229, 44275, 44280, 44281, 44282, 44283, 44287, 44299.1, and 44299.2 of, and to add Sections 43018.9, 43867.5, and 43867.6 to, the Health and Safety Code, to amend Sections 42885 and 42889 of the Public Resources Code, and to amend Sections 9250.1, 9250.2, 9261.1, and 9853.6 of the Vehicle Code, relating to vehicular air pollution.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 535—An act to add Sections 38702.5, 38704, 38705, and 38706 to, and to add Part 11 (commencing with Section 38850) to Division 25.5 of, the Health and Safety 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 returned to the second reading file.

SENATE BILL NO. 1403—An act to amend Section 1946.7 of the Civil Code, and to amend Section 1161.3 of the Code of Civil Procedure, relating to domestic violence.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 977—An act to amend Section 111825 of the Health and Safety Code, relating to the Sherman Food, Drug, and Cosmetic Law.

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

At 10:25 a.m., Assistant Speaker pro Tempore Nora Campos, 23rd District, presiding

THIRD READING OF SENATE BILLS

SENATE BILL NO. 1387 (Emmerson)—An act to amend Section 21604 of, and to add Section 21609.1 to, the Business and Professions Code, and to amend Section 4966 of the Penal Code, relating to metal theft.

Bill presented by Assembly Member Ma.

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

AYES—77

Achadjian	Davis	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	Gaines	Lara	Smyth
Blumenfield	Galgiani	Logue	Solorio
Bonilla	Garrick	Lowenthal	Swanson
Bradford	Gatto	Ma	Torres
Brownley	Gordon	Mansoor	Valadao
Buchanan	Gorell	Mendoza	Wagner
Butler	Grove	Miller	Wickowski
Calderon	Hagman	Mitchell	Williams
Campos	Halderman	Monning	Yamada
Carter	Hall	Morrell	Mr. Speaker
Chesbro	Harkey	Nestande	
Conway	Hayashi	Nielsen	
Cook	Hernández	Norby	

NOES—1

Donnelly

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1528 (Steinberg)—An act to add Section 3284 to the Civil Code, to amend Sections 23004.1 and 23004.2 of the Government Code, and to amend Section 14124.70 of the Welfare and Institutions Code, relating to medical services.

Bill presented by Assembly Member Wieckowski.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:43 a.m.

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

SENATE BILL NO. 1063 (Ted Gaines)—An act to add and repeal Section 115843.6 of the Health and Safety Code, relating to reservoirs, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Alejo.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—79

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 965 (Wright)—An act to amend Section 11125.7 of the Government Code and to amend Section 13228.14 of, to add Section 13167.6 to, and to add Chapter 4.1 (commencing with Section 13287) to Division 7 of, the Water Code, relating to state and local government .

Bill presented by Assembly Member Alejo.

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

AYES—65

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

NOES—7

Allen	Donnelly	Huffman	Skinner
Blumenfield	Hill	Knight	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 965: Assembly Member Allen from “Aye” to “No”; Assembly Member Fong from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 901 (Steinberg)—An act to add and repeal Article 1.5 (commencing with Section 19535) of Chapter 7 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill presented by Assembly Member Fuentes.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:12 a.m.

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

At 11:13 a.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

SENATE BILL NO. 359 (Ed Hernandez)—An act to amend Section 1371.4 of, and to add and repeal Article 3 (commencing with Section 127465) of Chapter 2.5 of Part 2 of Division 107 of, the Health and Safety Code, relating to health care.

Bill presented by Assembly Member Pan.

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

AYES—51

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

NOES—26

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

Bill ordered transmitted to the Senate.

SENATE JOINT RESOLUTION NO. 30 (Hancock)—Relative to social security.
 Resolution presented by Assembly Member Allen.
 Resolution read, and adopted by the following vote:

AYES—59

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

NOES—17

Berryhill	Gorell	Jones	Norby
Cook	Grove	Knight	Olsen
Donnelly	Hagman	Logue	
Gaines	Halderman	Morrell	
Garrick	Harkey	Nielsen	

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS
MOTION TO RECONSIDER
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 18
Request for Unanimous Consent

In compliance with a motion given on a previous day, Assembly Member Swanson requested unanimous consent that the vote be reconsidered whereby Assembly Constitutional Amendment No. 18 was refused adoption.

Assembly Member Hagman withheld unanimous consent.

Motion to Reconsider

Assembly Member Swanson moved that the vote be reconsidered whereby Assembly Constitutional Amendment No. 18 was refused adoption.

Parliamentary Inquiry

Assembly Member Donnelly arose to the following parliamentary inquiry:

Is Assembly Member Swanson speaking to the motion to reconsider or to the bill?

Reply by Speaker pro Tempore Ma

The Speaker pro Tempore replied that the motion to reconsider opens the subject matter of the bill to debate.

The question being on the motion to reconsider.

Assembly Constitutional Amendment No. 18 reconsidered by the following vote:

AYES—51

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

NOES—27

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

Further Consideration of Assembly Constitutional Amendment No. 18

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 18 (Swanson)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of, and by adding Section 4.5 to, Article XIII A thereof, by amending Section 2 of Article XIII C thereof, and by amending Section 3 of Article XIII D thereof, relating to taxation.

Resolution read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:52 a.m.

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

REPORTS OF STANDING COMMITTEES
Committee on Elections and Redistricting

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Elections and Redistricting reports:
Assembly Bill No. 481

With the recommendation: That the Senate amendments be concurred in.

FONG, Chair

Above bill ordered to unfinished business file.

Committee on Labor and Employment

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Labor and Employment reports:
Senate Bill No. 923

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

SWANSON, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1966

Assembly Bill No. 2609

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.

REQUEST FOR PHOTOGRAPHER

Assembly Member Hall was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Hall was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber.

REQUEST TO PLACE ITEM VETO ON INACTIVE FILE

Assembly Member Charles Calderon moved that the following item be placed upon the inactive file pursuant to Assembly Rule 78:

Item No. 6110-488, Governor's Budget Item Veto to Assembly Bill No. 1497.

Objection to Placing Item Veto on Inactive File

Assembly Member Hagman objected to placing Item No. 6110-488, Governor's Budget Item Veto to Assembly Bill No. 1497, on the Inactive File.

Ruling by Speaker pro Tempore

Speaker pro Tempore Ma ruled that Assembly Member Charles Calderon is sending Item No. 6110-488, Governor's Budget Item Veto to Assembly Bill No. 1497, to the Inactive File on behalf of the author pursuant to Assembly Rule 78.

Parliamentary Inquiry

Assembly Member Hagman arose to the following parliamentary inquiry: What action is necessary to prevent Item No. 6110-488, Governor's Budget Item Veto to Assembly Bill No. 1497, from being placed on the Inactive File?

Reply by Speaker pro Tempore

Speaker pro Tempore Ma replied that it is a Member's right under Assembly Rule 78 to place his or her bill upon the Inactive File, and that therefore the only motion available is a motion to suspend the Rules to prevent Item No. 6110-488, Governor's Budget Item Veto to Assembly Bill No. 1497, from being placed on the Inactive File.

Parliamentary Inquiry

Assembly Member Hagman arose to the following parliamentary inquiry: Is this a debatable motion?

Reply by Speaker pro Tempore

Speaker pro Tempore Ma replied in the negative.

Motion to Suspend Assembly Rule 78

Assembly Member Hagman moved that Assembly Rule 78 be suspended for the purpose of preventing Item No. 6110-488, Governor's Item Veto to Assembly Bill No. 1497 from being placed on the Inactive File.

Assembly Member Conway seconded the motion.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:57 a.m.

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

REQUEST TO WITHDRAW BILLS FROM COMMITTEE AND PLACE ON FILE

Assembly Member Charles Calderon requested unanimous consent that Assembly Rules 63 and 96(b) be suspended to permit Senate Bill No. 1028 to be withdrawn from the Committee on Budget and placed on the third reading file, for purpose of consideration, without reference to file.

Assembly Member Hagman withheld unanimous consent.

Motion to Withdraw Bills From Committee and Place on File

Assembly Member Charles Calderon moved that Assembly Rules 63 and 96(b) be suspended to permit Senate Bill No. 1028 to be withdrawn from the Committee on Budget and placed on the third reading file, for purpose of consideration, without reference to file.

Assembly Member Allen seconded the motion.

Motion to suspend the Rules carried by the following vote:

AYES—51

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

NOES—27

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

**CONSIDERATION OF SENATE BILL NO. 1028
WITHOUT REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Charles Calderon and a roll call vote taken, Assembly Member Blumenfield was permitted to take up Senate Bill No. 1028 without reference to file, for purpose of consideration.

SENATE BILL NO. 1028 (Committee on Budget and Fiscal Review)—An act to amend Sections 17193.5, 17199.4, 52055.780, 69432.7, and 69999.6 of the Education Code, to amend Section 17581.6 of the Government Code, to amend Items 6110-485 and 6110-488 of Section 2.00 of the Budget Act of 2011 (Chapter 33 of the Statutes of 2011), and to add Item 6440-301-6048 to Section 2.00 of the Budget Act of 2012 (Chapter 21 of the Statutes of 2012), relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Assembly Member Blumenfield.

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

AYES—50

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

NOES—27

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

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONFERENCE COMMITTEE REPORTS**

ASSEMBLY BILL NO. 340 (As proposed by the Conference Committee)—An act to amend Sections 24214 and 24214.5 of, and to add Sections 22119.3, 22164.5, 24202.6, 24202.7, and 24202.8 to, the Education Code, to amend Sections 9355.4, 9355.41, 9355.45, 20281.5, 20516, 21076, and 31461 of, to amend and renumber Section 1243 of, to add Sections 20516.5, 20677.96, 20683.2, 20791, 21076.5, 31542, 31542.5, 31543, 31631, and 31631.5 to, to add Article 4 (commencing with Section 7522) to Chapter 21 of Division 7 of Title 1 of, to add a heading to Article 1 (commencing with Section 7500), to add a heading to Article 2 (commencing with Section 7515), and to add a heading to Article 3 (commencing with Section 7520) of Chapter 21 of Division 7 of Title 1 of, to add and repeal Sections 7522.66 and 21400 of, and to repeal the headings of Chapter 21.4 (commencing with Section 7515) and Chapter 21.5 (commencing with Section 7520) of Division 7 of Title 1 of, the Government Code, relating to public employees' retirement, and making an appropriation therefor.

Conference Committee Report presented by Assembly Member Furutani.

Motion to Postpone Indefinitely

Assembly Member Donnelly moved to postpone indefinitely, consideration of the Conference Committee Report.

Ruling by Speaker pro Tempore

Speaker pro Tempore Ma ruled the motion to postpone indefinitely out of order as the Conference Committee Report is before both Houses of the Legislature; a motion to postpone indefinitely would be in order on a bill on the third reading file pursuant to Assembly Rule 90.

Motion to Appeal from the Decision of the Chair

Assembly Member Donnelly moved to appeal from the decision of the Chair.

Assembly Hagman seconded the motion.

The question being: Shall the decision of the Chair be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

AYES—30

Achadjian	Grove	Jones	Norby
Berryhill	Hagman	Knight	Olsen
Conway	Halderman	Logue	Silva
Donnelly	Hall	Mansoor	Smyth
Furutani	Harkey	Miller	Valadao
Garrick	Hernández	Morrell	Wieckowski
Gordon	Huffman	Nestande	
Gorell	Jeffries	Nielsen	

NOES—46

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

Assembly Rule 112 Suspended

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

Point of Order

Assembly Member Charles Calderon arose to the following point of order:

That Assembly Member Grove limit her comments to the issue before the Body and refrain from questioning the motives of other Members.

Assembly Rule 112 Suspended

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

Request for Use of Visual Aids

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

Assembly Rule 112 Suspended

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

**Further Consideration of the Conference Committee Report on
Assembly Bill No. 340**

The question being on the adoption of the Conference Committee Report.

Report adopted by the following vote:

AYES—66

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

NOES—9

Donnelly	Harkey	Mansoor
Garrick	Hayashi	Mendoza
Grove	Jones	Swanson

Vote Changes

By unanimous consent, the following vote change was permitted on the Conference Committee Report on Assembly Bill No. 340: Assembly Member Beth Gaines from “No” to “Aye”.

**MOTION TO WITHDRAW ASSEMBLY BILL NO. 2224
FROM COMMITTEE AND PLACE ON FILE**

Assembly Member Hagman moved that Assembly Rule 96(b) be suspended to permit Assembly Bill No. 2224 to be withdrawn from the Committee on Public Employees, Retirement and Social Security and placed on the third reading file, prior to Rules Committee approval.

Assembly Member Conway seconded the motion.

Motion to suspend the Rules lost by the following vote:

AYES—30

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

NOES—49

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1528**

At 1:35 p.m., on motion of Assembly Member Wieckowski, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1528 refused passage by the following vote:

AYES—13

Ammiano	Cedillo	Gatto	Mr. Speaker
Blumenfield	Dickinson	Monning	
Brownley	Eng	Swanson	
Butler	Feuer	Wieckowski	

NOES—43

Achadjian	Galgiani	Jones	Pan
Beall	Garrick	Knight	Perea
Berryhill	Gorell	Logue	Pérez, V.M.
Carter	Grove	Mansoor	Silva
Chesbro	Hagman	Mendoza	Smyth
Conway	Halderman	Miller	Solorio
Cook	Harkey	Morrell	Torres
Donnelly	Hayashi	Nestande	Valadao
Fletcher	Hill	Nielsen	Wagner
Fuentes	Huber	Norby	Yamada
Gaines	Jeffries	Olsen	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1528: Assembly Member Carter from “Aye” to “No”; Assembly Members Allen and Skinner from “Aye” to “Not Voting”.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 901**

At 1:35 p.m., on motion of Assembly Member Fuentes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Fuentes moved to continue the call of the Assembly.

Motion carried. Time, 1:36 p.m.

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

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of the First Day Consent Calendar without reference to file.

CONSIDERATION OF FIRST DAY CONSENT CALENDAR

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

Consent Calendar—Senate Bills

SENATE BILL NO. 323 (Vargas)—An act to amend Sections 9653.6, 17900, and 23405.2 of the Business and Professions Code, to amend Section 708.310 of the Code of Civil Procedure, to amend Sections 171.03, 171.3, 1113, 1152, 1157, 2113, 6019.1, 8019.1, 12540.1, 15911.03, 15911.08, 16903, 16908, 16911, and 25005.1 of, to add Section 17657 to, to add Title 2.6 (commencing with Section 17701.01) to, and to repeal Title 2.5 (commencing with Section 17000) of, the Corporations Code, to amend Sections 12190, 12197, and 12262 of the Government Code, to amend Section 1192.95 of the Insurance Code, to amend Sections 17941, 17947, 19141, and 23332 of the Revenue and Taxation Code, and to amend Section 1116 of the Unemployment Insurance Code, relating to limited liability companies.

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

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

First Day Consent Calendar Roll Call

The roll was called, and the above bill on the First Day Consent Calendar passed by the following vote:

AYES—80

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

NOES—None**CONSIDERATION OF SECOND DAY CONSENT CALENDAR**

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

Consent Calendar—Assembly Resolutions

HOUSE RESOLUTION NO. 42 (Atkins)—Relative to Red Ribbon Week.

Resolution read and adopted.

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

Consent Calendar—Senate Resolutions

SENATE CONCURRENT RESOLUTION NO. 74 (Ted Gaines)—Relative to Brain Injury Awareness Month.

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

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

SENATE CONCURRENT RESOLUTION NO. 83 (Steinberg)—Relative to National Aphasia Awareness Month.

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

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

SENATE CONCURRENT RESOLUTION NO. 98 (Lieu)—Relative to the United States Constitution.

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

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

SENATE CONCURRENT RESOLUTION NO. 103 (Tom Berryhill)—Relative to wildlife resources.

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

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

SENATE CONCURRENT RESOLUTION NO. 104 (Wolk)—Relative to the 100-year anniversary of the Sikh American community.

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

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

Second Day Consent Calendar Roll Call

The roll was called, and the above resolutions on the Second Day Consent Calendar adopted by the following vote:

AYES—80

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

NOES—None

**JOINT RULE 62(a) SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Insurance to hear Senate Bill No. 863 today, upon call of the Chair, in Room 437.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1486

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

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

ASSEMBLY BILL NO. 2114 (Smyth)—An act to amend Sections 115921, 115928, 115928.5, 116064, and 116064.2 of the Health and Safety Code, relating to public safety.

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

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

AYES—79

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

NOES—None

Bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 901**

At 1:57 p.m., on motion of Assembly Member Fuentes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 901 passed by the following vote:

AYES—43

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

NOES—32

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

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Ma announced that the following committees would meet during recess of Floor Session:

Insurance, in Room 437;

Rules, in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 1:58 p.m., Speaker pro Tempore Ma declared the Assembly recessed.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 102

With the recommendation: Be adopted.

SKINNER, Chair

Above resolution ordered to third reading.

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 43

With the recommendation: Be adopted.

SKINNER, Chair

Above resolution ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 197

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, August 31, 2012

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

Assembly Bill No. 1933
Assembly Bill No. 1965
Assembly Bill No. 2062
Assembly Bill No. 2122

Assembly Bill No. 2370
Assembly Bill No. 2502
Assembly Bill No. 2669

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.

RECONVENED

At 3:29 p.m., the Assembly reconvened.

Hon. Nora Campos, Assistant Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 197
BY UNANIMOUS CONSENT—ASSEMBLY RULE 63 SUSPENDED**

Assembly Member Buchanan was granted unanimous consent to suspend Assembly Rule 63 to permit consideration of Senate amendments to Assembly Bill No. 197 without reference to print or file.

ASSEMBLY BILL NO. 197 (Buchanan)—An act to amend Sections 20516 and 31461 of the Government Code, relating to public employees' retirement.

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

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

AYES—73

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

NOES—4

Donnelly	Garrick	Grove	Jones
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Bill ordered enrolled.

SPECIAL RECOGNITION

Speaker Pérez recognized the Honorable Fiona Ma for her dedicated service as Speaker pro Tempore of the Assembly during his leadership. Speaker Pérez, joined by Assembly Member Hagman, expressed gratitude to Speaker pro Tempore Ma for her years as a dedicated advocate for the Body, whereupon Speaker Pérez presented a commemorative plaque with the inscription:

The Honorable Fiona Ma

Assembly Speaker pro Tempore March 18, 2010–August 31, 2012
She Brought Decorum, Civility, and Respect to the People's House

At 3:39 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

SPECIAL PRESENTATION

Assembly Member Gorell presented a shadowbox containing an American flag with a certificate and a photograph of the flag being flown over the headquarters of Regional Command Southwest and the II Marine Expeditionary Force (Forward), Camp Leatherneck, in the Helmand Province of Afghanistan during Operation Enduring Freedom on September 11, 2011, for the 10-year anniversary of the attack of 9/11, dedicated in honor of the Members, Officers, and staff of the California State Assembly, signed by Major General John A. Toolan, Commanding General of the II Marine Expeditionary Force.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 562
 Assembly Bill No. 1098
 Assembly Bill No. 1266

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, August 31, 2012

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

Assembly Bill No. 491

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

SENATE JOINT RESOLUTION NO. 16 (Vargas)—Relative to the Calxico West Port of Entry.

Resolution presented by Assembly Member V. Manuel Pérez.

Resolution read, and adopted by the following vote:

AYES—70

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

NOES—1

Donnelly

Resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 105 (Negrete McLeod)—
Relative to the State Teachers' Retirement System.

Resolution presented by Assembly Member Furutani.

Resolution read.

Assembly Rule 112 Suspended

Assembly Member Donnelly 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 adoption of the resolution.

Resolution adopted by the following vote:

AYES—54

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

NOES—23

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

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 568 (Alan Lowenthal)—An act to add Chapter 6.6 (commencing with Section 42391) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

Bill presented by Assembly Member Huffman.

Bill read third time.

At 4:18 p.m., Assistant Speaker pro Tempore Nora Campos, 23rd District, presiding

Request for Use of Visual Aids

Assembly Member Miller was granted unanimous consent to use visual aids on the Floor.

Assembly Member Ma was granted unanimous consent to use visual aids on the Floor.

Further Consideration of Senate Bill No. 568

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—26

Allen	Butler	Gordon	Skinner
Ammiano	Chesbro	Hill	Swanson
Atkins	Dickinson	Huffman	Wieckowski
Beall	Eng	Lowenthal	Williams
Block	Feuer	Mitchell	Yamada
Blumenfield	Fong	Monning	
Brownley	Gatto	Portantino	

NOES—45

Achadjian	Galgiani	Knight	Perea
Berryhill	Garrick	Lara	Pérez, V.M.
Calderon	Gorell	Logue	Silva
Campos	Grove	Ma	Smyth
Carter	Hagman	Mendoza	Solorio
Cedillo	Halderman	Miller	Torres
Conway	Hall	Morrell	Valadao
Cook	Harkey	Nestande	Wagner
Donnelly	Hayashi	Nielsen	Mr. Speaker
Fuentes	Huber	Norby	
Furutani	Jeffries	Olsen	
Gaines	Jones	Pan	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 568: Assembly Member Bonilla from “No” to “Not Voting”.

REPORTS OF STANDING COMMITTEES

Committee on Insurance

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 863

With the recommendation: Do pass.

PEREA, Chair

Above bill ordered to second reading.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate Bill No. 863 without reference to file.

**CONSIDERATION OF SENATE BILL NO. 863
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Solorio was permitted to take up Senate Bill No. 863 without reference to file, for purpose of consideration.

SENATE BILL NO. 863 (De León)—An act to amend Sections 11435.30 and 11435.35 of the Government Code, and to amend Sections 62.5, 139.2, 3201.5, 3201.7, 3700.1, 3701, 3701.3, 3701.5, 3701.7, 3701.8, 3702, 3702.2, 3702.5, 3702.8, 3702.10, 3742, 3744, 3745, 3746, 4061, 4062, 4062.2, 4062.3, 4063, 4064, 4453, 4600, 4603.2, 4603.4, 4604, 4604.5, 4605, 4610, 4610.1, 4616, 4616.1, 4616.2, 4616.3, 4616.7, 4620, 4622, 4650, 4658, 4658.5, 4658.6, 4660, 4701, 4903, 4903.1, 4903.4, 4903.5, 4903.6, 4904, 4905, 4907, 5307.1, 5307.7, 5402, 5502, 5703, 5710, and 5811 of, to add Sections 139.32, 139.48, 139.5, 3701.9, 4603.3, 4603.6, 4610.5, 4610.6, 4658.7, 4660.1, 4903.05, 4903.06, 4903.07, 4903.8, 5307.8, and 5307.9 to, to add and repeal Section 3702.4 of, and to repeal Sections 4066 and 5318 of, the Labor Code, relating to workers' compensation, and making an appropriation therefor.

Bill presented by Assembly Member Solorio.

Bill read third time.

At 4:52 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—72

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

NOES—5

Calderon	Halderman	Hueso
Donnelly	Hayashi	

Bill ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 1461 (Monning)—An act to amend Sections 1363 and 1399.829 of, to amend the heading of Article 11.7 (commencing with Section 1399.825) of Chapter 2.2 of Division 2 of, to add Section 1399.836 to, to add Article 11.8 (commencing with Section 1399.845) to Chapter 2.2 of Division 2 of, and to repeal Section 1399.816 of, the Health and Safety Code, and to amend Section 10965.3 of the Insurance Code, relating to health care coverage.

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

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

AYES—51

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

NOES—27

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

Bill ordered enrolled.

ASSEMBLY BILL NO. 2697 (Committee on Housing and Community Development)—An act to amend Sections 798.49, 896, 1363.05, and 1368 of the Civil Code, and to amend Sections 18045.6 and 18942 of the Health and Safety Code, relating to housing.

Bill presented by Assembly Member Torres.

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

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

AYES—80

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

NOES—None

Bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1551

Assembly Bill No. 2392

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.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 12 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Gatto was granted unanimous consent that the vote be reconsidered whereby Assembly Constitutional Amendment No. 12 was refused adoption; and that the bill be placed upon the inactive file.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1184, on request of Assembly Member Charles Calderon.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of House Resolution No. 37 and Senate Bills Nos. 1148, 1186, 1225, 1195, 1197, 1118, 1572, 1359, 1455, 535, 1403, and 977 without reference to file.

**RE-REFERENCE OF BILLS TO COMMITTEE
PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Ma re-referred the following bills to committee as noted:

Assembly Bill No. 491, to the Committee on Health;
 Assembly Bill No. 1486, to the Committee on Local Government;
 Assembly Bill No. 1965, to the Committee on Local Government;
 Assembly Bill No. 1551, to the Committee on Housing and Community Development;
 Assembly Bill No. 562, to the Committee on Elections and Redistricting.

**CONSIDERATION OF SENATE BILL NO. 1359
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Mitchell was permitted to take up Senate Bill No. 1359 without reference to file, for purpose of amendment.

SENATE BILL NO. 1359 (Simitian)—An act to amend Sections 18796 and 18864 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Mitchell moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**CONSIDERATION OF SENATE BILL NO. 1359, AS AMENDED
BY UNANIMOUS CONSENT—ASSEMBLY RULE 63 SUSPENDED**

Assembly Member Mitchell was granted unanimous consent to suspend Assembly Rule 63 to permit consideration of Senate Bill No. 1359 as amended, without reference to print or file, and that the same be considered engrossed.

SENATE BILL NO. 1359 (Simitian)—An act to amend Sections 18796 and 18864 of the Revenue and Taxation Code, relating to taxation.

Bill presented by Assembly Member Mitchell.

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

AYES—79

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

NOES—None

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SUPPLEMENTAL FILE
UNFINISHED BUSINESS**

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 2609 (Hueso)—An act to amend Section 102 of, to add Sections 101.5, 107, and 108 to, and to repeal Section 106 of, the Fish and Game Code, relating to the Fish and Game Commission.

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

Point of Order

Assembly Member Hueso arose to the following point of order:

That Assembly Member Donnelly limit his comments to the subject matter before the Body.

Ruling by Speaker pro Tempore Ma

The Speaker pro Tempore ruled the point of order well-taken; Section 123 of Mason’s Manual of Legislative Procedure states that “no person may indulge in personalities, impugn motives of members, or use indecent or profane language.”

Point of Order

Assembly Member Hueso arose to the following point of order:
That the comments by Assembly Member Donnelly are not germane to the bill under consideration.

Point of Order

Assembly Member Donnelly arose to the following point of order:
That Assembly Member Hueso did not properly raise a point of order.

Ruling by Speaker pro Tempore Ma

The Speaker pro Tempore ruled that a Member may not raise a point of order on a point of order.

Point of Order

Assembly Member Hueso arose to the following point of order:
That the comments by Assembly Member Donnelly do not relate to the bill before the Body.

Point of Order

Assembly Member Hagman arose to the following point of order:
That Members restrict their comments to the merits of the point of order and reserve commentary on the bill for debate.

Ruling by Speaker pro Tempore Ma

The Speaker pro Tempore ruled the point of order well-taken.

Parliamentary Inquiry

Assembly Member Jeffries arose to the following parliamentary inquiry:

Is the Floor subject to the “Right to Debate Questions” included in Section 90 of Mason’s Manual of Legislative Procedure?

Reply by Speaker pro Tempore Ma

The Speaker pro Tempore replied in the affirmative and advised the Membership that pursuant to Section 123 of Mason’s Manual of Legislative Procedure “no person may indulge in personalities, impugn motives of members, or use indecent or profane language.”

Point of Order

Assembly Member John A. Pérez arose to the following point of order:

That Members address questions through the presiding officer and not address Members directly on the Floor.

Ruling by Speaker pro Tempore Ma

The Speaker pro Tempore ruled the point of order well-taken.

Further Consideration of Assembly Bill No. 2609

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

AYES—54

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

NOES—26

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

Bill ordered enrolled.

ASSEMBLY BILL NO. 481 (Gordon)—An act to amend Sections 82036, 82036.5, 84102, 84104, 84213, and 84506 of, and to amend, renumber, and add Section 82047.6 of, the Government Code, relating to the Political Reform Act of 1974.

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

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

AYES—64

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

NOES—11

Conway	Harkey	Morrell	Silva
Donnelly	Jones	Nielsen	Wagner
Gaines	Logue	Norby	

Bill ordered enrolled.

ASSEMBLY BILL NO. 1933 (Gordon)—An act to amend Sections 14585 and 14596 of the Public Resources Code, relating to beverage containers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

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

NOES—None

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

AYES—79

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

NOES—None

Bill ordered enrolled.

ASSEMBLY BILL NO. 2062 (Davis)—An act to add Section 87500.2 to the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

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

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

AYES—80

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

NOES—None

Bill ordered enrolled.

ASSEMBLY BILL NO. 2122 (Lara)—An act to add Section 99161.5 to the Education Code, relating to standardized testing.

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

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

AYES—72

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

NOES—8

Donnelly	Grove	Knight	Nielsen
Gatto	Jones	Logue	Wagner

Bill ordered enrolled.

ASSEMBLY BILL NO. 2370 (Mansoor)—An act to amend Sections 4502 and 17206.1 of the Business and Professions Code, to amend Section 1761 of the Civil Code, to amend Sections 8769, 16191, 16195, 16196, 16200, 41306, 41401, and 51765 of the Education Code, to amend Sections 854.2, 6514, 12428, 12926, 14670.1, 14670.2, 14670.3, 14670.5, 14672.1, 14672.92, 16813, 16814, and 16816 of the Government Code, to amend Sections 1275.5, 1337.1, 1337.3, 13113, 51312, 110403, 123935, 125000, 127260, and 129395 of the Health and Safety Code, to amend Sections 10118, 10124, and 10203.4 of the Insurance Code, to amend Sections 1001.20, 1346, 1370.1, 1376, and 2962 of the Penal Code, to amend Section 1420 of the Probate Code, to amend Section 25276 of the Vehicle Code, and to amend Sections 4417, 4426, 4512, 4801, 5002, 5008, 5325, 5585.25, 6250, 6505, 6513, 6551, 6715, 6717, 6740, 6741, 7275, 7351, and 11014 of, to amend the heading of Article 2 (commencing with Section 6500) of Chapter 2 of, to amend the heading of Article 4 (commencing with Section 6715) of Chapter 3 of, and to amend the heading of Article 4 (commencing with Section 6740) of Chapter 4 of, Part 2 of Division 6 of, the Welfare and Institutions Code, relating to intellectual disabilities.

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

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

AYES—77

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

NOES—2

Donnelly Jones

Bill ordered enrolled.

ASSEMBLY BILL NO. 2502 (Blumenfield)—An act to amend, repeal, and add Section 2982 of, and to add Section 2982.11 to, the Civil Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

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

NOES—None

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

AYES—80

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

NOES—None

Bill ordered enrolled.

At 6:03 p.m., Assistant Speaker pro Tempore Nora Campos, 23rd District, presiding

ASSEMBLY BILL NO. 2669 (Committee on Natural Resources)—An act to amend Sections 21080, 21080.5, 21080.23, 21080.24, 21083.05, 21084, 21091, 21092.6, 21094, 21151.1, 21159.9, and 21167.10 of, and to repeal Sections 21172, 21172.5, 21175, and 21176 of, the Public Resources Code, relating to environmental quality.

Bill presented by Assembly Member Chesbro.

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

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

AYES—80

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

NOES—None

Bill ordered enrolled.

ASSEMBLY BILL NO. 1966 (Ma)—An act to amend Section 848 of the Civil Code, relating to natural resources.

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

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

AYES—77

Achadjian	Davis	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	Gorell	Miller	Wieckowski
Calderon	Grove	Mitchell	Williams
Campos	Hagman	Monning	Yamada
Carter	Halderman	Morrell	Mr. Speaker
Cedillo	Hall	Nestande	
Conway	Harkey	Nielsen	
Cook	Hayashi	Norby	

NOES—1

Donnelly

Bill ordered enrolled.

At 6:23 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

THIRD READING OF ASSEMBLY BILLS

HOUSE RESOLUTION NO. 43 (Davis)—Relative to standard English learners.
 Resolution presented by Assembly Member Davis.
 Resolution read third time and adopted.

REMARKS ON CONDITION OF THE FILE

Assembly Member Charles Calderon was granted unanimous consent to suspend Assembly Rule 84 to speak on condition of the file at this time, prior to the motion to adjourn Floor session.

ADJOURN IN MEMORY

Assembly Member Bradford was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Edward Vincent, California State Senator from 2000–2008 and Member of the Assembly from 1996–2000, resident of Inglewood.

**CONSIDERATION OF SUPPLEMENTAL FILE (RESUMED)
 THIRD READING OF SENATE BILLS**

SENATE CONCURRENT RESOLUTION NO. 102 (Yee)—Relative to the Ranger Patricia M. Scully Memorial Highway.
 Resolution presented by Assembly Member Hill.
 Resolution read, and adopted by the following vote:

AYES—78

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

NOES—1

Norby

**SECOND READING OF SENATE BILLS
 BY UNANIMOUS CONSENT**

SENATE BILL NO. 923—An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

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

**JOINT RULE 62(a) SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Rules to meet, upon call of the Chair, in the Tom Bane Rules Committee Room.

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

Local Government, to hear Assembly Bills Nos. 1486 and 1965 at this time, in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 6:32 p.m., by unanimous consent, the members of the Committee on Local Government were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor Session.

**CONSIDERATION OF SENATE BILL NO. 923
BY UNANIMOUS CONSENT—ASSEMBLY RULE 63 SUSPENDED**

Assembly Member Furutani was granted unanimous consent to suspend Assembly Rule 63 to permit consideration of Senate Bill No. 923 without reference to print or file.

SENATE BILL NO. 923 (De León)—An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

Bill presented by Assembly Member Furutani.

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

AYES—52

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

NOES—27

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

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 1234 (De León)—An act to add Section 20139 to, and to add Title 21 (commencing with Section 100000) to, the Government Code, and to add Section 1088.9 to the Unemployment Insurance Code, relating to retirement savings plans, and making an appropriation therefor.

Bill read third time.

Senate Bill No. 1234 Passed Temporarily

By unanimous consent, Senate Bill No. 1234 was passed temporarily.

**RE-REFERENCE OF BILLS TO COMMITTEE
PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Ma re-referred the following bill to committees as noted:

Assembly Bill No. 1098, to the Committee on Local Government and the Committee on Appropriations.

FURTHER CONSIDERATION OF SENATE BILL NO. 1234

SENATE BILL NO. 1234 (De León)—An act to add Section 20139 to, and to add Title 21 (commencing with Section 100000) to, the Government Code, and to add Section 1088.9 to the Unemployment Insurance Code, relating to retirement savings plans, and making an appropriation therefor.

Bill presented by Assembly Member Furutani.

Bill read third time.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—48

Alejo	Campos	Hall	Pan
Allen	Carter	Hayashi	Perea
Ammiano	Chesbro	Hernández	Pérez, V.M.
Atkins	Davis	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
Butler	Gatto	Mitchell	Yamada
Calderon	Gordon	Monning	Mr. Speaker

NOES—29

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

Bill ordered transmitted to the Senate.

**CONSIDERATION OF HOUSE RESOLUTION NO. 37
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Hill was permitted to take up House Resolution No. 37 without reference to file, for purpose of consideration.

HOUSE RESOLUTION NO. 37 (Hill)—Relative to umbilical cord blood banking. Resolution read and adopted.

**CONSIDERATION OF SENATE BILL NO. 1148
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Huffman was permitted to take up Senate Bill No. 1148 without reference to file, for purpose of consideration.

SENATE BILL NO. 1148 (Pavley)—An act to amend Sections 711, 713, 714, 1050, 1726, 1726.4, 1727, 3031, 4006, 6596, 6596.1, 7149, 7149.05, 7260, 7852, 7881, 8032, and 13007 of, to add Sections 1726.1, 1729, and 1730 to, to add Chapter 7.9 (commencing with Section 1797) to Division 2 of, to repeal Chapter 9 (commencing with Section 1850) of Division 2 of, and to repeal and add Section 1728 of, the Fish and Game Code, and to amend Section 65042 of the Government Code, relating to fish and wildlife resources, and making an appropriation therefor.

Bill presented by Assembly Member Huffman.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 7:08 p.m.

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

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Ma announced that, without objection, the Committee on Health would meet at this time, in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 7:08 p.m., by unanimous consent, the members of the Committee on Health were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor Session.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1486

Assembly Bill No. 1965

With the recommendation: That the Senate amendments be concurred in.

SMYTH, Chair

Above bills ordered to unfinished business.

At 7:09 p.m., Assistant Speaker pro Tempore Nora Campos, 23rd District, presiding

**CONSIDERATION OF SENATE BILLS
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Members were permitted to take up the following bills, without reference to file, for purpose of consideration:

SENATE BILL NO. 1225 (Padilla)—An act to amend Sections 14031.8, 14070.2, 14070.4, and 14070.6 of, to add Section 14070.7 to, and to repeal and add Article 5.2 (commencing with Section 14072) of Chapter 1 of Part 5 of Division 3 of Title 2 of, the Government Code, relating to transportation.

Bill presented by Assembly Member Galgiani.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 7:13 p.m.

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

SENATE BILL NO. 1195 (Price)—An act to add Chapter 9.5 (commencing with Section 4430) to the Business and Professions Code, relating to health care coverage.

Bill presented by Assembly Member Monning.

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

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1197 (Ron Calderon)—An act to amend Sections 17053.85 and 23685 of, and to add Section 38.7 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill presented by Assembly Member Charles Calderon.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 7:28 p.m.

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

SENATE BILL NO. 1118 (Hancock)—An act to add Chapter 21 (commencing with Section 42985) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill presented by Assembly Member Chesbro.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 7:43 p.m.

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

SENATE BILL NO. 1455 (Kehoe)—An act to amend Sections 41081, 44060.5, 44225, 44229, 44275, 44280, 44281, 44282, 44283, 44287, 44299.1, and 44299.2 of, and to add Sections 43018.9, 43867.5, and 43867.6 to, the Health and Safety Code, to amend Sections 42885 and 42889 of the Public Resources Code, and to amend Sections 9250.1, 9250.2, 9261.1, and 9853.6 of the Vehicle Code, relating to vehicular air pollution.

Bill presented by Assembly Member Perea.

Bill read third time.

Point of Order

Assembly Member Perea arose to the following point of order:

Assembly Member Halderman is not limiting debate to the merits of the bill.

Ruling by Assistant Speaker pro Tempore Campos

The Assistant Speaker pro Tempore ruled the point of order well-taken.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:05 p.m.

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

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1181

Assembly Bill No. 1744

Assembly Bill No. 1489

Assembly Bill No. 2498

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, August 31, 2012

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

Assembly Bill No. 1599

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

**CONSIDERATION OF SENATE BILL NO. 535
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member John A. Pérez was permitted to take up Senate Bill No. 535, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 535 (De León)—An act to add Sections 39711, 39713, 39715, 39721, and 39723 to the Health and Safety Code, relating to climate change.

Bill presented by Assembly Member John A. Pérez.

Bill read third time.

At 8:17 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—43

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

NOES—29

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 535: Assembly Member Gorell from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1197**

At 8:20 p.m., on motion of Assembly Member Charles Calderon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1197 passed by the following vote:

AYES—71

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

NOES—5

Chesbro	Mansoor	Yamada
Gaines	Norby	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1197: Assembly Member Chesbro from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 1403
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Gordon was permitted to take up Senate Bill No. 1403 without reference to file, for purpose of consideration.

SENATE BILL NO. 1403 (Yee)—An act to amend Section 1946.7 of the Civil Code, and to amend Section 1161.3 of the Code of Civil Procedure, relating to domestic violence.

Bill presented by Assembly Member Gordon.

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

AYES—79

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

NOES—None

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 977
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Pan was permitted to take up Senate Bill No. 977 without reference to print or file, for purpose of consideration.

SENATE BILL NO. 977 (Yee)—An act to amend Section 111825 of the Health and Safety Code, relating to the Sherman Food, Drug, and Cosmetic Law.

Bill presented by Assembly Member Pan.

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

AYES—54

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

NOES—25

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

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Ma announced that, without objection, the Committee on Elections and Redistricting would meet at this time, in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 8:26 p.m., by unanimous consent, the members of the Committee on Elections and Redistricting were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor Session.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Allen was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 1486 and 1965 without reference to file.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 1547 (Simitian)—An act to amend Section 14595.5 of the Public Resources Code, relating to recycling.

Bill presented by Assembly Member Gordon.

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

AYES—79

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 505 (La Malfa)—An act to amend Section 13007 of the Fish and Game Code, relating to fish.

Bill presented by Assembly Member Nielsen.

Bill read third time.

Senate Bill No. 505 Passed Temporarily

By unanimous consent, Senate Bill No. 505 was passed temporarily.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1148**

At 8:30 p.m., on motion of Assembly Member Huffman, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1148 passed by the following vote:

AYES—48

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

NOES—26

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1225**

At 8:30 p.m., on motion of Assembly Member Galgiani, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1225 passed by the following vote:

AYES—63

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

NOES—13

Conway	Grove	Knight	Valadao
Cook	Hagman	Logue	
Donnelly	Halderman	Morrell	
Gaines	Jones	Nielsen	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1118**

At 8:31 p.m., on motion of Assembly Member Chesbro, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Chesbro moved to continue the call of the Assembly.

Motion carried. Time, 8:31 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1455**

At 8:31 p.m., on motion of Assembly Member Perea, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Perea moved to continue the call of the Assembly.

Motion carried. Time, 8:32 p.m.

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

ADJOURN IN MEMORY

Assembly Member Fletcher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sergeant First Class Benjamin Wise, United States Army, and Jeremy Wise, former United States Navy SEAL team member, of El Dorado, Arkansas.

(Assembly Rule 45.5 suspended.)

**REPORTS OF STANDING COMMITTEES
Committee on Elections and Redistricting**

Date of Hearing: August 31, 2012

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

Assembly Bill No. 562

With the recommendation: That the Senate amendments be concurred in.

FONG, Chair

Above bill ordered to unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 2564

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.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 1266, 2564, 1599, 1181, 1489, and 1744 without reference to file.

FURTHER CONSIDERATION OF SENATE BILL NO. 505

SENATE BILL NO. 505 (La Malfa)—An act to amend Section 13007 of the Fish and Game Code, relating to fish.

Bill presented by Assembly Member Nielsen.

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

AYES—79

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

NOES—None

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1486
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Allen and unanimous consent granted earlier this day, Assembly Member Lara was permitted to take up consideration of Senate amendments to Assembly Bill No. 1486, without reference to file.

ASSEMBLY BILL NO. 1486 (Lara)—An act to add and repeal Section 21080.25 of the Public Resources Code, relating to the environment, and declaring the urgency thereof, to take effect immediately.

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

Assembly Rule 112 Suspended

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

The question being on the adoption of the urgency clause.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9 p.m.

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

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1965 BY UNANIMOUS CONSENT

Pursuant to the motion by Assembly Member Allen and unanimous consent granted earlier this day, Assembly Member Pan was permitted to take up consideration of Senate amendments to Assembly Bill No. 1965, without reference to file.

ASSEMBLY BILL NO. 1965 (Pan)—An act to amend Section 65007 of the Government Code, and to amend Section 9610 of the Water Code, relating to land use.

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

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

AYES—76

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

NOES—None

Bill ordered enrolled.

At 9:02 p.m., Assistant Speaker pro Tempore Nora Campos, 23rd District, presiding

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 1002 (Yee)—An act to amend Section 6253.9 of the Government Code, relating to public records.

Bill presented by Assembly Member Hall.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:04 p.m.

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

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1266
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Cook was permitted to take up consideration of Senate amendments to Assembly Bill No. 1266, without reference to print or file.

ASSEMBLY BILL NO. 1266 (Nielsen)—An act to amend Sections 38603 and 38604 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Cook.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

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

NOES—None

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

AYES—77

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

NOES—None

Bill ordered enrolled.

REMARKS ON CONDITION OF THE FILE

Assembly Member Charles Calderon was granted unanimous consent to suspend Assembly Rule 84 to speak on the condition of the file at this time, prior to the motion to adjourn Floor Session.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2564
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Ma was permitted to take up consideration of Senate amendments to Assembly Bill No. 2564, without reference to file.

ASSEMBLY BILL NO. 2564 (Ma)—An act to amend, repeal, and add Sections 21080.21 and 21100.2 of the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

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

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

AYES—69

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

NOES—2

Ammiano	Blumenfield
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Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2564: Assembly Member Blumenfield from “Aye” to “No”.

Bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1599
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Feuer was permitted to take up consideration of Senate amendments to Assembly Bill No. 1599, without reference to file.

ASSEMBLY BILL NO. 1599 (Feuer)—An act to amend Section 2924f of, to amend and repeal Section 2924 of, and to add Section 2923.3 to, the Civil Code, relating to mortgages.

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

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

AYES—58

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

NOES—19

Conway	Harkey	Mansoor	Norby
Donnelly	Jeffries	Miller	Olsen
Gaines	Jones	Morrell	Valadao
Garrick	Knight	Nestande	Wagner
Grove	Logue	Nielsen	

Bill ordered enrolled.

At 9:32 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1181
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Butler was permitted to take up consideration of Senate amendments to Assembly Bill No. 1181, without reference to print or file.

ASSEMBLY BILL NO. 1181 (Butler)—An act to amend Sections 12210.5, 12509, 12511.1, and 12512 of the Business and Professions Code, relating to weights and measures.

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

Assembly Bill No. 1181 Passed Temporarily

By unanimous consent, Assembly Bill No. 1181 was passed temporarily.

**JOINT RULE 62(a) SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Housing and Community Development to hear Assembly Bill No. 1551 today, upon call of the Chair, in the Tom Bane Rules Committee Room.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Ma announced that the Committee on Housing and Community Development would meet at this time, in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 9:34 p.m., by unanimous consent, the members of the Committee on Housing and Community Development were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor Session.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1181

ASSEMBLY BILL NO. 1181 (Butler)—An act to amend Sections 12210.5, 12509, 12511.1, and 12512 of the Business and Professions Code, relating to weights and measures.

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

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

AYES—73

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

NOES—2

Donnelly Grove
Bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1489
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Blumenfield was permitted to take up consideration of Senate amendments to Assembly Bill No. 1489, without reference to print or file.

ASSEMBLY BILL NO. 1489 (Committee on Budget)—An act to amend Sections 1324.23, 1324.27, 1324.29, and 1324.30 of the Health and Safety Code, and to amend Sections 14126.022, 14126.027, 14126.033, and 14126.036 of, and to add Section 14126.028 to, the Welfare and Institutions Code, relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Blumenfield.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:41 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE TO ASSEMBLY BILL NO. 1486**

At 9:41 p.m., on motion of Assembly Member Lara, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1486 adopted by the following vote:

AYES—62

Achadjian	Eng	Huber	Olsen
Atkins	Fletcher	Hueso	Pan
Berryhill	Fuentes	Jeffries	Perea
Blumenfield	Furutani	Jones	Pérez, V.M.
Bonilla	Gaines	Knight	Portantino
Bradford	Galgiani	Lara	Silva
Buchanan	Garrick	Logue	Smyth
Butler	Gatto	Lowenthal	Solorio
Calderon	Gorell	Ma	Swanson
Campos	Grove	Mansoor	Torres
Carter	Hagman	Mendoza	Valadao
Cedillo	Halderman	Miller	Wagner
Conway	Hall	Mitchell	Wieckowski
Cook	Harkey	Morrell	Mr. Speaker
Davis	Hayashi	Nestande	
Donnelly	Hernández	Nielsen	

NOES—3

Feuer	Hill	Huffman
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The question being on the passage of the bill.

Bill passed by the following vote:

AYES—62

Achadjian	Eng	Huber	Olsen
Atkins	Fletcher	Hueso	Pan
Berryhill	Fuentes	Jeffries	Perea
Blumenfield	Furutani	Jones	Pérez, V.M.
Bonilla	Gaines	Knight	Portantino
Bradford	Galgiani	Lara	Silva
Buchanan	Garrick	Logue	Smyth
Butler	Gatto	Lowenthal	Solorio
Calderon	Gorell	Ma	Swanson
Campos	Grove	Mansoor	Torres
Carter	Hagman	Mendoza	Valadao
Cedillo	Halderman	Miller	Wagner
Conway	Hall	Mitchell	Wieckowski
Cook	Harkey	Morrell	Mr. Speaker
Davis	Hayashi	Nestande	
Donnelly	Hernández	Nielsen	

NOES—3

Feuer	Hill	Huffman
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Bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1455**

At 9:42 p.m., on motion of Assembly Member Perea, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1455 passed by the following vote:

AYES—55

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

NOES—21

Berryhill	Hagman	Logue	Norby
Donnelly	Halderman	Mansoor	Silva
Gaines	Harkey	Miller	Wagner
Garrick	Jeffries	Morrell	
Gorell	Jones	Nestande	
Grove	Knight	Nielsen	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1002**

At 9:42 p.m., on motion of Assembly Member Hall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1002 passed by the following vote:

AYES—48

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

NOES—22

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1118**

At 9:43 p.m., on motion of Assembly Member Chesbro, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1118 passed by the following vote:

AYES—48

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

NOES—31

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
HAGMAN MOTION TO SUSPEND ASSEMBLY RULE 78**

At 9:43 p.m., on motion of Assembly Member Hagman, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to suspend Assembly Rule 78 lost by the following vote:

AYES—29

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

NOES—44

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

Bills Placed on Inactive File

The following item was placed upon the inactive file:

Item No. 6110-488, Governor’s Budget Item Veto to Assembly Bill No. 1497 on request of Assembly Member Charles Calderon, and pursuant to the roll call vote taken.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1744
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Bonnie Lowenthal was permitted to take up consideration of Senate amendments to Assembly Bill No. 1744, without reference to print or file.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:48 p.m.

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

REPORTS OF STANDING COMMITTEES

Committee on Housing and Community Development

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Housing and Community Development reports:
Assembly Bill No. 1551

With the recommendation: That the Senate amendments be concurred in.

TORRES, Chair

Above bill ordered to unfinished business file.

**CONSIDERATION OF SENATE BILL NO. 1186
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Wieckowski was permitted to take up Senate Bill No. 1186, without reference to file, for purpose of consideration.

SENATE BILL NO. 1186 (Steinberg)—An act to amend, repeal, and add Section 6106.2 of the Business and Professions Code, to amend Sections 55.3, 55.52, 55.53, 55.54, and 55.56 of, to add Sections 55.31, 55.545, and 1938 to, and to add, repeal, and add Section 55.32 of, the Civil Code, to add Section 425.50 to the Code of Civil Procedure, to amend Sections 4459.8 and 8299.05 of, to add Chapter 7.5 (commencing with Section 4465) to Division 5 of Title 1 of, and to repeal and add Sections 8299.06, 8299.07, and 8299.08 of, the Government Code, and to add and repeal Section 18944.5 of the Health and Safety Code, relating to disability access, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Wieckowski.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Health

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 491

Assembly Bill No. 2322

With the recommendation: That the Senate amendments be concurred in.

PAN, Chair

Above bills ordered to unfinished business.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 562, 2322, 491, and 2498 without reference to print or file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 562
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Fong was permitted to take up consideration of Senate amendments to Assembly Bill No. 562, without reference to print or file.

ASSEMBLY BILL NO. 562 (Fong)—An act to amend Sections 3020, 4103, and 15372 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

Parliamentary Inquiry

Assembly Member Hagman arose to the following parliamentary inquiry:

Does Assembly Bill No. 562 still contain an urgency clause?

Reply by Speaker pro Tempore Ma

The Speaker pro Tempore replied in the affirmative.

**At 10:07 p.m., Assistant Speaker pro Tempore Nora Campos,
23rd District, presiding**

Assembly Rule 112 Suspended

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

The question being on the adoption of the urgency clause.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:18 p.m.

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

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2322
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Gatto was permitted to take up consideration of Senate amendments to Assembly Bill No. 2322, without reference to file.

ASSEMBLY BILL NO. 2322 (Gatto)—An act to amend Sections 123280 and 123285 of, and to add Sections 123312 and 123322 to, the Health and Safety Code, relating to nutrition, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

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

NOES—None

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

AYES—80

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

NOES—None

Bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 491
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Ma was permitted to take up consideration of Senate amendments to Assembly Bill No. 491, without reference to file.

ASSEMBLY BILL NO. 491 (Ma)—An act to amend Section 1255 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—66

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

NOES—2

Ammiano Yamada

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

AYES—66

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

NOES—2

Ammiano Yamada

Bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2498 BY UNANIMOUS CONSENT

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member Gordon was permitted to take up consideration of Senate amendments to Assembly Bill No. 2498, without reference to print or file.

ASSEMBLY BILL NO. 2498 (Gordon)—An act to add Chapter 6.3 (commencing with Section 6700) to Part 1 of Division 2 of the Public Contract Code, relating to public contracts.

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

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

AYES—62

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

NOES—17

Conway	Halderman	Miller	Smyth
Donnelly	Jones	Morrell	Wagner
Gaines	Knight	Nielsen	
Garrick	Logue	Olsen	
Grove	Mansoor	Silva	

Bill ordered enrolled.

JOINT RULE 62(a) SUSPENDED BY UNANIMOUS CONSENT

Assembly Member Charles Calderon was granted unanimous consent that Joint Rule 62(a) be suspended to permit the following bill to be heard in committee as noted:

Local Government, to hear Assembly Bill No. 1098 at this time, in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:24 p.m., by unanimous consent, the members of the Committee on Local Government were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor Session.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1532

Assembly Bill No. 2026

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.

At 10:25 p.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1551 without reference to file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1551
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Torres was permitted to take up consideration of Senate amendments to Assembly Bill No. 1551, without reference to file.

ASSEMBLY BILL NO. 1551 (Torres)—An act to amend Sections 50650.3, 51345, and 51505 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

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

NOES—None

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

AYES—79

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

NOES—None

Bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 18**

At 10:32 p.m., on motion of Assembly Member Swanson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Swanson moved to continue the call of the Assembly.

Motion carried. Time, 10:32 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1489**

At 10:32 p.m., on motion of Assembly Member Blumenfield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1489 adopted by the following vote:

AYES—65

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

NOES—7

Donnelly	Hagman	Jeffries	Valadao
Grove	Harkey	Knight	

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

AYES—65

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

NOES—7

Donnelly	Hagman	Jeffries	Valadao
Grove	Harkey	Knight	

Bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1744**

At 10:33 p.m., on motion of Assembly Member Bonnie Lowenthal, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1744 by the following vote:

AYES—52

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

NOES—27

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

Bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 562**

At 10:33 p.m., on motion of Assembly Member Fong, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Fong moved to continue the call of the Assembly.

Motion carried. Time, 10:33 p.m.

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

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND
ASSEMBLY RULE 63**

Assembly Member Allen requested unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 1532 and 2026 without reference to print or file.

Assembly Member Hagman withheld unanimous consent.

Motion to Suspend Assembly Rule 63

Assembly Member Allen moved that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 1532 and 2026 without reference to print or file.

Assembly Member Gatto seconded the motion.

Motion to suspend Assembly Rule 63 carried by the following vote:

AYES—49

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

NOES—27

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

REPORTS OF STANDING COMMITTEES**Committee on Local Government**

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1098

With the recommendation: That the Senate amendments be concurred in and re-refer to Committee on Appropriations.

SMYTH, Chair

Above bill ordered to unfinished business.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1255

Assembly Bill No. 2196

Assembly Bill No. 1900

Assembly Bill No. 2402

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.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1532
WITHOUT REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Allen and a roll call vote taken earlier this day, Assembly Member John A. Pérez was permitted to take up consideration of Senate amendments to Assembly Bill No. 1532, without reference to print or file.

ASSEMBLY BILL NO. 1532 (John A. Pérez)—An act to amend Section 12894 of the Government Code, and to add Chapter 4.1 (commencing with Section 39710) to Part 2 of Division 26 of the Health and Safety Code, relating to greenhouse gas emissions.

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

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

AYES—51

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

NOES—28

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

Bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2026
WITHOUT REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Allen and a roll call vote taken earlier this day, Assembly Member Fuentes was permitted to take up consideration of Senate amendments to Assembly Bill No. 2026, without reference to file.

ASSEMBLY BILL NO. 2026 (Fuentes)—An act to amend Sections 17053.85 and 23685 of, and to add Section 38.7 to, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

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

NOES—5

Chesbro	Mansoor	Yamada
Gaines	Norby	

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

AYES—69

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

NOES—5

Chesbro	Mansoor	Yamada
Gaines	Norby	

Bill ordered enrolled.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bill No. 2196 without reference to print or file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2196
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Chesbro was permitted to take up consideration of Senate amendments to Assembly Bill No. 2196, without reference to print or file.

ASSEMBLY BILL NO. 2196 (Chesbro)—An act to amend Section 25741 of the Public Resources Code, and to add Section 399.12.6 to the Public Utilities Code, relating to energy.

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

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

AYES—52

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

NOES—25

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

Bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1186

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.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 1900 and 2402 without reference to print or file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1900
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Gatto was permitted to take up consideration of Senate amendments to Assembly Bill No. 1900, without reference to print or file.

ASSEMBLY BILL NO. 1900 (Gatto)—An act to amend Section 25420 of, and to repeal and add Section 25421 of, the Health and Safety Code, to add Section 25326 to the Public Resources Code, and to add Sections 399.24 and 784 to the Public Utilities Code, relating to energy.

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

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

AYES—77

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

NOES—2

Donnelly Grove

Bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2402
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Huffman was permitted to take up consideration of Senate amendments to Assembly Bill No. 2402, without reference to file.

Assembly Rule 112 Suspended

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

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

AYES—47

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

NOES—27

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

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2402: Assembly Member Huber from "Aye" to "No".

Bill ordered enrolled.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 1186 and 1255 without reference to print or file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1186
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Skinner was permitted to take up consideration of Senate amendments to Assembly Bill No. 1186, without reference to print or file.

ASSEMBLY BILL NO. 1186 (Skinner)—An act to add Article 13 (commencing with Section 16429.40) to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to greenhouse gases.

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

Parliamentary Inquiry

Assembly Member Grove arose to the following parliamentary inquiry:

Assembly Bill No. 1186 was amended in the Senate; should it be re-referred to the Committee on Utilities and Commerce?

Reply by Assistant Speaker pro Tempore Ma

The Speaker pro Tempore advised Assembly Member Grove to direct her question to the author of the bill.

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

AYES—47

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

NOES—27

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

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1186: Assembly Member Galgiani from “Aye” to “Not Voting”.

Bill ordered enrolled.

**JOINT RULE 62(a) SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Appropriations to hear Assembly Bill No. 1098 at this time, in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 11:20 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor Session.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1313

Request for Unanimous Consent

In compliance with a motion given on a previous day, Assembly Member Allen requested unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 1313 were refused concurrence.

Assembly Member Hagman withheld unanimous consent.

Motion to Reconsider

Assembly Member Allen moved that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 1313 were refused concurrence.

Assembly Bill No. 1313 reconsidered by the following vote:

AYES—48

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

NOES—27

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

Further Consideration of Assembly Bill No. 1313

ASSEMBLY BILL NO. 1313 (Allen)—An act to amend Section 1143 of the Labor Code, relating to employment.

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

Demand for Previous Question

Assembly Members John A. Pérez, Charles Calderon, Allen, Gordon, and Furutani demanded the previous question.

Roll Call Demanded

Assembly Members Hagman, Garrick, and Jones demanded a roll call.

The roll was opened, and the demand for the previous question sustained by the following vote:

AYES—47

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

NOES—26

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

Further Consideration of Assembly Bill No. 1313

The question being on concurrence in Senate amendments.

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, 11:27 p.m.

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

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1255
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted earlier this day, Assembly Member V. Manuel Pérez was permitted to take up consideration of Senate amendments to Assembly Bill No. 1255, without reference to print or file.

ASSEMBLY BILL NO. 1255 (V. Manuel Pérez)—An act to amend section 25619 of the Public Resources Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

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

Point of Order

Assembly Member Donnelly arose to the following point of order:

That since debate has been closed, do authors need to present on bills?

Ruling by Speaker pro Tempore Ma

The Speaker pro Tempore ruled the point of order not well-taken; the question was demanded on a prior measure.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—75

Achadjian	Cook	Hernández	Norby
Alejo	Davis	Hill	Olsen
Allen	Dickinson	Huber	Pan
Ammiano	Eng	Hueso	Perea
Atkins	Feuer	Jeffries	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
Calderon	Gorell	Mitchell	Wieckowski
Campos	Grove	Monning	Williams
Carter	Hagman	Morrell	Yamada
Cedillo	Harkey	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	

NOES—3

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

AYES—75

Achadjian	Cook	Hernández	Norby
Alejo	Davis	Hill	Olsen
Allen	Dickinson	Huber	Pan
Ammiano	Eng	Hueso	Perea
Atkins	Feuer	Jeffries	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
Calderon	Gorell	Mitchell	Wieckowski
Campos	Grove	Monning	Williams
Carter	Hagman	Morrell	Yamada
Cedillo	Harkey	Nestande	Mr. Speaker
Chesbro	Hayashi	Nielsen	

NOES—3

Conway	Donnelly	Halderman
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Bill ordered enrolled.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 2392, on request of Assembly Member John A. Pérez.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 18

At 11:30 p.m., on motion of Assembly Member Swanson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Constitutional Amendment No. 18 refused passage by the following vote:

AYES—43

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

NOES—27

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

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND
ASSEMBLY RULE 63**

Assembly Member Charles Calderon requested unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1054 without reference to file.

Assembly Member Hagman withheld unanimous consent.

Motion to Suspend Assembly Rule 63

Assembly Member Charles Calderon moved that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1054 without reference to file.

Assembly Member Gatto seconded the motion.

**Action Rescinded and Record Expunged on Motion to Suspend Assembly
Rule 63 Relative to Assembly Bill No. 1054**

Assembly Member Hagman was granted unanimous consent that the action be rescinded and the record expunged whereby a roll call vote was taken on this day on the motion to suspend Assembly Rule 63 relative to Assembly Bill No. 1054, as the bill was not properly before the Body.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1313**

At 11:55 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 Assembly refused to concur in Senate amendments to Assembly Bill No. 1313 by the following vote:

AYES—35

Alejo	Calderon	Gatto	Monning
Allen	Campos	Gordon	Portantino
Ammiano	Carter	Hayashi	Skinner
Beall	Cedillo	Hernández	Solorio
Block	Dickinson	Hill	Swanson
Blumenfield	Eng	Lara	Torres
Bradford	Feuer	Lowenthal	Yamada
Brownley	Fong	Mendoza	Mr. Speaker
Butler	Furutani	Mitchell	

NOES—33

Achadjian	Gorell	Knight	Olsen
Atkins	Grove	Logue	Pan
Berryhill	Hagman	Ma	Silva
Buchanan	Halderman	Mansoor	Smyth
Conway	Hall	Miller	Valadao
Cook	Harkey	Morrell	Wagner
Donnelly	Huber	Nestande	
Gaines	Jeffries	Nielsen	
Garrick	Jones	Norby	

**SIX HUNDRED THIRTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, September 1, 2012

At 12 midnight.

Speaker pro Tempore Ma, presiding.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Charles Calderon was granted unanimous consent that the following statements of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 278 and Senate Bill No. 900

August 20, 2012

E. Dotson Wilson

Chief Clerk of the Assembly

State Capitol, Room 3196

Sacramento, California

Dear Mr. Wilson: On July 2, 2012, the California State Assembly passed Assembly Bill 278 and Senate Bill 900. Both bills were Chaptered by the Secretary of State on July 11, 2012, as Chapter 86 and Chapter 87, Statutes of 2012, respectively. I am providing this letter to the Journal to clarify the intent of those bills.

Under existing law, pursuant to Civil Code Section 2924(b), trustees do not have liability for any good faith error when relying on information provided by the beneficiary regarding the nature and amount of a default. Similarly, the conference committee amendments were not intended to impose liability on an entity that records documents at the direction of a trustee, substitute trustee, or beneficiary who is acting within the scope of authority designated by the holder of the beneficial interest and where the entity is carrying out its recording duties in good faith in the normal course of their activity.

Sincerely,

MIKE ENG, Assembly Member
Forty-ninth District

Legislative Intent—Assembly Bill No. 491

August 31, 2012

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

Dear Mr. Wilson: This letter for the Assembly Journal describes the author's intent for Assembly Bill 491, regarding cardiac catheterization.

AB 491 will permit cardiac catheterization procedures to be performed in an appropriately equipped and staffed outpatient setting that is on the hospital campus. The procedure will be performed under the direction of a cardiologist, and the medical staff must approve all hospital policies related to the procedures as stated in the bill.

The intent behind this bill is to ensure that medical staff oversight and applicable regulations shall address patient selection based on the operating cardiologist's professional medical judgment, which may include, but is not limited to, consideration of the patient's risk, and the patient's overall health status, to ensure that high risk patients receive treatment in the inpatient setting.

In Peace and Friendship,

FIONA MA, Speaker Pro Tempore
Twelfth District

Legislative Intent—Assembly Bill No. 837

August 31, 2012

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

Dear Mr. Wilson: Assembly Bill 837, of which I am the author, would require a manufacturer or supplier making an environmental claim relating to the recycled content of a plastic food container, as defined, to maintain information and documentation in support of such a claim. The bill would also require such a manufacturer or supplier to furnish this information, upon request, to any member of the public or to provide the information by furnishing a link to a document on its Internet web site.

The definition of "plastic food container" within AB 837 means a product that includes a tray, clamshell container, or other receptacle that is used, or intended to be used, to hold food. It is not my intention that this definition encompass bottled water that is regulated as a packaged food product in California and defined by the California Department of Public Health, California Health and Safety Code for Bottled, Vended, Hauled, and Processed Water: Chapter 5, Article 12, Section 111070.

Sincerely,

BRIAN NESTANDE, Assembly Member
Sixty-fourth District

Legislative Intent—Assembly Bill No. 889

August 30, 2012

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

Dear Mr. Wilson: The purpose of this letter is to express my intent as the author of Assembly Bill 889.

The bill requires the Department of Industrial Relations (DIR) to adopt regulations to implement and enforce AB 889 under its plenary authority pursuant to the Labor Code, including its authority under Section 50.5 to foster, promote, and develop the welfare of the wage earners of California and to improve their working conditions.

In proposing the promulgation of regulations addressing meal and rest periods in Section 1451(b)(2), it is my intent that such regulations provide for daily flexibility in the scheduling of meal and rest periods.

It is the intent of this that promulgated regulations, addressing “meal and rest period,” that such regulations provide for daily flexibility in the scheduling of meal and rest period, and that such regulations also call for compensation for such “meal and rest period,” if such “meal and rest period” is not taken.

In proposing the definitional exemptions in section 1450, the bill is not intended to eliminate rights that any employee currently has under Industrial Welfare Commission Wage Order 15-2001. All such Wage Order 15-2001 protections shall remain fully enforceable. The bill similarly is not intended to eliminate any rights that employees working in a private household currently have under Industrial Wage Commission Orders 4-2001 or 5-2001, if their employment is covered by those wage orders.

Since the intent of the bill is to rectify historical exclusions, in proposing Section 1451(c), which provides that DIR may apply the provisions of Industrial Welfare Commission Wage Order 15 to domestic work employees, my intent is to ensure that the working conditions of domestic work employees are improved and are not in any way diminished. My intent in requiring DIR to adopt regulations in Section 1451 is to ensure overtime and meal and rest period protections are implemented for personal attendants, who are defined in IWC Wage Order 15-2001, Section 2(j), and are currently excluded from those protections; and appropriate uninterrupted sleep periods and rules regarding compensation for interruptions.

Finally, in regard to the scope of domestic work, my intent is that casual babysitters over the age of 18 not be covered by regulations promulgated pursuant to this legislation.

Sincerely,

TOM AMMIANO, Assembly Member
Thirteenth District

Legislative Intent—Assembly Bill No. 1181

August 31, 2012

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

Mr. Wilson: It is not the intention of AB 1181 to interfere with or limit the right to negotiate, set, or adjust, in good faith, prices of purchased commodities in private transactions, whether bilateral or multilateral, such as those transactions performed under contract, pursuant to the Commercial Code, or consistent with course of dealing or usage of trade. It is also not the intention of AB 1181 to imply that the highest applicable price per unit that is publicly advertised must be honored in such private transactions.

Sincerely,

BETSY BUTLER, Assembly Member
 Fifty-third District

Legislative Intent—Senate Bill No. 1456

August 31, 2012

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

Dear Mr. Wilson: As principal co-author of Senate Bill 1456 (Lowenthal) and the Assembly Higher Education Committee Chair when SB 1456 was heard in the Assembly Higher Education Committee, I respectfully submit this letter to be printed in the Assembly Journal in order to provide clarification on the intent of SB 1456 and provide guidance on its implementation if signed by the Governor.

Senate Bill 1456 establishes new academic and progress standards to be met by students attending the California Community Colleges (CCC) in order to retain a Board of Governor's fee waiver. SB 1456 also establishes new requirements to be met in order for community college districts to receive matriculation funds.

Previous versions of this measure provided specificity designed to ensure that students who may be in jeopardy of losing their fee waiver eligibility are provided with adequate notice to improve their situation and meet the minimum academic and progress standards established by the CCC Board of Governors. I, like my colleagues in the Legislature, share the concern that students be provided timely notification of their failure to meet the standards. Students must have a reasonable opportunity to remedy deficiencies and thus not lose their fee waiver eligibility.

Specifically, any new standards adopted by the CCC Board of Governors would not go into effect for at least a year from the date of their adoption. It is critical that students who do not meet the minimum

academic and progress standards or those on academic or progress probation be immediately notified at the time the new standards are adopted so these students have the time to remedy any deficiencies. In addition, once new standards are in effect, it is critical that students be individually provided notice no later than the start of the academic term before the loss of fee waiver eligibility so they have sufficient time to remedy deficiencies.

It is my understanding that if this bill is signed into law, these important student protections will be enacted by the CCC Board of Governors as part of the regulatory process implementing SB 1456.

Sincerely,

MARTY BLOCK, Assembly Member
Seventy-eighth District

Legislative Intent—Assembly Bill No. 1532

August 31, 2012

E. Dotson Wilson

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

Dear Mr. Wilson: Assembly Bill 1532, of which I am the author, requires the Department of Finance (DOF), on the Governor's behalf, to develop a series of three-year investment plans to expend the auction revenues that will accrue under the State greenhouse gas cap and trade program.

AB 1532 requires that the Department consider specific criteria in the development of the investment plans, justify the investment plans based upon conformity with Division 25.5 of the Health and Safety Code, and engage in a public process in their development.

It was my intent in authoring AB 1532 that as a part of the Governor's annual budget submission to the Legislature, the DOF will include proposed expenditures consistent with the investment plans developed in accordance with Health and Safety Code Section 39716.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

Legislative Intent—Assembly Bill No. 1647

August 30, 2012

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

Dear Mr. Wilson: My Assembly Bill 1647 seeks to curb the growth in the illegal export of waste tires overseas to be converted into bunker fuel instead of being recycled in California. AB 1647 aims to address this problem through a multifaceted approach, including streamlining and expediting enforcement actions against unlawful tire facility activities, and requiring tire brokers to register with the Department of Resources, Recycling, and Recovery, and periodically report information on tire shipment activity.

AB 1647 defines a tire broker as “a person that arranges for the shipment of used or waste tires to or from a site located within the state, or through the state . . .” While this definition is meant to include those who are actively engaged in purchasing waste tires for resale in or outside of California, it is not intended to include motor vehicle dealers, as defined in Section 285 of the Vehicle Code, or tire retailers primarily engaged in the retail sale, service, and installation of tires on customer vehicles. These businesses merely generate waste tires as a byproduct of their primary business model of selling or servicing vehicles and/or tires.

Accordingly, I wish to clarify my intent that such businesses are not required to comply with the provisions of AB 1647 applicable to tire brokers.

Sincerely,

RICHARD S. GORDON, Assembly Member
Twenty-first District

Legislative Intent—Assembly Bill No. 1657

August 30, 2012

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

Dear Chief Clerk Wilson: I am writing to clarify the wording of AB 1657 approved by the State Assembly on August 27, 2012. In one sentence in the Legislative Counsel Digest and on Page 3, Line 19 in the bill, it incorrectly refers to the “state Treasurer” rather than “state Treasury.” The state Treasury is the correct reference and is used throughout the rest of the bill.

My staff has contacted the Legislative Counsel’s office which has recognized the oversight and suggested it be addressed next year in code clean-up language.

Sincerely,

BOB WIECKOWSKI, Assembly Member
Twentieth District

Legislative Intent—Assembly Bill No. 2402

August 31, 2012

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

Dear Mr. Wilson: This letter is to clarify legislative intent regarding provisions of AB 2402 (Huffman), and specifically those relating to the use of independent science and policy principles. These provisions are intended to enhance the capacity of the California Department of Fish and Game (Department), and to assist the Department in obtaining the resources it needs to fulfill its mission. These provisions are not intended to dictate or control policy decisions of the Department, or to limit or dictate the experts that the Department consults with. In particular, the utilization, or inability to utilize, the scientific principles called for in this measure is not intended to impair or otherwise impact commercial fishing activities in California. Commercial fishing is an important part of the California economy, and the future health of the commercial fishing industry is vital to the interests of the state. The Department is encouraged to work with all stakeholders, including the commercial fishing industry, in managing California's natural resources.

Sincerely,

JARED HUFFMAN, Assembly Member
Sixth District

Legislative Intent—Assembly Bill No. 2477

August 20, 2012

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

Dear Mr. Wilson: The basic intent of AB 2477 is to conform California law with federal law, on the bill's effective date of January 1, 2013, as to the placement of video event recorders on windshields of commercial vehicles. Federal law is currently governed by an exemption granted by the Federal Motor Carrier Safety Administration referenced on page 5, lines 25–31 of AB 2477 (as amended on June 28, 2012). The intent of the new provision, Vehicle Code section 26708(b)(14)(A), is to conform to that exemption.

The purpose of subdivisions (b)(14)(B) and (b)(14)(C) of section 26708 is to maintain conformity to federal law both in the event the current federal exemption expires and in the event the regulation is changed to incorporate the exemption. If the exemption expires, then the change in the law enacted by AB 2477 (Vehicle Code section 26708(b)(14)(A)) would become inoperative pursuant to subdivision (14)(B). However, if as is expected the federal regulation is revised to permanently adopt the exemption, the change in law enacted by AB 2477 would become operative pursuant to subdivision (14)(B) even if the federal exemption had expired. In both instances, the California Highway Patrol will make the determination of the state of the federal regulation.

This is consistent with the interpretation of the Legislative Counsel and the understanding of the California Highway Patrol.

Sincerely,

MARTIN GARRICK, Assembly Member
Seventy-fourth District

Motion to Print in Journal

Assembly Member Hagman, on behalf of Assembly Member Charles Calderon, moved that statements of legislative intent relative to Assembly Bills Nos. 685 and 1486 be printed in the Journal.

Assembly Member Allen seconded the motion.

Motion to print in Journal carried by the following vote:

AYES—48

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

NOES—25

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

Legislative Intent—Assembly Bill No. 685

August 30, 2012

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

Dear Mr. Wilson: This letter is to clarify the intent of Assembly Bill (AB) 685, which would add Section 106.3 to the Water Code to declare that it is the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

It is well documented that many water service providers face significant challenges in providing safe and clean water, but many also lack the capacity to overcome them without assistance, especially in rural and disadvantaged communities, where enforcement actions alone are insufficient to address the root cause of persistent problems. It is my intent with AB 685 to create a state policy priority and direct state agencies to explicitly consider it within their relevant administrative processes, measures and actions.

Therefore, subdivision (a) of Section 106.3 sets this state policy priority. It is implemented by subdivision (b), which directs relevant state agencies to consider this policy priority when engaging in agency actions that are likely to impact the safety, affordability, or adequacy of drinking water or sanitation. It is intended that subdivisions (a) and (b), together, establish a framework for administrative decision making that will improve access to safe, affordable domestic water service throughout the state.

Subdivision (b) does not direct any state agencies, including the State Water Resources Control Board, to commence proceedings to revisit existing policies and regulations to bring them into compliance with the policy priority in subdivision (a). It merely directs that when such an agency does revisit its existing policies and regulations, or adopts new policies and regulations going forward, those agencies must consider the policy priority. Therefore, it is not my intention that the State Water Resources Control Board be required by this section to alter existing policies or regulations relating to the granting, administration or enforcement of water rights.

Subdivision (c) addresses my intent that the declaration of state policy in subdivision (a) and the implementation provision in subdivision (b) do not impose a new obligation on the state to provide water service or to pay for water for those unable to afford it.

Subdivision (e) specifies that the implementation of this section shall not infringe on the rights and responsibilities of any public water system. This subdivision is intended to apply to a public water system as defined in Section 116275 of the Health and Safety Code. It is not my intent that Section 106.3 alter existing statutory requirements applicable to public water systems, including: (1) statutorily-mandated procedures to terminate water service (i) for nonpayment of water bills or (ii) for any violation of a rule or regulation adopted by a public water system or regulatory agency; (2) compliance with any applicable water quality requirement established pursuant to federal or state law; (3) compliance with any water planning process set forth in the Water Code, including but not limited to Water Code Sections 10608–10608.64, the Urban Water Planning Management Act (Water Code Sections 10610 et seq.), the Agricultural Water Planning Management Act (Water Code Sections 10800 et seq.) and Water Code Sections 10910–10915); (4) compliance with any statutory requirement pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.); (5) compliance with any statutory requirement pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); (6) declaration of a water shortage emergency pursuant to Water Code Sections 350 et seq.; and (7) compliance with any requirements pertaining to the Public Utilities Commission regulation of water utilities pursuant to the Public Utilities Code.

Finally, it is my intent that nothing in Section 106.3 prohibits or is intended to restrict future changes to existing statutes or regulations, or the adoption of new statutes or regulations appropriate and necessary to implement the policy contained in subdivision (a).

Sincerely,

MIKE ENG, Assembly Member
Forty-ninth District

Legislative Intent—Assembly Bill No. 1486

August 31, 2012

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

Dear Mr. Wilson: I am submitting this letter to the Assembly Journal to provide clarity as to the intent of Assembly Bill 1486 relating to hearings and disclosure of information by the Los Angeles Regional Interoperable Communications System (LA-RICS) Authority.

Assembly Bill 1486 adds Public Resources Code §21080.25, relating to environmental documentation for certain LA-RICS projects. It is my intention that LA-RICS, through its use agreements with member agencies for LA-RICS projects, include an open and noticed public meeting process by LA-RICS and the member agencies in the approval of those use agreements.

Further, it is my intent that the LA-RICS Authority will do the following for LA-RICS projects:

- Hold a noticed public meeting prior to submitting an environmental assessment, prepared pursuant to the National Environmental Policy Act, to federal agencies for approval.
- File notices of exemption for all sites it determines are exempt under AB 1486 of the 2011–2012 Regular Session.
- Include the following information on its Internet website: 1) draft and final environmental documentation, in compliance with CEQA and NEPA; 2) the date of filing notices required pursuant to CEQA and NEPA, and 3) all notice and hearing information regarding review and approval of the environmental assessment by any federal agencies.

Finally, it is my intent that the Assembly Bill 1486 exemption does not apply to, and LA-RICS facilities will not be located on, any of the following: 1) school sites (none of the planned sites are located on school sites); and 2) cultural sites, including sacred sites as described in Public Resources Code §§5097.9 and 5097.993.

To the extent any clarification is necessary regarding the intent of this provision, I will pursue legislation to clarify these matters at the earliest opportunity.

Sincerely,

RICARDO LARA, Assembly Member
Fiftieth District

POINT OF INFORMATION

Assembly Member Hagman arose to the following point of information:

It is after midnight; the only bills pending are urgency statutes eligible for consideration pursuant to Article IV, Section 10(c) of the California Constitution.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 562**

At 12:03 a.m., on motion of Assembly Member Fong, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 562 by the following vote:

AYES—47

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

NOES—29

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

Vote Changes

By unanimous consent, the following vote change was permitted on the Urgency Clause and on Concurrence in Senate Amendments to Assembly Bill No. 562: Assembly Member Dickinson from “Aye” to “Not Voting”.

**REPORTS OF STANDING COMMITTEES
Committee on Appropriations**

Date of Hearing: August 31, 2012

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 1098

With the recommendation: That the Senate amendments be concurred in.

GATTO, Chair

Above bill ordered to unfinished business file.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1098 without reference to file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1098
BY UNANIMOUS CONSENT (RESUMED)**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Carter was permitted to take up consideration of Senate amendments to Assembly Bill No. 1098, without reference to file.

ASSEMBLY BILL NO. 1098 (Carter)—An act to amend Sections 11003 and 11005 of the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—57

Achadjian	Davis	Huffman	Pan
Alejo	Donnelly	Jeffries	Perea
Ammiano	Fletcher	Jones	Pérez, V.M.
Atkins	Fong	Knight	Silva
Beall	Gaines	Logue	Smyth
Berryhill	Galgiani	Ma	Solorio
Block	Garrick	Mansoor	Swanson
Bradford	Hagman	Mendoza	Torres
Buchanan	Halderman	Miller	Valadao
Calderon	Hall	Mitchell	Wagner
Campos	Harkey	Morrell	Yamada
Carter	Hayashi	Nestande	Mr. Speaker
Cedillo	Hernández	Nielsen	
Conway	Hill	Norby	
Cook	Huber	Olsen	

NOES—7

Blumenfield	Feuer	Furutani	Grove
Dickinson	Fuentes	Gatto	

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

AYES—57

Achadjian	Davis	Huffman	Pan
Alejo	Donnelly	Jeffries	Perea
Ammiano	Fletcher	Jones	Pérez, V.M.
Atkins	Fong	Knight	Silva
Beall	Gaines	Logue	Smyth
Berryhill	Galgiani	Ma	Solorio
Block	Garrick	Mansoor	Swanson
Bradford	Hagman	Mendoza	Torres
Buchanan	Halderman	Miller	Valadao
Calderon	Hall	Mitchell	Wagner
Campos	Harkey	Morrell	Yamada
Carter	Hayashi	Nestande	Mr. Speaker
Cedillo	Hernández	Nielsen	
Conway	Hill	Norby	
Cook	Huber	Olsen	

NOES—7

Blumenfield	Feuer	Furutani	Grove
Dickinson	Fuentes	Gatto	

Vote Changes

By unanimous consent, the following vote change was permitted on the Urgency Clause and on Concurrence in Senate Amendments to Assembly Bill No. 1098: Assembly Member Grove from “Aye” to “No”.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, September 1, 2012

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

Assembly Bill No. 1492

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.

**ASSEMBLY RULE 63 SUSPENDED
BY UNANIMOUS CONSENT**

Assembly Member Charles Calderon was granted unanimous consent that Assembly Rule 63 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1492 without reference to print or file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1492
BY UNANIMOUS CONSENT**

Pursuant to the motion by Assembly Member Charles Calderon and unanimous consent granted, Assembly Member Blumenfield was permitted to take up consideration of Senate amendments to Assembly Bill No. 1492, without reference to print or file.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:57 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1492**

At 12:58 a.m., on motion of Assembly Member Blumenfield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member John A. Pérez moved to continue the call of the Assembly.

Motion carried. Time, 12:58 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1492**

At 12:59 a.m., on motion of Assembly Member John A. Pérez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 1492 by the following vote:

AYES—52

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

NOES—21

Conway	Grove	Knight	Norby
Cook	Hagman	Logue	Silva
Donnelly	Halderman	Mansoor	Wagner
Gaines	Harkey	Miller	
Garrick	Jeffries	Morrell	
Gorell	Jones	Nielsen	

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member John A. Pérez was granted unanimous consent that the following statements of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1098

August 31, 2012

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

Dear Mr. Wilson: It is my intent as the author of this legislation to restore critical funding for recently incorporated cities and cities with annexations which were significantly harmed by the enactment of SB 89 of 2011. These funds are critical to avoid the potential disincorporation of cities and to also ensure that essential public safety is protected.

A concern has been raised that this legislation could, in future years, reduce the amount of funding allocated to counties for 2011 realignment. That is not my intent.

On behalf of my sponsors, they commit to address these concerns in the next Legislative Session.

If you have any questions, please contact Robbin Lewis-Coaxum of my staff at (916) 319-2062.

Sincerely,

WILMER AMINA CARTER, Assembly Member
Sixty-second District

Legislative Intent—Assembly Bill No. 1492

August 31, 2012

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

Dear Mr. Wilson: Assembly Bill 1492 would enact provisions related to forestry resource management. Among the bill's provisions, it would impose an assessment on a person who purchases a lumber product, as defined, in this state, at the rate of 1% of the sales price. I am submitting this letter to the Assembly Daily Journal to clarify the meaning of the term "lumber product" in AB 1492.

Section 4629.5(b)(5) provides that "lumber product" means a product in which wood or wood fiber is a principal component part, including, but not limited to, a solid wood product, or an engineered wood product, that is identified in regulations adopted by the board pursuant to Section 4629.4. The paragraph further provides that "lumber product" does not include furniture, paper products, indoor flooring products such as hardwood or laminated flooring, bark or cork products, firewood, or other products not typically regarded as lumber products.

I wish to clarify that the term "lumber product," as defined in Section 4629.5(b)(5) is in no way meant to include materials used for the processing or storage of beer, wine, or spirits.

Sincerely,

BOB BLUMENFIELD
Chair, Assembly Committee on Budget
Assembly Member, Fortieth District

At 1:13 a.m., Hon. Mary Hayashi, 18th District, presiding**MOTION TO ADJOURN**

At 1:16 a.m., Assembly Member Donnelly moved that the Assembly do now adjourn.

Assembly Member Grove seconded the motion.

At 1:17 a.m., Speaker pro Tempore Fiona Ma, 12th District, presiding

Motion to adjourn lost by the following vote:

AYES—16

Achadjian	Donnelly	Halderman	Miller
Berryhill	Gorell	Jones	Norby
Conway	Grove	Knight	Smyth
Cook	Hagman	Mansoor	Valadao

NOES—51

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

MOTION TO RECONSIDER

Assembly Member Chesbro moved that the vote be reconsidered whereby the Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 1492.

Assembly Bill No. 1492 reconsidered by the following vote:

AYES—52

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

NOES—19

Conway	Grove	Jones	Nestande
Cook	Hagman	Knight	Norby
Donnelly	Halderman	Mansoor	Valadao
Gaines	Harkey	Miller	Wagner
Gorell	Jeffries	Morrell	

Further Consideration of Urgency Clause to Assembly Bill No. 1492

ASSEMBLY BILL NO. 1492 (Committee on Budget)—An act to add Section 13009.2 to the Health and Safety Code, and to amend Section 4590 of, to add Article 9.5 (commencing with Section 4629) to Chapter 8 of Part 2 of Division 4 of, and to repeal Section 4629.10 of, the Public Resources Code, relating to forest resource management, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Blumenfield.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—54

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

NOES—20

Cook	Grove	Knight	Nestande
Donnelly	Halderman	Logue	Nielsen
Gaines	Harkey	Mansoor	Norby
Garrick	Jeffries	Miller	Silva
Gorell	Jones	Morrell	Wagner

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

AYES—54

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

NOES—20

Cook	Grove	Knight	Nestande
Donnelly	Halderman	Logue	Nielsen
Gaines	Harkey	Mansoor	Norby
Garrick	Jeffries	Miller	Silva
Gorell	Jones	Morrell	Wagner

Bill ordered enrolled.

ADJOURN IN MEMORY

Assembly Member Skinner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sewall Glinternick of El Cerrito.

Assembly Member Dickinson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Floradell “Dell” Ogle of Sacramento.

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

The motion to reconsider the vote on Senate Bill No. 1208 lapsed.
Senate Bill No. 1208 ordered transmitted to the Senate.

VOTE ADDS

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

Senate Bill No. 1387: Ammiano, Beall, Bonilla, Brownley, Buchanan, Charles Calderon, Davis, Fuentes, Gorell, Grove, Hall, Hayashi, Roger Hernández, Logue, Mendoza, Mitchell, Nielsen, Norby, Perea, Portantino, and Skinner—Aye; Donnelly—No.

Senate Bill No. 1063 and Urgency: Atkins, Davis, Donnelly, Galgiani, Gorell, Hayashi, Roger Hernández, Nielsen, Perea, Skinner, Wagner, Wieckowski, and Williams—Aye.

Senate Bill No. 965: Block, Charles Calderon, Cedillo, Davis, Hayashi, Roger Hernández, Nestande, Olsen, Perea, and John A. Pérez—Aye; Donnelly and Skinner—No.

Senate Bill No. 359: Brownley, Buchanan, Cedillo, Dickinson, Gatto, Roger Hernández, Mendoza, John A. Pérez, and Swanson—Aye; Nestande and Olsen—No.

Senate Joint Resolution No. 30: Achadjian, Block, Buchanan, Charles Calderon, Cedillo, Fletcher, Fuentes, Hall, Roger Hernández, Huffman, and Miller—Aye; Bill Berryhill, Donnelly, and Morrell—No.
Assembly Constitutional Amendment No. 18: Buchanan, Charles Calderon, Carter, Eng, Galgiani, Roger Hernández, Huffman, and Williams—Aye; Grove, Logue, and Norby—No.

Suspend the Rules: Beall, Block, Eng, Roger Hernández, and V. Manuel Pérez—Aye; Norby—No.

Senate Bill No. 1028: Block, Eng, Fuentes, Hall, Roger Hernández, Hill, Huber, Mendoza, and V. Manuel Pérez—Aye; Grove and Norby—No.

Assembly Bill No. 340, Conference Committee Report, Donnelly Motion to Appeal from the Decision of the Chair: Hall, Huffman, Morrell, Nestande, and Olsen—Aye; Ammiano, Fletcher and Mendoza—No.

Assembly Bill No. 340, Conference Committee Report: Achadjian, Bill Berryhill, Gorell, Roger Hernández, Jeffries, Knight, Logue, Morrell, Nestande, Nielsen, Norby, Olsen, V. Manuel Pérez, Silva, Skinner, Smyth, and Valadao—Aye; Garrick and Hayashi—No.

Assembly Bill No. 2224, Hagman Motion to Suspend Assembly Rule 96(b): Beall and Eng—Aye; Fletcher, Huber, and Solorio—No.

Senate Bill No. 1528: Hill—No.

First Day Consent Calendar: Donnelly, Hill, and Solorio—Aye.

Second Day Consent Calendar: Donnelly and Solorio—Aye.

Assembly Bill No. 2114, Concurrence: Hall, Miller, Norby, Perea, and Solorio—Aye.

Senate Bill No. 901: John A. Pérez—Aye; Brownley, Portantino, and Valadao—No.

Assembly Bill No. 197, Concurrence: Ammiano, Bill Berryhill, Brownley, Cedillo, Conway, Davis, Feuer, Fletcher, Fuentes, Gorell, Hall, Harkey, Hayashi, Huffman, Jeffries, Logue, Mendoza, Miller, Morrell, Nestande, Nielsen, Norby, Olsen, Pan, Skinner, Solorio, Swanson, Valadao, and Williams—Aye; Garrick and Grove—No.

Senate Joint Resolution No. 16: Brownley, Charles Calderon, Cedillo, Feuer, Fletcher, Grove, Hayashi, Huffman, Logue, Mendoza, Morrell, Nestande, Nielsen, Norby, Olsen, Portantino, Silva, Skinner, Smyth, Solorio, and Wagner—Aye.

Senate Concurrent Resolution No. 105: Brownley, Cedillo, Fletcher, Mendoza, Portantino, and Swanson—Aye; Garrick, Grove, Jeffries, Logue, Morrell, Nestande, Nielsen, Olsen, Silva, and Smyth—No.

Senate Bill No. 568: Block, Portantino, and Swanson—Aye; Cedillo, Galgiani, Nestande, Olsen, and John A. Pérez—No.

Senate Bill No. 863: Block, Butler, Davis, Galgiani, Huffman, and Monning—Aye; Donnelly—No.

Assembly Bill No. 1461, Concurrence: Charles Calderon, Carter, Cedillo, Galgiani, Hall, Hayashi, and Huffman—Aye; Grove, Logue, Nestande, and Olsen—No.

Assembly Bill No. 2697, Concurrence: Carter, Galgiani, Grove, Hall, Huffman, and Logue—Aye.

Senate Bill No. 1359: Charles Calderon, Donnelly, Hall, Hayashi, Roger Hernández, Huffman, and Smyth—Aye.

Assembly Bill No. 2609, Concurrence: Campos, Eng, Hall, Hayashi, Huber, and Huffman—Aye; Achadjian—No.

Assembly Bill No. 481, Concurrence: Eng, Hall, Hueso, Huffman, and Nestande—Aye; Conway, Logue, and Silva—No.

Assembly Bill No. 1933, Urgency and Concurrence: Fuentes, Grove, Hall, Hayashi, Jeffries, Logue, Miller, Mitchell, and Nielsen—Aye.

Assembly Bill No. 2062, Concurrence: Beall, Fuentes, Hall, Hayashi, and Jeffries—Aye.

Assembly Bill No. 2122, Concurrence: Ammiano, Beall, Cedillo, Conway, Fuentes, Hall, Hayashi, Jeffries, Miller, Morrell, and Smyth—Aye; Jones and Logue—No.

Assembly Bill No. 2370, Concurrence: Beall, Cedillo, Cook, Fuentes, Hall, Hayashi, Logue, Nestande, Nielsen, Smyth, and Williams—Aye; Donnelly and Jones—No.

Assembly Bill No. 2502, Urgency and Concurrence: Ammiano, Beall, Fuentes, Grove, Hall, Hayashi, Logue, Miller, Morrell, Nielsen, Norby, Smyth, and Williams—Aye.

Assembly Bill No. 2669, Concurrence: Beall, Fuentes, Grove, Hall, Logue, Miller, Morrell, and Smyth—Aye.

Assembly Bill No. 1966, Concurrence: Ammiano, Charles Calderon, Fuentes, Grove, Hall, Hayashi, Huffman, Logue, Miller, Morrell, Norby, and Silva—Aye.

Senate Concurrent Resolution No. 102: Blumenfield, Conway, Dickinson, Fuentes, Hall, Hayashi, Knight, Lara, Mitchell, Skinner, and Torres—Aye; Norby—No.

Senate Bill No. 923: Butler, Dickinson, Fuentes, Hall, Bonnie Lowenthal, Mendoza, and Swanson—Aye; Achadjian, Conway, Cook, Fletcher, Beth Gaines, Gorell, Grove, Huber, Jones, Knight, Logue, Miller, Morrell, Nielsen, Norby, Olsen, Silva, Smyth, Valadao, and Wagner—No.

Senate Bill No. 1234: Block, Dickinson, Fuentes, Hayashi, and Perea—Aye; Achadjian, Donnelly, Grove, Logue, and Nielsen—No.

Senate Bill No. 1195: Ammiano, Block, Bonilla, Brownley, Butler, Conway, Dickinson, Eng, Fletcher, Fuentes, Galgiani, Garrick, Gatto, Gordon, Gorell, Grove, Hall, Hayashi, Roger Hernández, Hill, Jeffries, Knight, Lara, Logue, Bonnie Lowenthal, Mendoza, Miller, Mitchell, Morrell, Nestande, Nielsen, Olsen, Pan, V. Manuel Pérez, Silva, Smyth, Torres, and Williams—Aye.

Senate Bill No. 535: Charles Calderon, Hall, and Hayashi—Aye; Conway, Gatto, Knight, Nielsen, and Valadao—No.

Senate Bill No. 1197: Davis, Garrick, Grove, Halderman, Hall, Hayashi, Jones, Nestande, Nielsen, and Skinner—Aye; Mansoor—No.

Senate Bill No. 1403: Ammiano, Blumenfield, Campos, Carter, Conway, Feuer, Fuentes, Gatto, Grove, Hall, Hayashi, Roger Hernández, Huffman, Knight, Bonnie Lowenthal, Miller, Morrell, Nielsen, and Swanson—Aye.

Senate Bill No. 977: Carter, Dickinson, Hall, Hayashi, Hill, Huffman, and Mendoza—Aye; Bill Berryhill, Miller, and Smyth—No.

Senate Bill No. 1547: Alejo, Allen, Bonilla, Bradford, Buchanan, Campos, Cedillo, Dickinson, Fong, Hayashi, Hill, Huffman, Logue, Mendoza, Morrell, Norby, Smyth, and Swanson—Aye.

Senate Bill No. 1148: Bradford, Dickinson, Hayashi, Hill, Pan, and Wieckowski—Aye; Achadjian, Logue, Morrell, and Nielsen—No.

Senate Bill No. 1225: Bonilla, Dickinson, Fletcher, Hayashi, Roger Hernández, Hill, Mendoza, Nestande, Olsen, Skinner, Solorio, and Williams—Aye; Conway, Logue, Morrell, and Nielsen—No.

Senate Bill No. 505: Atkins, Davis, Dickinson, Fletcher, Fuentes, Gordon, Halderman, Hayashi, Huffman, Jeffries, Jones, Logue, Mendoza, Miller, Morrell, and Portantino—Aye.

Assembly Bill No. 1965, Concurrence: Achadjian, Bill Berryhill, Block, Carter, Fletcher, Fuentes, Hayashi, Hill, Hueso, Mendoza, Morrell, Nestande, Nielsen, Olsen, Smyth, and Williams—Aye.

Assembly Bill No. 1266, Urgency and Concurrence: Beall, Fletcher, Galgiani, Hayashi, Hill, Huffman, Jones, Nestande, Olsen, Perea, Skinner, Solorio, and Wagner—Aye.

Assembly Bill No. 2564, Concurrence: Bill Berryhill, Fletcher, Hayashi, Hill, Hueso, Huffman, Morrell, Nestande, Norby, Olsen, Smyth, and Solorio—Aye; Ammiano—No.

Assembly Bill No. 1599, Concurrence: Butler, Fletcher, Halderman, Hayashi, Huber, Hueso, Mitchell, Portantino, Skinner, Smyth, Solorio, and Williams—Aye; Miller, Morrell, Nestande, Norby, Olsen, and Wagner—No.

Assembly Bill No. 1181, Concurrence: Alejo, Bill Berryhill, Charles Calderon, Cedillo, Dickinson, Eng, Fletcher, Hayashi, Hueso, Huffman, Jeffries, Mendoza, Miller, Morrell, Smyth, and Wagner—Aye.

Assembly Bill No. 1486, Concurrence, Urgency Added: Fletcher, Grove, and Halderman—Aye; Feuer and Hill—No.

Senate Bill No. 1455: Mendoza—Aye; Morrell and Nielsen—No.

Senate Bill No. 1002: Dickinson, Feuer, Fong, Nestande, and Nielsen—Aye; Bill Berryhill and Olsen—No.

Senate Bill No. 1118: Alejo, Bradford, Campos, and Roger Hernández—Aye; Morrell, Nestande, Norby, and Olsen—No.

Hagman Motion to Suspend Assembly Rule 78: Lara and Olsen—Aye.

Senate Bill No. 1186 and Urgency: Ammiano, Butler, Feuer, Fletcher, Fuentes, Grove, Hill, Hueso, Huffman, Bonnie Lowenthal, Smyth, and Solorio—Aye.

Assembly Bill No. 2322, Urgency and Concurrence: Blumenfield, Bradford, Dickinson, Fong, Fuentes, Hueso, Miller, Morrell, Norby, and Smyth—Aye.

Assembly Bill No. 491, Concurrence: Bradford, Fong, Hueso, Huffman, and Perea—Aye.

Assembly Bill No. 2498, Concurrence: Butler, Dickinson, Fletcher, Fong, Galgiani, Hayashi, Hueso, Huffman, Nestande, John A. Pérez, and Swanson—Aye; Conway, Knight, Mansoor, and Smyth—No.

Assembly Bill No. 1551, Urgency and Concurrence: Ammiano, Campos, Carter, Cook, Dickinson, Donnelly, Fletcher, Galgiani, Halderman, Hayashi, Hill, Hueso, Jeffries, Logue, Miller, Nestande, Nielsen, Norby, Olsen, Portantino, Smyth, Swanson, and Williams—Aye.

Assembly Bill No. 1489, Urgency and Concurrence: Bill Berryhill, Brownley, Conway, Fletcher, Fong, Hueso, Morrell, Skinner, and Wagner—Aye; Harkey and Valadao—No.

Assembly Bill No. 1744, Concurrence: Campos, Gorell, Hueso, and John A. Pérez—Aye; Achadjian, Nielsen, and Smyth—No.

Assembly Bills Nos. 1532 and 2026, Allen Motion to Suspend Assembly Rule 63: Bradford, Campos, Carter, Hueso, and Williams—Aye; Cook, Jeffries, Miller, Norby, and Smyth—No.

Assembly Bill No. 1532, Concurrence: Buchanan, Davis, Fletcher, Fong, Galgiani, and Hueso—Aye; Achadjian, Cook, Beth Gaines, Smyth, and Wagner—No.

Assembly Bill No. 2026, Urgency and Concurrence: Carter, Cedillo, Fong, Galgiani, Halderman, Miller, Morrell, Olsen, and Williams—Aye; Mansoor—No.

Assembly Bill No. 2196, Concurrence: Butler, Fletcher, Fong, Fuentes, Galgiani, Bonnie Lowenthal, Nestande, and Swanson—Aye; Cook, Harkey, Logue, Norby, and Valadao—No.

Assembly Bill No. 1900, Concurrence: Alejo, Blumenfield, Dickinson, Fletcher, Gorell, Lara, Logue, Nielsen, Norby, Torres, and Yamada—Aye.

Assembly Bill No. 2402, Concurrence: Block, Charles Calderon, Dickinson, Fletcher, Fuentes, and Lara—Aye; Jeffries—No.

Assembly Bill No. 1186, Concurrence: Bonilla, Dickinson, Fuentes, Hayashi, Lara, Perea, and Williams—Aye; Achadjian, Jeffries, and Miller—No.

Assembly Bill No. 1313: Beall, Dickinson, Fuentes, Hill, Hueso, Mitchell, and V. Manuel Pérez—Aye; Donnelly, Jeffries, Miller, and Morrell—No.

Assembly Bill No. 1313, Concurrence, John A. Pérez Demand for Previous Question: Beall, Davis, Dickinson, Fong, Gatto, and Hill—Aye; Achadjian, Bill Berryhill, Harkey, Miller, Morrell, Nielsen, and Wagner—No.

Assembly Bill No. 1255, Urgency and Concurrence: Blumenfield, Bradford, Campos, Carter, Davis, Dickinson, Fletcher, Fong, Fuentes, Gatto, Harkey, Hill, Jeffries, Miller, Nielsen, and Norby—Aye; Conway—No.

Assembly Bill No. 1313, Concurrence: Carter—Aye.

Hagman Motion to Print in Journal on behalf of Assembly Member Charles Calderon: Dickinson, Fuentes, Galgiani, and Hayashi—Aye; Miller—No.

Assembly Bill No. 562, Urgency and Concurrence: Fuentes—Aye.

Assembly Bill No. 1098, Urgency and Concurrence: Cedillo, Fong and Hayashi—Aye.

Assembly Bill No. 1492, Urgency and Concurrence: Block—Aye.

Donnelly Motion to Adjourn: Norby—Aye.

MOTION TO ADJOURN

At 1:22 a.m., Assembly Member Charles Calderon moved that the Assembly adjourn for the Final Recess of the 2011–12 Regular Session, pursuant to the provisions of Joint Rule 51(b)(3), until the adjournment *sine die* on November 30, 2012.

Pursuant to Article IV, Section 3(a) of the Constitution of the State of California, the Organizational Session will convene on Monday, December 3, 2012, at 12 noon for the 2013–14 Regular Session.

Assembly Member Gatto seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:22 a.m., Speaker pro Tempore Ma declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2012

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

Assembly Bill No. 2520

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

Above bill ordered enrolled.

Senate Chamber, August 31, 2012

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

Assembly Bill No. 1126

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

Above bill ordered enrolled.

Senate Chamber, August 31, 2012

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

Assembly Joint Resolution No. 44

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

Above resolution ordered enrolled.

Senate Chamber, August 31, 2012

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

Assembly Joint Resolution No. 47

Assembly Concurrent Resolution No. 165

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

Above resolutions ordered enrolled.

Senate Chamber, August 31, 2012

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

Senate Bill No. 124
Senate Bill No. 255
Senate Bill No. 533
Senate Bill No. 921
Senate Bill No. 935
Senate Bill No. 1052
Senate Bill No. 1053

Senate Bill No. 1065
Senate Bill No. 1070
Senate Bill No. 1235
Senate Bill No. 1268
Senate Bill No. 1280
Senate Bill No. 1299
Senate Bill No. 1520

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

Senate Chamber, August 31, 2012

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 340

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

Report of the Committee on Conference ordered enrolled.

**REPORT OF THE COMMITTEE ON CONFERENCE
SENATE BILL NO. 827**

Senate Chamber, August 31, 2012

Mr. Speaker: The undersigned Members of the Committee on Conference has found and determined that it is unable to submit a report concerning Senate Bill No. 827.

GLORIA NEGRETE MCLEOD
S. JOSEPH SIMITIAN
Senate Committee on Conference

MICHAEL ALLEN
WARREN T. FURUTANI
Assembly Committee on Conference

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 31, 2012

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

Assembly Bill No. 232
Assembly Bill No. 317
Assembly Bill No. 318
Assembly Bill No. 441
Assembly Bill No. 467
Assembly Bill No. 526
Assembly Bill No. 593
Assembly Bill No. 837

Assembly Bill No. 838
Assembly Bill No. 1081
Assembly Bill No. 1509
Assembly Bill No. 1513
Assembly Bill No. 1529
Assembly Bill No. 1652
Assembly Bill No. 1710

And reports the same correctly enrolled, and presented to the Governor on the 31st day of August, 2012, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 31, 2012

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

Assembly Bill No. 1724
Assembly Bill No. 1757
Assembly Bill No. 1782
Assembly Bill No. 1855
Assembly Bill No. 1888
Assembly Bill No. 1892
Assembly Bill No. 1908
Assembly Bill No. 1967

Assembly Bill No. 1986
Assembly Bill No. 2009
Assembly Bill No. 2010
Assembly Bill No. 2029
Assembly Bill No. 2142
Assembly Bill No. 2162
Assembly Bill No. 2198

And reports the same correctly enrolled, and presented to the Governor on the 31st day of August, 2012, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 31, 2012

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

Assembly Bill No. 2201

Assembly Bill No. 2491

Assembly Bill No. 2245

Assembly Bill No. 2519

Assembly Bill No. 2285

Assembly Bill No. 2527

Assembly Bill No. 2378

Assembly Bill No. 2638

And reports the same correctly enrolled, and presented to the Governor on the 31st day of August, 2012, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 1:23 a.m., pursuant to the motion by Assembly Member Charles Calderon, and the provisions of Joint Rule 51(b)(3), the Assembly adjourned for the Final Recess of the 2011–12 Regular Session, out of respect to the memory of Gil Wolters on motion of Assembly Member Garrick; out of respect to the memory of Neil Armstrong, United States astronaut, on motion of Assembly Member Knight; out of respect to the memory of Tom Friery on motion of Assembly Member Dickinson; out of respect to the memory of Frank Zolin on motion of Assembly Members Nielsen and Bonnie Lowenthal; out of respect to the memory of Hon. Edward Vincent, former California State Senator, on motion of Assembly Member Bradford; out of respect to Ben Wise and Jeremy Wise on motion of Assembly Member Fletcher; out of respect to the memory of Sewall Glinternick on motion of Assembly Member Skinner; and out of respect to the memory of Floradell “Dell” Ogle on motion of Assembly Member Dickinson.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON AUGUST 31, 2012

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

HR	RN
37	1224102

SB	RN
535	1224183
923	1224258
977	1224182
1118	1224108
1359	1224283
1572	1224008

Daily Total:	7
Cumulative Total:	4779

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INDEX—LETTERS OF LEGISLATIVE INTENT

Letters of legislative intent were printed on this day relative to the following bills:

Assembly Bill No.	Journal Page
278	6809
491	6810
685	6817
837	6810
889	6811
1098	6824
1181	6812
1486	6819
1492	6825
1532	6813
1647	6814
1657	6814
2402	6815
2477	6816

Senate Bill No.	Journal Page
900	6809
1456	6812