

CALIFORNIA LEGISLATURE  
2009–10 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Saturday, February 14, 2009**  
**NINTH SESSION DAY**  
**SIXTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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

(Please Direct Any Inquiries and Report Any Omissions or Errors to  
Sue Parker, Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Saturday, February 14, 2009

The Assembly met at 9:27 a.m.

Hon. Lori Saldaña, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—80:

Adams	De La Torre	Hayashi	Pérez, John
Ammiano	De León	Hernandez	Pérez, V. Manuel
Anderson	DeVore	Hill	Portantino
Arambula	Duvall	Huber	Price
Beall	Emmerson	Huffman	Ruskin
Berryhill, Bill	Eng	Jeffries	Salas
Berryhill, Tom	Evans	Jones	Saldaña
Blakeslee	Feuer	Knight	Silva
Block	Fletcher	Krekorian	Skinner
Blumenfield	Fong	Lieu	Smyth
Brownley	Fuentes	Logue	Solorio
Buchanan	Fuller	Lowenthal	Strickland
Caballero	Furutani	Ma	Swanson
Calderon	Gaines	Mendoza	Torlakson
Carter	Galgiani	Miller	Torres
Chesbro	Garrick	Monning	Torrico
Conway	Gilmore	Nava	Tran
Cook	Hagman	Nestande	Villines
Coto	Hall	Niello	Yamada
Davis	Harkey	Nielsen	Mme. Speaker

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Hon. Juan Arambula, Assembly Member, District 31:

*Lord God, You have blessed each of us with different gifts and talents. Let us be given the opportunity to give You praise and glory by using them to serve others. Knowing that we falter, be with us. In times of doubt, give us confidence; in times of indecision, give us direction; in times of confusion, give us clarity of purpose, so that in all that we do we may serve the common good and those You have given into our care.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Saldaña, Assembly Member Blakeslee 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 Torrico, seconded by Assembly Member Blakeslee.

**RECESS**

By unanimous consent, at 9:30 a.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

**RECONVENED**

At 10:08 p.m., the Assembly reconvened.

Hon. Lori Saldaña, Speaker pro Tempore of the Assembly, presiding.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Assembly Bills Nos. 3, 5, 7, and 8 present cases of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage, and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—67**

Adams	Davis	Hayashi	Price
Anderson	De La Torre	Hernandez	Ruskin
Arambula	De León	Hill	Salas
Beall	Duvall	Huber	Saldaña
Berryhill, B.	Emmerson	Huffman	Silva
Berryhill, T.	Eng	Krekorian	Skinner
Blakeslee	Evans	Lieu	Smyth
Block	Feuer	Lowenthal	Solorio
Blumenfield	Fletcher	Ma	Strickland
Brownley	Fong	Mendoza	Torlakson
Buchanan	Fuentes	Miller	Torres
Caballero	Fuller	Nava	Torrico
Calderon	Galgiani	Nestande	Tran
Carter	Garrick	Niello	Villines
Chesbro	Gilmore	Pérez, J.	Yamada
Cook	Hagman	Pérez, V.M.	Mme. Speaker
Coto	Hall	Portantino	

**NOES—1**

DeVore

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Assembly Bills**

**ASSEMBLY BILL NO. 3**—An act relating to the Budget Act of 2008.

Bill read second time.

**ASSEMBLY BILL NO. 5**—An act relating to the Budget Act of 2008.

Bill read second time.

**ASSEMBLY BILL NO. 7**—An act relating to the Budget Act of 2008.

Bill read second time.

**ASSEMBLY BILL NO. 8**—An act relating to the Budget Act of 2008.

Bill read second time.

**CONSIDERATION OF ASSEMBLY BILL NO. 3  
BY UNANIMOUS CONSENT**

Assembly Member Galgiani was granted unanimous consent to take up Assembly Bill No. 3 without reference to file, for purpose of amendment.

**ASSEMBLY BILL NO. 3 (Evans)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Galgiani moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**Consideration of Assembly Bill No. 3, as Amended,  
by Unanimous Consent**

Assembly Member Galgiani was granted unanimous consent to take up Assembly Bill No. 3, as amended, without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 3 (Galgiani)**—An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.

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

**AYES—62**

Adams	De La Torre	Hayashi	Price
Ammiano	De León	Hernandez	Salas
Anderson	DeVore	Huber	Saldaña
Arambula	Duvall	Jeffries	Silva
Berryhill, B.	Emmerson	Knight	Smyth
Berryhill, T.	Evans	Logue	Solorio
Blakeslee	Fletcher	Lowenthal	Strickland
Block	Fuller	Ma	Swanson
Buchanan	Furutani	Mendoza	Torlakson
Caballero	Gaines	Miller	Torres
Calderon	Galgiani	Nestande	Tran
Chesbro	Garrick	Niello	Villines
Conway	Gilmore	Nielsen	Yamada
Cook	Hagman	Pérez, J.	Mme. Speaker
Coto	Hall	Pérez, V.M.	
Davis	Harkey	Portantino	

**NOES—10**

Beall	Fong	Jones	Skinner
Blumenfield	Hill	Monning	
Feuer	Huffman	Ruskin	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 3: Assembly Member Blumenfield from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 5  
BY UNANIMOUS CONSENT**

Assembly Member Gaines was granted unanimous consent to take up Assembly Bill No. 5 without reference to file, for purpose of amendment.

**ASSEMBLY BILL NO. 5 (Evans)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Gaines moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Assembly Bill No. 5, as Amended,  
by Unanimous Consent**

Assembly Member Gaines was granted unanimous consent to take up Assembly Bill No. 5, as amended, without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 5 (Gaines)**—An act to amend Section 511 of the Labor Code, relating to employment.

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

**AYES—46**

Adams	Duvall	Jeffries	Ruskin
Anderson	Emmerson	Jones	Silva
Arambula	Evans	Knight	Smyth
Beall	Fletcher	Lieu	Solorio
Berryhill, B.	Fuller	Logue	Strickland
Berryhill, T.	Gaines	Lowenthal	Torlakson
Blakeslee	Garrick	Miller	Torrico
Carter	Gilmore	Monning	Tran
Conway	Hagman	Nava	Villines
Cook	Hall	Nestande	Mme. Speaker
De La Torre	Harkey	Niello	
DeVore	Huber	Nielsen	

**NOES—29**

Ammiano	Feuer	Krekorian	Saldaña
Block	Fong	Ma	Skinner
Blumenfield	Fuentes	Mendoza	Swanson
Brownley	Furutani	Pérez, J.	Torres
Buchanan	Hayashi	Pérez, V.M.	Yamada
Calderon	Hernandez	Portantino	
Coto	Hill	Price	
De León	Huffman	Salas	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 5: Assembly Member Buchanan from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 7  
BY UNANIMOUS CONSENT**

Assembly Member Lieu was granted unanimous consent to take up Assembly Bill No. 7 without reference to file, for purpose of amendment.

**ASSEMBLY BILL NO. 7 (Evans)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Lieu moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Assembly Bill No. 7, as Amended,  
by Unanimous Consent**

Assembly Member Lieu was granted unanimous consent to take up Assembly Bill No. 7, as amended, without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 7 (Lieu)**—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

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

**AYES—48**

Ammiano	Davis	Hill	Portantino
Arambula	De La Torre	Huffman	Price
Beall	De León	Jones	Ruskin
Berryhill, B.	Evans	Krekorian	Salas
Block	Feuer	Lieu	Saldaña
Blumenfield	Fong	Lowenthal	Skinner
Brownley	Fuentes	Ma	Swanson
Buchanan	Furutani	Mendoza	Torlakson
Calderon	Galgiani	Monning	Torres
Carter	Gilmore	Nava	Torrico
Chesbro	Hayashi	Pérez, J.	Yamada
Coto	Hernandez	Pérez, V.M.	Mme. Speaker

**NOES—27**

Adams	Duvall	Harkey	Niello
Anderson	Emmerson	Huber	Nielsen
Berryhill, T.	Fletcher	Jeffries	Silva
Blakeslee	Fuller	Knight	Smyth
Conway	Gaines	Logue	Strickland
Cook	Garrick	Miller	Villines
DeVore	Hagman	Nestande	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 7: Assembly Member Berryhill from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 8  
BY UNANIMOUS CONSENT**

Assembly Member Nestande was granted unanimous consent to take up Assembly Bill No. 8 without reference to file, for purpose of amendment.

**ASSEMBLY BILL NO. 8 (Evans)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Nestande moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**Consideration of Assembly Bill No. 8, as Amended,  
by Unanimous Consent**

Assembly Member Nestande was granted unanimous consent to take up Assembly Bill No. 8, as amended, without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 8 (Nestande)**—An act to amend Section 11011 of the Government Code, to add Section 43018.2 to the Health and Safety Code, to add and repeal Sections 21080.41 and 21080.42 of the Public Resources Code, and to add Section 130240.5 to the Public Utilities Code, relating to state government.

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

**AYES—48**

Adams	Duvall	Hagman	Pérez, V.M.
Anderson	Emmerson	Harkey	Portantino
Arambula	Eng	Hayashi	Silva
Berryhill, B.	Evans	Hernandez	Smyth
Berryhill, T.	Fletcher	Huber	Solorio
Block	Fong	Jeffries	Strickland
Caballero	Fuller	Knight	Swanson
Carter	Furutani	Logue	Torlakson
Conway	Gaines	Miller	Tran
Cook	Galgiani	Nestande	Villines
Coto	Garrick	Niello	Yamada
DeVore	Gilmore	Nielsen	Mme. Speaker

**NOES—28**

Ammiano	De León	Krekorian	Price
Beall	Feuer	Lieu	Ruskin
Blumenfield	Fuentes	Lowenthal	Salas
Brownley	Hall	Mendoza	Saldaña
Buchanan	Hill	Monning	Skinner
Calderon	Huffman	Nava	Torres
Chesbro	Jones	Pérez, J.	Torrico

Bill ordered transmitted to the Senate.



**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Assembly Bill No. 4 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—73**

Adams	De León	Huber	Ruskin
Ammiano	Duvall	Huffman	Salas
Anderson	Emmerson	Jones	Saldaña
Arambula	Eng	Krekorian	Silva
Beall	Evans	Lieu	Skinner
Berryhill, B.	Feuer	Logue	Smyth
Berryhill, T.	Fletcher	Lowenthal	Solorio
Blakeslee	Fong	Ma	Strickland
Blumenfield	Fuentes	Mendoza	Swanson
Brownley	Fuller	Miller	Torlakson
Buchanan	Furutani	Monning	Torres
Caballero	Galgiani	Nava	Torrico
Calderon	Garrick	Nestande	Tran
Carter	Gilmore	Niello	Villines
Conway	Hagman	Nielsen	Yamada
Cook	Hall	Pérez, J.	Mme. Speaker
Coto	Hayashi	Pérez, V.M.	
Davis	Hernandez	Portantino	
De La Torre	Hill	Price	

**NOES—1**

DeVore

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Assembly Bill No. 4**

**ASSEMBLY BILL NO. 4**—An act relating to the Budget Act of 2008.

Bill read second time.

**CONSIDERATION OF ASSEMBLY BILL NO. 4  
BY UNANIMOUS CONSENT**

Assembly Member Niello was granted unanimous consent to take up Assembly Bill No. 4 without reference to file, for purpose of amendment.

**ASSEMBLY BILL NO. 4 (Evans)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Niello moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Assembly Bill No. 4, as Amended,  
by Unanimous Consent**

Assembly Member Niello was granted unanimous consent to take up Assembly Bill No. 4, as amended, without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 4 (Niello)**—An act to add Sections 14661.1 and 70391.7 to the Government Code, to add and repeal Section 20688.6 of, and to add and repeal Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of, the Public Contract Code, and to amend Section 143 of the Streets and Highways Code, relating to public contracts.

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

**AYES—43**

Adams	DeVore	Hall	Nielsen
Ammiano	Duvall	Harkey	Salas
Anderson	Emmerson	Huffman	Silva
Arambula	Evans	Jeffries	Smyth
Berryhill, B.	Fletcher	Knight	Solorio
Berryhill, T.	Fuller	Logue	Strickland
Blakeslee	Gaines	Ma	Torlakson
Caballero	Galgiani	Mendoza	Tran
Calderon	Garrick	Miller	Villines
Conway	Gilmore	Nestande	Mme. Speaker
Cook	Hagman	Niello	

**NOES—29**

Beall	Feuer	Lieu	Saldaña
Blumenfield	Fong	Lowenthal	Skinner
Brownley	Fuentes	Monning	Torres
Buchanan	Hayashi	Nava	Torrico
Chesbro	Hernandez	Pérez, J.	Yamada
Coto	Hill	Pérez, V.M.	
De La Torre	Huber	Portantino	
De León	Jones	Ruskin	

Bill ordered transmitted to the Senate immediately.

**OBJECTION TO VOTE ADDS AND CHANGES**

Assembly Member Torrico withheld unanimous consent on any requests for vote adds or vote changes on the roll call votes taken on this day on Assembly Bills Nos. 3, 4, 5, 7, and 8.

**RECESS**

By unanimous consent, at 10:51 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

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**SEVENTIETH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, February 15, 2009

At 12 midnight.

Speaker pro Tempore Saldaña, presiding.

**RECONVENED**

At 1:30 a.m., the Assembly reconvened.

Hon. Lori Saldaña, Speaker pro Tempore of the Assembly, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, February 14, 2009

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

Senate Bill No. 4  
Senate Bill No. 3  
Senate Bill No. 7  
Senate Bill No. 9

Senate Bill No. 11  
Senate Bill No. 10  
Senate Bill No. 12

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following bills were read the first time:

**SENATE BILL NO. 4**—An act to add Sections 14661.1 and 70391.7 to the Government Code, to add and repeal Section 20688.6 of, and to add and repeal Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of, the Public Contract Code, and to amend Section 143 of the Streets and Highways Code, relating to public contracts.

**SENATE BILL NO. 3**—An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.

**SENATE BILL NO. 7**—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

**SENATE BILL NO. 9**—An act to amend Sections 17250.30 and 81704 of the Education Code, to amend Section 6531 of the Government Code, to amend Section 1771.5 of, to amend and repeal Sections 1771.7 and 1771.8 of, to add Sections 1771.3, 1771.55, 1771.75 and 1771.85 to, and to repeal and add Section 1771.9 of, the Labor Code, to amend Sections 20133, 20175.2, 20193, 20209.7, 20209.24, and 20919.3 of the Public Contract Code, and to add Section 8007 to the Water Code, relating to public works, and making an appropriation therefor.

**SENATE BILL NO. 11**—An act to add Sections 68220, 68221, and 68222 to the Government Code, relating to judges.

**SENATE BILL NO. 10**—An act to add Section 1936.015 to the Civil Code, relating to vehicle license fees.

**SENATE BILL NO. 12**—An act to amend Sections 68085.45, 70371.5, and 70372 of, and to add Sections 70371.7 and 70371.8 to, the Government Code, relating to court facilities, and making an appropriation therefor.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Senate Bills Nos. 3, 4, and 7 present cases of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage.

Resolution read, and adopted by the following vote:

**AYES—71**

Adams	Davis	Hill	Portantino
Ammiano	De León	Huber	Price
Anderson	Emmerson	Huffman	Ruskin
Arambula	Eng	Jones	Salas
Beall	Evans	Knight	Saldaña
Berryhill, B.	Feuer	Krekorian	Silva
Berryhill, T.	Fletcher	Lieu	Skinner
Blakeslee	Fong	Logue	Smyth
Block	Fuentes	Lowenthal	Solorio
Blumenfield	Fuller	Ma	Strickland
Brownley	Furutani	Mendoza	Swanson
Buchanan	Gaines	Miller	Torlakson
Caballero	Galgiani	Monning	Torres
Calderon	Garrick	Nava	Torrico
Carter	Gilmore	Nestande	Tran
Conway	Hagman	Nielsen	Yamada
Cook	Hayashi	Pérez, J.	Mme. Speaker
Coto	Hernandez	Pérez, V.M.	

**NOES—1**

DeVore

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Senate Bills**

**SENATE BILL NO. 3**—An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.

Bill read second time.

**SENATE BILL NO. 4**—An act to add Sections 14661.1 and 70391.7 to the Government Code, to add and repeal Section 20688.6 of, and to add and repeal Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of, the Public Contract Code, and to amend Section 143 of the Streets and Highways Code, relating to public contracts.

Bill read second time.

**SENATE BILL NO. 7**—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

Bill read second time.

**CONSIDERATION OF SENATE BILL NO. 3  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 3 without reference to file, for purpose of consideration.

**SENATE BILL NO. 3 (Florez)**—An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.

Bill read third time, and presented by Assembly Member Evans.

Bill passed by the following vote:

**AYES—62**

Adams	De La Torre	Hayashi	Price
Ammiano	De León	Hernandez	Salas
Anderson	DeVore	Huber	Saldaña
Arambula	Duvall	Jeffries	Silva
Berryhill, B.	Emmerson	Knight	Smyth
Berryhill, T.	Evans	Logue	Solorio
Blakeslee	Fletcher	Lowenthal	Strickland
Block	Fuller	Ma	Swanson
Buchanan	Furutani	Mendoza	Torlakson
Caballero	Gaines	Miller	Torres
Calderon	Galgiani	Nestande	Tran
Chesbro	Garrick	Niello	Villines
Conway	Gilmore	Nielsen	Yamada
Cook	Hagman	Pérez, J.	Mme. Speaker
Coto	Hall	Pérez, V.M.	
Davis	Harkey	Portantino	

**NOES—10**

Beall	Fong	Jones	Skinner
Blumenfield	Hill	Monning	
Feuer	Huffman	Ruskin	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 4  
BY UNANIMOUS CONSENT**

Assembly Member Niello was granted unanimous consent to take up Senate Bill No. 4 without reference to file, for purpose of consideration.

**SENATE BILL NO. 4 (Niello)**—An act to add Sections 14661.1 and 70391.7 to the Government Code, to add and repeal Section 20688.6 of, and to add and repeal Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of, the Public Contract Code, and to amend Section 143 of the Streets and Highways Code, relating to public contracts.

Bill read third time, and presented by Assembly Member Niello.

Bill passed by the following vote:

**AYES—43**

Adams	DeVore	Hall	Nielsen
Ammiano	Duvall	Harkey	Salas
Anderson	Emmerson	Huffman	Silva
Arambula	Evans	Jeffries	Smyth
Berryhill, B.	Fletcher	Knight	Solorio
Berryhill, T.	Fuller	Logue	Strickland
Blakeslee	Gaines	Ma	Torlakson
Caballero	Galgiani	Mendoza	Tran
Calderon	Garrick	Miller	Villines
Conway	Gilmore	Nestande	Mme. Speaker
Cook	Hagman	Niello	

**NOES—29**

Beall	Feuer	Lieu	Saldaña
Blumenfield	Fong	Lowenthal	Skinner
Brownley	Fuentes	Monning	Torres
Buchanan	Hayashi	Nava	Torrico
Chesbro	Hernandez	Pérez, J.	Yamada
Coto	Hill	Pérez, V.M.	
De La Torre	Huber	Portantino	
De León	Jones	Ruskin	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 7  
BY UNANIMOUS CONSENT**

Assembly Member Lieu was granted unanimous consent to take up Senate Bill No. 7 without reference to file, for purpose of consideration.

**SENATE BILL NO. 7 (Corbett)**—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

Bill read third time, and presented by Assembly Member Lieu.

Bill passed by the following vote:

**AYES—48**

Ammiano	Davis	Hill	Portantino
Arambula	De La Torre	Huffman	Price
Beall	De León	Jones	Ruskin
Berryhill, B.	Evans	Krekorian	Salas
Block	Feuer	Lieu	Saldaña
Blumenfield	Fong	Lowenthal	Skinner
Brownley	Fuentes	Ma	Swanson
Buchanan	Furutani	Mendoza	Torlakson
Calderon	Galgiani	Monning	Torres
Carter	Gilmore	Nava	Torrico
Chesbro	Hayashi	Pérez, J.	Yamada
Coto	Hernandez	Pérez, V.M.	Mme. Speaker

**NOES—27**

Adams	Duvall	Harkey	Niello
Anderson	Emmerson	Huber	Nielsen
Berryhill, T.	Fletcher	Jeffries	Silva
Blakeslee	Fuller	Knight	Smyth
Conway	Gaines	Logue	Strickland
Cook	Garrick	Miller	Villines
DeVore	Hagman	Nestande	

Bill ordered transmitted to the Senate.

**OBJECTION WITHDRAWN**

Assembly Member Torrico withdrew his objection to any requests for vote adds or vote changes on the roll call votes taken on this day on Assembly Bills Nos. 3 and 4.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Senate Bills Nos. 9, 10, 11, and 12 present cases of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage.

Resolution read, and adopted by the following vote:

**AYES—71**

Adams	Davis	Hayashi	Pérez, V.M.
Ammiano	De La Torre	Hernandez	Portantino
Anderson	De León	Hill	Price
Arambula	Emmerson	Huber	Ruskin
Beall	Eng	Huffman	Salas
Berryhill, B.	Evans	Jones	Saldaña
Berryhill, T.	Feuer	Krekorian	Skinner
Blakeslee	Fletcher	Lieu	Smyth
Block	Fong	Logue	Solorio
Blumenfeld	Fuentes	Lowenthal	Strickland
Brownley	Fuller	Ma	Swanson
Buchanan	Furutani	Mendoza	Torlakson
Caballero	Gaines	Miller	Torres
Carter	Galgiani	Monning	Torrico
Chesbro	Garrick	Nava	Tran
Conway	Gilmore	Nestande	Yamada
Cook	Hagman	Nielsen	Mme. Speaker
Coto	Hall	Pérez, J.	

**NOES—1**

DeVore

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Senate Bills**

**SENATE BILL NO. 9**—An act to amend Sections 17250.30 and 81704 of the Education Code, to amend Section 6531 of the Government Code, to amend Section 1771.5 of, to amend and repeal Sections 1771.7 and 1771.8 of, to add Sections 1771.3, 1771.55, 1771.75 and 1771.85 to, and to repeal and add Section 1771.9 of, the Labor Code, to amend Sections 20133, 20175.2, 20193, 20209.7, 20209.24, and 20919.3 of the Public Contract Code, and to add Section 8007 to the Water Code, relating to public works, and making an appropriation therefor.

Bill read second time.

**SENATE BILL NO. 10**—An act to add Section 1936.015 to the Civil Code, relating to vehicle license fees.

Bill read second time.

**SENATE BILL NO. 11**—An act to add Sections 68220, 68221, and 68222 to the Government Code, relating to judges.

Bill read second time.

**SENATE BILL NO. 12**—An act to amend Sections 68085.45, 70371.5, and 70372 of, and to add Sections 70371.7 and 70371.8 to, the Government Code, relating to court facilities, and making an appropriation therefor.

Bill read second time.

At 1:42 a.m., Speaker Karen Bass, 47th District, presiding

**CONSIDERATION OF SENATE BILL NO. 9  
BY UNANIMOUS CONSENT**

Assembly Member Eng was granted unanimous consent to take up Senate Bill No. 9 without reference to file, for purpose of consideration.

**SENATE BILL NO. 9 (Padilla)**—An act to amend Sections 17250.30 and 81704 of the Education Code, to amend Section 6531 of the Government Code, to amend Section 1771.5 of, to amend and repeal Sections 1771.7 and 1771.8 of, to add Sections 1771.3, 1771.55, 1771.75 and 1771.85 to, and to repeal and add Section 1771.9 of, the Labor Code, to amend Sections 20133, 20175.2, 20193, 20209.7, 20209.24, and 20919.3 of the Public Contract Code, and to add Section 8007 to the Water Code, relating to public works, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Eng.

Bill passed by the following vote:

**AYES—71**

Adams	De La Torre	Huber	Pérez, V.M.
Ammiano	De León	Huffman	Portantino
Arambula	Emmerson	Jeffries	Price
Beall	Eng	Jones	Ruskin
Berryhill, B.	Evans	Knight	Salas
Berryhill, T.	Feuer	Krekorian	Saldaña
Blakeslee	Fletcher	Lieu	Silva
Block	Fong	Logue	Skinner
Blumenfield	Fuentes	Lowenthal	Smyth
Brownley	Fuller	Ma	Solorio
Buchanan	Furutani	Mendoza	Strickland
Caballero	Galgiani	Miller	Torlakson
Carter	Gilmore	Monning	Torres
Chesbro	Hagman	Nava	Torrico
Conway	Hall	Nestande	Tran
Cook	Hayashi	Niello	Yamada
Coto	Hernandez	Nielsen	Mme. Speaker
Davis	Hill	Pérez, J.	

**NOES—6**

Anderson	DeVore	Garrick
Calderon	Gaines	Harkey

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 9: Assembly Member DeVore from “Aye” to “No”.

Bill ordered transmitted to Senate.

**CONSIDERATION OF SENATE BILL NO. 11  
BY UNANIMOUS CONSENT**

Assembly Member Lieu was granted unanimous consent to take up Senate Bill No. 11 without reference to file, for purpose of consideration.

**SENATE BILL NO. 11 (Steinberg)**—An act to add Sections 68220, 68221, and 68222 to the Government Code, relating to judges.

Bill read third time, and presented by Assembly Member Lieu.



Bill passed by the following vote:

**AYES—69**

Adams	Coto	Huber	Portantino
Ammiano	Davis	Huffman	Price
Anderson	De La Torre	Jeffries	Ruskin
Arambula	De León	Jones	Salas
Beall	Emmerson	Knight	Saldaña
Berryhill, B.	Eng	Krekorian	Silva
Berryhill, T.	Evans	Lieu	Skinner
Blakeslee	Fletcher	Logue	Smyth
Block	Fong	Ma	Strickland
Blumenfield	Furutani	Mendoza	Swanson
Brownley	Galgiani	Miller	Torlakson
Buchanan	Garrick	Monning	Torres
Caballero	Gilmore	Nava	Tran
Calderon	Hagman	Nestande	Yamada
Carter	Hall	Niello	Mme. Speaker
Chesbro	Harkey	Nielsen	
Conway	Hernandez	Pérez, J.	
Cook	Hill	Pérez, V.M.	

**NOES—3**

DeVore	Fuentes	Gaines
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**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 11: Assembly Member Anderson from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 10  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 10 without reference to file, for purpose of consideration.

**SENATE BILL NO. 10 (Oropeza)**—An act to add Section 1936.015 to the Civil Code, relating to vehicle license fees.

Bill read third time, and presented by Assembly Member Evans.

Bill passed by the following vote:

**AYES—67**

Adams	De La Torre	Hill	Portantino
Ammiano	Emmerson	Huber	Price
Arambula	Eng	Huffman	Ruskin
Beall	Evans	Jeffries	Salas
Berryhill, B.	Feuer	Jones	Saldaña
Berryhill, T.	Fletcher	Krekorian	Silva
Block	Fong	Lieu	Skinner
Blumenfield	Fuentes	Lowenthal	Smyth
Brownley	Fuller	Ma	Solorio
Buchanan	Furutani	Mendoza	Strickland
Caballero	Galgiani	Monning	Swanson
Carter	Garrick	Nava	Torlakson
Chesbro	Hagman	Nestande	Torres
Conway	Hall	Niello	Torrico
Cook	Harkey	Nielsen	Yamada
Coto	Hayashi	Pérez, J.	Mme. Speaker
Davis	Hernandez	Pérez, V.M.	

**NOES—8**

Anderson	Gaines	Knight	Miller
DeVore	Gilmore	Logue	Tran

Bill ordered transmitted to the Senate.

**At 2:40 a.m., Speaker pro Tempore Lori Saldaña, 76th District, presiding**

**RECESS**

By unanimous consent, at 2:41 a.m., Speaker pro Tempore Lori Saldaña declared the Assembly recessed.

**MESSAGES FROM THE SENATE**

Senate Chamber, February 15, 2009

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

Senate Bill No. 15

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following bill was read the first time:

**SENATE BILL NO. 15**—An act to add and repeal Section 17059 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**RECONVENED**

At 5:49 p.m., the Assembly reconvened.

Hon. Lori Saldaña, Speaker pro Tempore of the Assembly, presiding.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico

*Resolved*, That Senate Bill No. 15 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—66**

Adams	Eng	Huber	Ruskin
Ammiano	Evans	Huffman	Salas
Anderson	Feuer	Knight	Saldaña
Arambula	Fletcher	Krekorian	Silva
Beall	Fong	Lieu	Skinner
Berryhill, B.	Fuentes	Logue	Smyth
Berryhill, T.	Fuller	Lowenthal	Solorio
Blakeslee	Furutani	Ma	Strickland
Block	Gaines	Mendoza	Swanson
Blumenfield	Galgiani	Monning	Torlakson
Buchanan	Garrick	Nava	Torres
Caballero	Gilmore	Nestande	Tran
Carter	Hagman	Niello	Villines
Chesbro	Harkey	Nielsen	Yamada
Conway	Hayashi	Pérez, V.M.	Mme. Speaker
Cook	Hernandez	Portantino	
Emmerson	Hill	Price	

**NOES—1**

Miller

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Senate Bill No. 15**

**SENATE BILL NO. 15**—An act to add and repeal Section 17059 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

**CONSIDERATION OF SENATE BILL NO. 15  
BY UNANIMOUS CONSENT**

Assembly Member Huber was granted unanimous consent to take up Senate Bill No. 15 without reference to file, for purpose of consideration.

**SENATE BILL NO. 15 (Ashburn)**—An act to add and repeal Section 17059 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and presented by Assembly Member Huber.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 6:04 p.m.

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

**RECESS**

By unanimous consent, at 6:05 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

**CAUCUS ANNOUNCEMENTS**

At 6:30 p.m., Speaker Bass announced that the Democratic Caucus would meet in the Assembly Lounge and the Republican Caucus would meet in the Tom Bane Rules Committee Room, upon adjournment of Floor Session.

**RECONVENED**

At 9:01 p.m., the Assembly reconvened.

Hon. Lori Saldaña, Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 15**

At 9:05 p.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 15 refused passage by the following vote:

**AYES—27**

Adams	Emmerson	Harkey	Nielsen
Anderson	Fuller	Huber	Silva
Berryhill, B.	Gaines	Jeffries	Smyth
Berryhill, T.	Galgiani	Knight	Strickland
Conway	Garrick	Logue	Tran
Cook	Gilmore	Miller	Villines
Duvall	Hagman	Nestande	

**NOES—3**

Brownley	Huffman	Yamada
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**Motion to Reconsider Senate Bill No. 15  
on Next Legislative Day**

Assembly Member Huber moved to reconsider on the next legislative day the vote whereby Senate Bill No. 15 was this day refused passage. Senate Bill No. 15 ordered to the unfinished business file.

**VOTE ADDS**

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

**Resolution to Invoke Constitution:** Anderson, Pérez, V.M., and Strickland—Aye.

**Assembly Bill No. 3:** Ma—Aye.

**Assembly Bill No. 7:** Hernandez and Mendoza—Aye; Fletcher—No.

**Assembly Bill No. 4:** Anderson and DeVore—Aye.

**Resolution to Invoke Constitution:** Adams, Berryhill, T., and Coto—Aye.

**Resolution to Invoke Constitution:** Adams—Aye.

**Senate Bill No. 9:** Adams and Niello—Aye.

**Senate Bill No. 11:** Adams, Knight, and Niello—Aye.

**Senate Bill No. 10:** Adams, Hagman, and Niello—Aye; Gilmore—No.

**Resolution to Invoke Constitution:** Berryhill, B., Berryhill, T., Mendoza, and Pérez, V.M.—Aye; Miller—No.

**ADJOURNMENT**

At 9:20 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 14, 2009**

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

<b>AB</b>	<b>RN</b>	
3	0908651	
4	0908835	
5	0908734	
7	0908832	
8	0908648	
<b>Daily Total:</b>		<b>5</b>
<b>Cumulative Total:</b>		<b>5</b>

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