

CALIFORNIA LEGISLATURE  
2009–10 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Saturday, February 14, 2009**  
**TWELFTH SESSION DAY**  
**FORTY-FIRST 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 8:33 p.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.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Torrico was granted unanimous consent that Senate Bills Nos. 2, 4, 6, 8, 10, 14, 15, and 3, be withdrawn from the Committee on Rules and placed on the third reading file.

**CONSIDERATION OF SENATE BILL NO. 2  
BY UNANIMOUS CONSENT**

Speaker Bass was granted unanimous consent to take up Senate Bill No. 2 without reference to file, for purpose of amendment.

**SENATE BILL NO. 2 (Ducheny)**—An act relating to the Budget Act of 2008.  
Bill read third time.

**Motion to Amend**

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

**Consideration of Senate Bill No. 2, as Amended,  
by Unanimous Consent**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 2, as amended, without reference to file, for purpose of consideration.

**SENATE BILL NO. 2 (Ducheny)**—An act to amend Items 3910-004-0226, 3910-004-0281, and 3910-007-0387 of Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), and to amend Items 0690-102-0001, 0690-102-0214, 0690-102-0597, 0690-113-0001, 0890-001-0001, 1870-012-0214, 2640-101-0046, 2660-302-0042, 2660-302-0890, 3790-001-0001, 3790-001-6051, 4140-011-0121, 4170-101-0001, 4300-101-0001, 5180-111-0001, 5225-101-0001, 6440-001-0001, 6600-001-0001, 6610-001-0001, 6610-002-0001, 8660-011-0470, 8660-011-0471, 8660-011-0483, and 9210-101-0001 of, and to add Items 2180-011-0067, 2660-013-0042, 3560-011-0347, 3680-011-0516, 3790-011-0263, 3910-011-0226, and 8120-013-0268 to, Section 2.00 of the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to amend Section 28.00 of, and to add Sections 3.90, 8.25, and 35.10 to, the Budget Act of 2008, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—65**

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

**NOES—15**

Anderson	Garrick	Jeffries	Silva
DeVore	Gilmore	Knight	Strickland
Duvall	Hagman	Miller	Tran
Gaines	Harkey	Nielsen	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—65**

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

**NOES—15**

Anderson	Garrick	Jeffries	Silva
DeVore	Gilmore	Knight	Strickland
Duvall	Hagman	Miller	Tran
Gaines	Harkey	Nielsen	

Bill ordered transmitted to the Senate immediately.

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

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

**SENATE BILL NO. 4 (Ducheny)**—An act relating to the Budget Act of 2008.  
Bill read third time.

**Motion to Amend**

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

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

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

**SENATE BILL NO. 4 (Ducheny)**—An act to amend Sections 2558.46, 14041.5, 17592.71, 41203.1, 42238, 42238.146, 52124, and 60119 of, to amend, repeal, and add Section 17584.1 of, to add Sections 14041.6, 17070.766, 17592.74, 41207.3, 42238.49, 42605, 52124.3, and 92612.5 to, and to add and repeal Sections 1240.3 and 60422.1 of, the Education Code, to amend Items 6110-196-001, 6110, 234-001, 6110-488, 6870-101-0001, and 6870-295-0001 of, to add Items 6110-111-0046 and 6110-111-3116 to, and to repeal Item 6110-111-0001 of, Section 2.00 of, and to add Section 12.42 to, and to repeal Sections 12.40 and 35.80 of, the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to amend Sections 34, 35, and 37 of, and to repeal Section 33 of, Chapter 757 of the Statutes of 2008, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—72**

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

**NOES—5**

Gaines	Strickland	Tran
Logue	Torlakson	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—72**

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

**NOES—5**

Gaines	Strickland	Tran
Logue	Torlakson	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 4: Assembly Member Anderson from “No” to “Aye”; Assembly Member Gilmore from “No” to “Not Voting”.

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF SENATE BILL NO. 6  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 6 without reference to file, for purpose of amendment.

**SENATE BILL NO. 6 (Ducheny)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 6, as Amended,  
by Unanimous Consent**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 6, as amended, without reference to file, for purpose of consideration.

**SENATE BILL NO. 6 (Ducheny)**—An act to amend Sections 4639.5, 4640.6, 11453, 12201, 12305.1, and 12306.1 of, and to add Sections 11450.02 and 12200.019 to, and to add and repeal Section 12200.018 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—68**

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

**NOES—11**

Anderson	Garrick	Harkey	Swanson
DeVore	Gilmore	Miller	Tran
Gaines	Hagman	Strickland	

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—68**

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

**NOES—11**

Anderson	Garrick	Harkey	Swanson
DeVore	Gilmore	Miller	Tran
Gaines	Hagman	Strickland	

Bill ordered transmitted to the Senate immediately.

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

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

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

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

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

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

**SENATE BILL NO. 5 (Ducheny)**—An act to amend Sections 5845, 5846, 5847, and 14154 of, and to add Sections 14131.10 and 14166.225 to, the Welfare and Institutions Code, relating to health, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.

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, 8:56 p.m.

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

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

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

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

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.



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

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

**SENATE BILL NO. 7 (Ducheny)**—An act to amend Section 16965 of, and to add Section 63048.66 to, the Government Code, to amend Sections 99312, 99312.7, and 99315 of the Public Utilities Code, and to amend Sections 7102 and 7104.2 of the Revenue and Taxation Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.

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, 9:02 p.m.

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

**ANNOUNCEMENTS**

Speaker pro Tempore Saldaña announced that pursuant to Assembly Rule 117.5 cellular telephones are not allowed to be used on the Assembly Floor and should be turned off.

**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 amendment.

**SENATE BILL NO. 10 (Ducheny)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 10, as Amended,  
by Unanimous Consent**

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

**SENATE BILL NO. 10 (Ducheny)**—An act to amend Sections 5891 and 5892 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.

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, 9:07 p.m.

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

**CONSIDERATION OF SENATE BILL NO. 14  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 14, as amended, without reference to file, for purpose of amendment.

**SENATE BILL NO. 14 (Ducheny)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 14, as Amended,  
by Unanimous Consent**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 14, as amended, without reference to file, for purpose of consideration.

**SENATE BILL NO. 14 (Ducheny)**—An act to amend Sections 15819.40, 15819.402, 15819.403, 15819.404, 15819.41, 15819.412, 15819.414, 15819.417, 15820.903, 15820.911, and 15820.913 of, and to add Sections 15820.904 and 15820.914 to, the Government Code, to amend Section 7021 of the Penal Code, and to amend Sections 1970, 1971, 1972, 1973, and 1975 of, and to add Section 1977 to, the Welfare and Institutions Code, relating to correctional facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.  
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, 9:09 p.m.

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

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

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

**SENATE BILL NO. 15 (Ducheny)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

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

**Consideration of Senate Bill No. 15, as Amended,  
by Unanimous Consent**

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

**SENATE BILL NO. 15 (Calderon)**—An act to amend Sections 17039.2, 23036.2, 23101, 25120, and 25135 of, to amend, repeal, and add Section 25136 of, to add Sections 6902.5, 17053.85, 19136.8, 23685, and 25128.5 to, and to add and repeal Sections 17053.80 and 23623 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and presented by Assembly Member Krekorian.  
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, 9:20 p.m.

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

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Assembly Constitutional Amendment No. 2 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 resolution be read on three separate days in each house is hereby dispensed with, and it is ordered that the resolution be placed upon its adoption and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—69**

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

**NOES—2**

DeVore                      Miller

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

**Second Reading of Assembly Constitutional Amendment No. 2**

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8.3 to Article XVI thereof, relating to education finance.

Resolution read second time.

**Consideration of Assembly Constitutional Amendment No. 2, as Amended,  
by Unanimous Consent**

Assembly Member Evans was granted unanimous consent to take up Assembly Constitutional Amendment No. 2, as amended, without reference to file, for purpose of consideration.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2 (Bass)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8.3 to Article XVI thereof, relating to education finance.

Resolution read third time.

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, 9:25 p.m.

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

**RECESS**

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

**RECONVENED**

At 9:35 p.m., the Assembly reconvened.

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

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 11, be withdrawn from the Committee on Rules and placed on the third reading file.

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

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

**SENATE BILL NO. 11 (Ducheny)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 11, as Amended,  
by Unanimous Consent**

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

**SENATE BILL NO. 11 (Ducheny)**—An act calling an election, and declaring the urgency thereof, to take effect immediately

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

**Urgency Clause**

Urgency clause read.

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, 9:37 p.m.

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

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 12, be withdrawn from the Committee on Rules and placed on the third reading file.

**CONSIDERATION OF SENATE BILL NO. 12  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 12 without reference to file, for purpose of amendment.

**SENATE BILL NO. 12 (Ducheny)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 12, as Amended,  
by Unanimous Consent**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 12, as amended, without reference to file, for purpose of consideration.

**SENATE BILL NO. 12 (Ducheny)**—An act to amend Sections 8880.5.5 and 8880.56 of, to add Article 4.5 (commencing with Section 8880.46.5) to Chapter 12.5 of Division 1 of Title 2 of, and to repeal Sections 8880.43 and 8880.67 of, the Government Code, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.  
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, 9:41 p.m.

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

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Assembly Constitutional Amendment No. 1 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 resolution be read on three separate days in each house is hereby dispensed with, and it is ordered that the resolution be placed upon its adoption, and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—71**

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

**NOES—2**

DeVore                      Miller

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

**Second Reading of Assembly Constitutional Amendment No. 1**

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1**—A resolution directing the Secretary of State to withdraw from the consideration of the people of the State of California Senate Constitutional Amendment No. 30 (Resolution Chapter 167 of the Statutes of 2008) and further directing the Secretary of State to make amendments in Senate Constitutional Amendment No. 13 (Resolution Chapter 144 of the Statutes of 2008).

Resolution read second time.

**Further Consideration of Assembly Constitutional Amendment No. 1  
by Unanimous Consent**

Assembly Member Niello was granted unanimous consent to take up Assembly Constitutional Amendment No. 1 without reference to file, for purpose of consideration.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1 (Niello)**—A resolution directing the Secretary of State to withdraw from the consideration of the people of the State of California Senate Constitutional Amendment No. 30 (Resolution Chapter 167 of the Statutes of 2008) and further directing the Secretary of State to make amendments in Senate Constitutional Amendment No. 13 (Resolution Chapter 144 of the Statutes of 2008).

Resolution read third time.

**Co-Authors Added**

Pursuant to Assembly Rule 69 and without objection, Senators Cogdill and Ashburn were added to Assembly Constitutional Amendment No. 1 as principal co-authors.

**Further Consideration of Assembly Constitutional Amendment No. 1**

Roll was opened.

Resolution adopted by the following vote:

**AYES—74**

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

**NOES—6**

Anderson	Furutani	Mendoza
DeVore	Hagman	Swanson

Resolution 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 vote taken on this day on Assembly Constitutional Amendment No. 1.

**Objection Withdrawn**

Assembly Member Torrico withdrew his objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Constitutional Amendment No. 1.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 13, be withdrawn from the Committee on Rules and placed on the third reading file.

**CONSIDERATION OF SENATE BILL NO. 13  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 13 without reference to file, for purpose of amendment.

**SENATE BILL NO. 13 (Ducheny)**—An act relating to the Budget Act of 2008.  
Bill read third time.

**Motion to Amend**

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

**Consideration Senate Bill No. 13, as Amended,  
by Unanimous Consent**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 13, as amended, without reference to file, for purpose of consideration.

**SENATE BILL NO. 13 (Ducheny)**—An act to amend Sections 69766 and 89722 of, and to add Section 90082 to, the Education Code, to amend Section 17311 of the Family Code, to amend Sections 8880.61, 16310, 16428.15, 17302, 17303, 17310, 17311, 22910, and 30051 of, and to add Section 17221.5 to, the Government Code, to amend Sections 50740, 50782, and 116760.30 of the Health and Safety Code, to amend Sections 8613 and 48027 of the Public Resources Code, to amend Sections 822, 1611, and 3001 of the Unemployment Insurance Code, and to amend Sections 14163, and 16809 of, and to add Section 5778.3 to, the Welfare and Institutions Code, relating to state finance, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—71**

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

**NOES—8**

Anderson	DeVore	Garrick	Logue
Blakeslee	Gaines	Gilmore	Miller

The question being the passage of the bill.

Bill passed by the following vote:

**AYES—71**

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

**NOES—8**

Anderson	DeVore	Garrick	Logue
Blakeslee	Gaines	Gilmore	Miller

Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 5**

At 10:01 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.

The urgency clause to Senate Bill No. 5 adopted by the following vote:

**AYES—67**

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

**NOES—12**

Anderson	Gaines	Hagman	Silva
Conway	Garrick	Jeffries	Strickland
DeVore	Gilmore	Miller	Tran

The question being on the passage of the bill:

Bill passed by the following vote:

**AYES—67**

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

**NOES—12**

Anderson	Gaines	Hagman	Silva
Conway	Garrick	Jeffries	Strickland
DeVore	Gilmore	Miller	Tran

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 5: Assembly Member Logue from "No" to "Aye".

Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 7**

At 10:03 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.

The urgency clause to Senate Bill No. 7 adopted by the following vote:

**AYES—65**

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

**NOES—12**

Anderson	Gaines	Hagman	Logue
DeVore	Garrick	Harkey	Miller
Duvall	Gilmore	Knight	Tran

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—65**

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

**NOES—12**

Anderson	Gaines	Hagman	Logue
DeVore	Garrick	Harkey	Miller
Duvall	Gilmore	Knight	Tran

Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 10**

At 10:04 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.

The urgency clause to Senate Bill No. 10 adopted by the following vote:

**AYES—76**

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

**NOES—4**

Anderson	Gaines	Gilmore	Logue
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The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

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

**NOES—4**

Anderson	Gaines	Gilmore	Logue
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Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 14**

At 10:04 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.

The urgency clause to Senate Bill No. 14 adopted by the following vote:

**AYES—79**

Adams	De León	Hernandez	Pérez, V.M.
Ammiano	DeVore	Hill	Portantino
Arambula	Duvall	Huber	Price
Beall	Emmerson	Huffman	Ruskin
Berryhill, B.	Eng	Jeffries	Salas
Berryhill, T.	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
De La Torre	Hayashi	Pérez, J.	

**NOES—1**

Anderson

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—79**

Adams	De León	Hernandez	Pérez, V.M.
Ammiano	DeVore	Hill	Portantino
Arambula	Duvall	Huber	Price
Beall	Emmerson	Huffman	Ruskin
Berryhill, B.	Eng	Jeffries	Salas
Berryhill, T.	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
De La Torre	Hayashi	Pérez, J.	

**NOES—1**

Anderson

Bill ordered transmitted to the Senate immediately.

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

At 10:04 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 passed by the following vote:

**AYES—63**

Adams	DeVore	Hill	Portantino
Ammiano	Duvall	Huber	Price
Anderson	Emmerson	Jeffries	Ruskin
Arambula	Evans	Knight	Salas
Beall	Feuer	Krekorian	Saldaña
Berryhill, B.	Fletcher	Lieu	Silva
Berryhill, T.	Fong	Logue	Smyth
Blakeslee	Fuller	Lowenthal	Solorio
Block	Gaines	Ma	Strickland
Blumenfield	Galgiani	Mendoza	Torlakson
Buchanan	Garrick	Miller	Torrico
Carter	Gilmore	Nava	Tran
Conway	Hagman	Nestande	Villines
Cook	Hall	Niello	Yamada
Coto	Harkey	Nielsen	Mme. Speaker
Davis	Hayashi	Pérez, V.M.	

**NOES—8**

Chesbro	Furutani	Huffman	Skinner
De La Torre	Hernandez	Jones	Swanson

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 15: Assembly Member Fuentes from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2**

At 10:05 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.

Assembly Constitutional Amendment No. 2 adopted by the following vote:

**AYES—68**

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

**NOES—11**

Anderson	Gaines	Knight	Silva
DeVore	Hagman	Miller	Tran
Fuentes	Harkey	Nielsen	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Constitutional Amendment No. 2: Assembly Member Harkey from “Aye” to “No”.

Resolution ordered transmitted to the Senate.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 11**

At 10:05 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.

The urgency clause to Senate Bill No. 11 adopted by the following vote:

**AYES—75**

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

**NOES—5**

Anderson	Duvall	Hagman
DeVore	Gaines	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

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

**NOES—5**

Anderson	Duvall	Hagman
DeVore	Gaines	

**Vote Changes**

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

Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 12**

At 10:07 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.

The urgency clause to Senate Bill No. 12 adopted by the following vote:

**AYES—70**

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

**NOES—8**

Anderson	DeVore	Garrick	Harkey
Berryhill, T.	Gaines	Hagman	Logue

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—70**

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

**NOES—8**

Anderson	DeVore	Garrick	Harkey
Berryhill, T.	Gaines	Hagman	Logue

Bill ordered transmitted to the Senate immediately.

**RECESS**

By unanimous consent, at 10:08 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

**RECONVENED**

At 10:51 p.m., the Assembly reconvened.

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

**At 10:55 p.m., Speaker Karen Bass, 47th District, presiding**

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 9, be withdrawn from the Committee on Insurance and placed on the third reading file.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Senate Bill No. 9 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.

Resolution read, and adopted by the following vote:

**AYES—72**

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

**NOES—2**

DeVore Miller

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

**Second Reading of Senate Bill No. 9**

**SENATE BILL NO. 9**—An act relating to the Budget Act of 2008.

Bill read second time.

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

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

**SENATE BILL NO. 9 (Ducheny)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 9**

**SENATE BILL NO. 9 (Ducheny)**—An act to amend Sections 130105 and 130150 of the Health and Safety Code, to amend Section 30131.4 of, and to add Section 30131.45 to, the Revenue and Taxation Code, relating to children, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend by Assembly Member Garrick—Set 2**

Assembly Member Garrick moved the adoption of Set 2 amendments.

Amendments read.

**Motion to Table Garrick Amendments to Senate Bill No. 9—Set 2**

Assembly Member Torrico moved that the amendments offered by Assembly Member Garrick to Senate Bill No. 9, Set 2 be laid upon the table.

Assembly Member Feuer seconded the motion.

Motion carried by the following vote:

**AYES—51**

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

**NOES—29**

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

**Further Consideration of Senate Bill No. 9**

**SENATE BILL NO. 9 (Ducheny)**—An act to amend Sections 130105 and 130150 of the Health and Safety Code, to amend Section 30131.4 of, and to add Section 30131.45 to, the Revenue and Taxation Code, relating to children, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend by Assembly Member Garrick—Set 3**

Assembly Member Garrick moved the adoption of Set 3 amendments.

Amendments read.

**Motion to Table Garrick Amendments  
to Senate Bill No. 9—Set 3**

Assembly Member Krekorian moved that the amendments offered by Assembly Member Garrick to Senate Bill No. 9, Set 3 be laid upon the table.

Assembly Member Feuer seconded the motion.

Motion carried by the following vote:

**AYES—51**

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

**NOES—28**

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

**Consideration of Senate Bill No. 9, as Amended,  
by Unanimous Consent**

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

**SENATE BILL NO. 9 (Ducheny)**—An act to amend Sections 130105 and 130150 of the Health and Safety Code, to amend Section 30131.4 of, and to add Section 30131.45 to, the Revenue and Taxation Code, relating to children, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—72**

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

**NOES—5**

Anderson	Gilmore	Logue
Gaines	Hagman	

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—72**

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

**NOES—5**

Anderson	Gilmore	Logue
Gaines	Hagman	

Bill ordered transmitted to the Senate.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 8, be withdrawn from the Committee on Rules and placed on the third reading file.

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

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

**SENATE BILL NO. 8 (Ducheny)**—An act relating to the Budget Act of 2008.  
Bill read third time.

**Motion to Amend**

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

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

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

**SENATE BILL NO. 8 (Ducheny)**—An act to amend Section 41204.1 of the Education Code, to amend Sections 13312, 17561, 29552, 30061, and 30070 of, to amend, repeal, and add Section 19853 of, and to add Sections 17255, 19844.1, 29553, and 99030 to, the Government Code, to add Section 33333.13 to the Health and Safety Code, to amend Sections 13848.2, 13848.4, and 13848.6 of, and to add Section 13812 to, the Penal Code, to add Sections 97.80 and 20623 to the Revenue and Taxation Code, to amend Sections 2104, 2105, 2106, and 2107 of the Streets and Highways Code, to amend Sections 14041.1, 15153, and 18221 of, to add Section 18220.1 to, and to repeal and add Section 18220 of, the Welfare and Institutions Code, and to amend Section 6 of Chapter 213 of the Statutes of 2000, relating to state and local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.  
The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:29 p.m.

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



**FORTY-SECOND CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, February 15, 2009

At 12 midnight  
Speaker Karen Bass, presiding.

**CONSIDERATION OF SENATE BILL NO. 1  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 1 without reference to file, for purpose of amendment.

**SENATE BILL NO. 1 (Ducheny)**—An act relating to the Budget Act of 2008.

**Announcement**

Speaker Bass announced that the amendments to Senate Bill No. 1 and the mock-up of Senate Bill No. 1 are available on the Assembly Floor System laptops.

Bill read third time.

**Motion to Amend**

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

**At 12:12 a.m., Speaker pro Tempore Lori Saldaña, 76th District, 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 as amended:

Assembly Bill No. 5

Assembly Bill No. 13

Assembly Bill No. 11

Assembly Bill No. 15

Assembly Bill No. 12

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

**ASSEMBLY BILL NO. 5**

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 5, without reference to file.

**ASSEMBLY BILL NO. 5 (Evans)**—An act to amend Sections 5845, 5846, 5847, and 14154 of, and to add Sections 14131.10 and 14166.225 to, the Welfare and Institutions Code, relating to health, and declaring the urgency thereof, to take effect immediately.

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

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—67**

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

**NOES—12**

Anderson	Gaines	Hagman	Silva
Conway	Garrick	Jeffries	Strickland
DeVore	Gilmore	Miller	Tran

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

**AYES—67**

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

**NOES—12**

Anderson	Gaines	Hagman	Silva
Conway	Garrick	Jeffries	Strickland
DeVore	Gilmore	Miller	Tran

Above bill ordered enrolled.

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

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

**ASSEMBLY BILL NO. 11 (Evans)**—An act calling an election, and declaring the urgency thereof, to take effect immediately.

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

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—5**

Anderson	Duvall	Hagman
DeVore	Gaines	

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

**AYES—75**

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

**NOES—5**

Anderson	Duvall	Hagman
DeVore	Gaines	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 12****CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 12, without reference to file.

**ASSEMBLY BILL NO. 12 (Evans)**—An act to amend Sections 8880.5.5 and 8880.56 of, to add Article 4.5 (commencing with Section 8880.46.5) to Chapter 12.5 of Division 1 of Title 2 of, and to repeal Sections 8880.43 and 8880.67 of, the Government Code, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

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

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—70**

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

**NOES—8**

Anderson	DeVore	Garrick	Harkey
Berryhill, T.	Gaines	Hagman	Logue

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

**AYES—70**

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

**NOES—8**

Anderson	DeVore	Garrick	Harkey
Berryhill, T.	Gaines	Hagman	Logue

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 13****CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 13, without reference to file.

**ASSEMBLY BILL NO. 13 (Evans)**—An act to amend Sections 69766 and 89722 of, and to add Section 90082 to, the Education Code, to amend Section 17311 of the Family Code, to amend Sections 8880.61, 16310, 16428.15, 17302, 17303, 17310, 17311, 22910, and 30051 of, and to add Section 17221.5 to, the Government Code, to amend Sections 50740, 50782, and 116760.30 of the Health and Safety Code, to amend Sections 8613 and 48027 of the Public Resources Code, to amend Sections 822, 1611, and 3001 of the Unemployment Insurance Code, and to amend Sections 14163, and 16809 of, and to add Section 5778.3 to, the Welfare and Institutions Code, relating to state finance, and declaring the urgency thereof, to take effect immediately.

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

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—71**

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

**NOES—8**

Anderson	DeVore	Garrick	Logue
Blakeslee	Gaines	Gilmore	Miller

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

**AYES—71**

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

**NOES—8**

Anderson	DeVore	Garrick	Logue
Blakeslee	Gaines	Gilmore	Miller

Above bill ordered enrolled.

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

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

**ASSEMBLY BILL NO. 15 (Krekorian)**—An act to amend Sections 17039.2, 23036.2, 23101, 25120, and 25135 of, to amend, repeal, and add Section 25136 of, to add Sections 6902.5, 17053.85, 19136.8, 23685, and 25128.5 to, and to add and repeal Sections 17053.80 and 23623 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—63**

Adams	DeVore	Hill	Portantino
Ammiano	Duvall	Huber	Price
Anderson	Emmerson	Jeffries	Ruskin
Arambula	Evans	Knight	Salas
Beall	Feuer	Krekorian	Saldaña
Berryhill, B.	Fletcher	Lieu	Silva
Berryhill, T.	Fong	Logue	Smyth
Blakeslee	Fuller	Lowenthal	Solorio
Block	Gaines	Ma	Strickland
Blumenfield	Galgiani	Mendoza	Torlakson
Buchanan	Garrick	Miller	Torrico
Carter	Gilmore	Nava	Tran
Conway	Hagman	Nestande	Villines
Cook	Hall	Niello	Yamada
Coto	Harkey	Nielsen	Mme. Speaker
Davis	Hayashi	Pérez, V.M.	

**NOES—8**

Chesbro	Furutani	Huffman	Skinner
De La Torre	Hernandez	Jones	Swanson

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 8**

At 1:10 a.m., on motion of Assembly Member Davis, 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 Torrico moved to continue the call of the Assembly.

Motion carried. Time, 1:12 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  
SENATE BILL NO. 8**

At 1:20 a.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.

The urgency clause to Senate Bill No. 8 adopted by the following vote:

**AYES—54**

Adams	Cook	Hagman	Pérez, V.M.
Anderson	Davis	Hall	Price
Arambula	De León	Harkey	Saldaña
Berryhill, B.	Duvall	Hill	Silva
Berryhill, T.	Emmerson	Huber	Skinner
Blakeslee	Evans	Jeffries	Smyth
Block	Feuer	Knight	Solorio
Blumenfield	Fletcher	Krekorian	Strickland
Brownley	Fuentes	Logue	Torres
Buchanan	Fuller	Miller	Tran
Caballero	Gaines	Nestande	Villines
Carter	Galgiani	Niello	Mme. Speaker
Chesbro	Garrick	Nielsen	
Conway	Gilmore	Pérez, J.	

**NOES—21**

Ammiano	Fong	Ma	Swanson
Beall	Furutani	Mendoza	Torlakson
Calderon	Hayashi	Monning	Yamada
Coto	Hernandez	Portantino	
De La Torre	Huffman	Ruskin	
Eng	Jones	Salas	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—54**

Adams	Cook	Hagman	Pérez, V.M.
Anderson	Davis	Hall	Price
Arambula	De León	Harkey	Saldaña
Berryhill, B.	Duvall	Hill	Silva
Berryhill, T.	Emmerson	Huber	Skinner
Blakeslee	Evans	Jeffries	Smyth
Block	Feuer	Knight	Solorio
Blumenfield	Fletcher	Krekorian	Strickland
Brownley	Fuentes	Logue	Torres
Buchanan	Fuller	Miller	Tran
Caballero	Gaines	Nestande	Villines
Carter	Galgiani	Niello	Mme. Speaker
Chesbro	Garrick	Nielsen	
Conway	Gilmore	Pérez, J.	

**NOES—21**

Ammiano	Fong	Ma	Swanson
Beall	Furutani	Mendoza	Torlakson
Calderon	Hayashi	Monning	Yamada
Coto	Hernandez	Portantino	
De La Torre	Huffman	Ruskin	
Eng	Jones	Salas	

Bill ordered transmitted to the Senate.

**RECESS**

By unanimous consent, at 1:29 a.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

**RECONVENED**

At 2:41 a.m., the Assembly reconvened.

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

**CONSIDERATION OF SENATE BILL NO. 1  
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 1 without reference to file, for purpose of consideration.

**SENATE BILL NO. 1 (Ducheny)**—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—58**

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

**NOES—21**

Anderson	Emmerson	Harkey	Silva
Blakeslee	Fuller	Jeffries	Strickland
Conway	Gaines	Knight	Tran
Cook	Garrick	Logue	
DeVore	Gilmore	Miller	
Duvall	Hagman	Nielsen	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—58**

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

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Conway	Gaines	Knight	Tran
Cook	Garrick	Logue	
DeVore	Gilmore	Miller	
Duvall	Hagman	Nielsen	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1: Assembly Members Blakeslee, Conway, and Emmerson from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**CAUCUS ANNOUNCEMENTS**

At 2:43 a.m., Speaker pro Tempore Saldaña was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

**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 as amended:

Assembly Bill No. 9

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

**RECESS**

By unanimous consent, at 2:44 a.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

**RECONVENED**

At 5:34 p.m., the Assembly reconvened.

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

**RECESS**

By unanimous consent, at 5:48 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

**RECONVENED**

At 9:17 p.m., the Assembly reconvened.

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

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 5  
ON NEXT LEGISLATIVE DAY**

Assembly Member Torrico moved to reconsider on the next legislative day the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 5.

Assembly Bill No. 5 ordered to the unfinished business file.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 11  
ON NEXT LEGISLATIVE DAY**

Assembly Member Torrico moved to reconsider on the next legislative day the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 11.

Assembly Bill No. 11 ordered to the unfinished business file.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 12  
ON NEXT LEGISLATIVE DAY**

Assembly Member Torrico moved to reconsider on the next legislative day the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 12.

Assembly Bill No. 12 ordered to the unfinished business file.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 13  
ON NEXT LEGISLATIVE DAY**

Assembly Member Torrico moved to reconsider on the next legislative day the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 13.

Assembly Bill No. 13 ordered to the unfinished business file.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 15  
ON NEXT LEGISLATIVE DAY**

Assembly Member Torrico moved to reconsider on the next legislative day the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 15.

Assembly 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):

**Senate Bill No. 2 and Urgency:** De La Torre—Aye; Strickland—No.

**Senate Bill No. 4 and Urgency:** Blakeslee—Aye; Torlakson—No.

**Senate Bill No. 6 and Urgency:** Calderon—Aye; Strickland and Swanson—No.

**Resolution to Invoke Constitution:** De León, Hagman, Lowenthal, Mendoza, and Strickland—Aye; DeVore and Miller—No.

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

**Assembly Constitutional Amendment No. 1:** Blakeslee—Aye; Mendoza—No.

**Senate Bill No. 13 and Urgency:** Blakeslee and DeVore—No.

**Senate Bill No. 5 and Urgency:** Buchanan—Aye.

**Senate Bill No. 7 and Urgency:** Strickland—Aye; Duvall—No.

**Senate Bill No. 10 and Urgency:** Davis and Duvall—Aye.

**Senate Bill No. 14 and Urgency:** Berryhill, T. and Duvall—Aye.

**Assembly Constitutional Amendment No. 2:** Miller—No.

**Senate Bill No. 11 and Urgency:** Gaines—No.

**Senate Bill No. 12 and Urgency:** Hagman—No.

**Resolution to Invoke Constitution:** Berryhill, T.—Aye; DeVore and Miller—No.

**Senate Bill No. 9 and Urgency, Torrico Motion Lay on the Table Garrick Amendments, Set 2:** Anderson—No.

**Torrico Motion to Table Garrick Amendments to Senate Bill No. 9, Set 3:** Adams—No.

**Senate Bill No. 9 and Urgency:** Adams and Nestande—Aye.

**Senate Bill No. 1 and Urgency:** Adams and Niello—Aye; Cook and Fuller—No.

**ADJOURNMENT**

At 9:18 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>SB</b>	<b>RN</b>
2	0908797
4	0908829
5	0908539
6	0908518
7	0908599
8	0908858
9	0908678
10	0908412
11	0908718
12	0908703
13	0908705
14	0908575
15	0908826

**Daily Total:           13**

**Cumulative Total:   52**

Amendments were considered by the Assembly, but not adopted, to the following measure:

**SB**

- 9       (Garrick amendments—Set 2, RN0908851, laid upon the table)  
       (Garrick amendments—Set 3, RN0908849, laid upon the table)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 15, 2009**

The following measure was amended in the Assembly on this day:

**SB RN**

1 0908652

**Daily Total: 1**

**Cumulative Total: 53**

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