

CALIFORNIA LEGISLATURE  
2009–10 EIGHTH EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, February 22, 2010**  
**SIXTEENTH SESSION DAY**  
**FORTY-FOURTH 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 Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, February 22, 2010

The Assembly met at 12:19 p.m.

Hon. John A. Pérez, Speaker-elect of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

#### ROLL CALL

The roll was called, and the following answered to their names—76:

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

Quorum present.

**PRAYER**

Upon invitation of Speaker-elect John A. Pérez, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

*Lord, When our government was not yet a year old, George Washington declared, "It is the duty of all nations to acknowledge the Providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly implore His protection and favor." Similarly, when the children of Israel were being chased by Pharaoh, they came to a dead end at the Red Sea, and it looked like it was over. They couldn't see a way out, but You came and parted the Red Sea and they went through on dry ground. Lord, we serve You, and when we believe, all things are possible.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker-elect John A. Pérez, Assembly Member Salas 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 Ma, seconded by Assembly Member Hagman.

**LEAVES OF ABSENCE FOR THE DAY**

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

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

*Because of illness: Assembly Members Carter and Saldaña.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 22, 2010

*E. Dotson Wilson*

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

Dear Dotson: This is to advise you that I have established and appointed the following membership to the Assembly Appropriations Committee for the 2009–10 Eighth Extraordinary Session:

Assemblymember Kevin de León, Chair  
Assemblymember Connie Conway, Vice Chair  
Assemblymember Tom Ammiano  
Assemblymember Steve Bradford  
Assemblymember Charles Calderon  
Assemblymember Joe Coto  
Assemblymember Mike Davis  
Assemblymember Felipe Fuentes  
Assemblymember Isadore Hall  
Assemblymember Diane Harkey

Assemblymember Jeff Miller  
 Assemblymember Jim Nielsen  
 Assemblymember Chris Norby  
 Assemblymember John A. Pérez  
 Assemblymember Nancy Skinner  
 Assemblymember Jose Solorio  
 Assemblymember Tom Torlakson

Sincerely,

KAREN BASS  
 Speaker of the Assembly

February 22, 2010

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

Dear Dotson: This is to advise you that I have established and appointed the following membership to the following committees for the 2009–10 Eighth Extraordinary Session:

*Public Employees, Retirement and Social Security*

Assemblymember Ed Hernandez, Chair  
 Assemblymember Warren Furutani, Vice Chair  
 Assemblymember Jim Beall, Jr.  
 Assemblymember Brian Nestande  
 Assemblymember Alberto Torrico  
 Republican vacancy

*Revenue and Taxation*

Assemblymember Charles Calderon, Chair  
 Assemblymember Chuck DeVore, Vice Chair  
 Assemblymember Jim Beall, Jr.  
 Assemblymember Joe Coto  
 Assemblymember Diane Harkey  
 Assemblymember Fiona Ma  
 Assemblymember Brian Nestande  
 Assemblymember Anthony Portantino  
 Assemblymember Lori Saldaña

Sincerely,

KAREN BASS  
 Speaker of the Assembly

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

**SENATE BILL NO. 1 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Evans**

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

**Consideration of Senate Bill No. 1, as Amended  
by Unanimous Consent**

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

**SENATE BILL NO. 1 (Committee on Budget and Fiscal Review)**—An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items 4265-001-0890 and 4265-111-0890 of Section 2.00 of that act, relating to the support of state government, and making an appropriation therefor.

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 1. See page 87.)

**SENATE BILL NO. 2 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Evans**

Assembly Member Evans 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 print or file, for purpose of consideration.

**SENATE BILL NO. 2 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2010.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:53 p.m.

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

**SENATE BILL NO. 3 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Evans**

Assembly Member Evans moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—46**

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

**NOES—27**

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

Bill ordered reprinted.

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

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

**SENATE BILL NO. 3 (Committee on Budget and Fiscal Review)**—An act to amend Section 76104.7 of the Government Code, relating to fines and forfeitures.

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 3. See page 87.)

**SENATE BILL NO. 4 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Evans**

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 print or file, for purpose of consideration.

**SENATE BILL NO. 4 (Committee on Budget and Fiscal Review)**—An act to amend Sections 4639.5, 4640.6, and 11401 of the Welfare and Institutions Code, and to amend Section 10 of Chapter 13 of the Third Extraordinary Session of the Statutes of 2009, relating to social services.

Bill read third time, and presented by Assembly Member Evans.  
The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:11 p.m.

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

**ACTIONS RESCINDED AND RECORDS EXPUNGED**

Assembly Member Torrico was granted unanimous consent that the actions be rescinded and the records expunged whereby roll call votes were taken on this day on Senate Bills Nos. 1 and 3.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 2**

At 3:20 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.

**Action Rescinded and Record Expunged on  
Senate Bill No. 2**

Assembly Member Torrico was granted unanimous consent that the action be rescinded and the record expunged whereby a roll call vote was taken on this day on Senate Bill No. 2.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 4**

At 3:20 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.

**Action Rescinded and Record Expunged on  
Senate Bill No. 4**

Assembly Member Torrico was granted unanimous consent that the action be rescinded and the record expunged whereby a roll call vote was taken on this day on Senate Bill No. 4.

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

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1 (Committee on Budget)**—An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items 4265-001-0890 and 4265-111-0890 of Section 2.00 of that act, relating to the support of state government, and making an appropriation therefor.

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—49**

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

**NOES—6**

Anderson	Knight	Miller
Gaines	Logue	Silva

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2 (Committee on Budget)**—An act relating to the Budget Act of 2010.

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.

**Call of the Assembly**

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

Motion carried. Time, 3:24 p.m.

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

**ASSEMBLY BILL NO. 3 (Committee on Budget)**—An act to amend Section 76104.7 of the Government Code, relating to fines and forfeitures.

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—45**

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

**NOES—17**

Anderson	Fuller	Knight	Silva
Blakeslee	Gaines	Logue	Smyth
Cook	Garrick	Miller	
De La Torre	Hagman	Nielsen	
DeVore	Harkey	Norby	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 3: Assembly Member Emmerson from “No” to “Not Voting”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 4 (Committee on Budget)**—An act to amend Sections 4639.5, 4640.6, and 11401 of the Welfare and Institutions Code, and to amend Section 10 of Chapter 13 of the Third Extraordinary Session of the Statutes of 2009, relating to social services.

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.

**Call of the Assembly**

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

Motion carried. Time, 3:29 p.m.

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

**ASSEMBLY BILL NO. 7 (Committee on Budget)**—An act to amend Sections 14560, 14580, and 14581 of, and to amend, repeal, and add Section 14574 to, the Public Resources Code, and to amend Sections 13476 and 13480 of the Water Code, relating to the environment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

#### **Urgency Clause**

Urgency clause read.

The roll was opened.

#### **Call of the Assembly**

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

Motion carried. Time, 3:33 p.m.

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

#### **MESSAGES FROM THE SENATE**

Senate Chamber, February 22, 2010

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. 11

Assembly Bill No. 12

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate

By Bernadette McNulty, Assistant Secretary

Above bills ordered to unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 7**

At 3:36 p.m., on motion of Assembly Member Evans, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 7 by the following vote:

**AYES—48**

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

**NOES—1**

Anderson

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause and on Concurrence in Senate Amendments to Assembly Bill No. 7: Assembly Member Salas from “No” to “Aye”.

**Motion to Reconsider Assembly Bill No. 7  
on Next Legislative Day**

Assembly Member Evans moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 7 was this day refused adoption.

Assembly Bill No. 7 ordered to unfinished business file.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 8 (Committee on Budget)**—An act to amend Sections 31 and 7145.5 of the Business and Professions Code, and to amend Sections 6203, 19116, 19504, and 19777 of, to add Sections 18407.5, 19265, 19266, 19560.5, 19571, and 19777.1 to, and to repeal and amend Section 19755 of, the Revenue and Taxation Code, relating to taxation.

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.)*

**Calderon Motion to Re-refer Assembly Bill No. 8 to Committee**

Assembly Member Calderon moved that Assembly Bill No. 8 be re-referred to the Committee on Rules.

Assembly Member Ma seconded the motion.

Motion carried by unanimous consent.

**ASSEMBLY BILL NO. 10 (Budget)**—An act to amend Section 63048.66 of the Government Code, relating to tribal gaming.

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—48**

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

**NOES—12**

Anderson	Garrick	Logue	Norby
DeVore	Harkey	Miller	Silva
Fuller	Knight	Nestande	Smyth

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 6 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Evans**

Assembly Member Evans moved the adoption of amendments.

**Roll Call Demanded**

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

The roll was called, and the Evans Amendments adopted by the following vote:

**AYES—41**

Ammiano	De León	Huffman	Salas
Arambula	Eng	Jones	Skinner
Beall	Evans	Lieu	Solorio
Blumenfield	Feuer	Lowenthal	Swanson
Bradford	Fong	Ma	Torlakson
Brownley	Fuentes	Mendoza	Torres
Caballero	Furutani	Monning	Torrico
Calderon	Galgiani	Nava	Yamada
Coto	Hayashi	Pérez, J.	
Davis	Hernandez	Portantino	
De La Torre	Hill	Ruskin	

**NOES—24**

Anderson	DeVore	Hagman	Nestande
Berryhill, B.	Emmerson	Harkey	Nielsen
Berryhill, T.	Fuller	Huber	Norby
Blakeslee	Gaines	Knight	Silva
Conway	Garrick	Logue	Smyth
Cook	Gilmore	Miller	Villines

**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 print or file, for purpose of consideration.

**SENATE BILL NO. 6 (Committee on Budget and Fiscal Review)**—An act to add Section 41204.2 to the Education Code, to amend Section 16965 of, and to add Chapter 2 (commencing with Section 55830) to Part 3 of Division 2 of Title 5 of, the Government Code, to amend Sections 99312 and 99315 of the Public Utilities Code, to amend Sections 7360, 23663, and 60050 of, to add Sections 6051.8, 6201.8, 6357.7, 7102.1, 7361.1, 7653.1, 17276.12, and 24416.12 to, and to repeal Section 7103 of, the Revenue and Taxation Code, and to amend Sections 183.1 and 2103 of the Streets and Highways Code, relating to transportation finance, and making an appropriation therefor.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:58 p.m.

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

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT  
AND ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Evans was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 11, without reference to file.

**ASSEMBLY BILL NO. 11 (Committee on Budget)**—An act to add Section 14533.2 to the Government Code, relating to transportation.

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

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

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

**AYES—49**

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

**NOES—1**

Anderson

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT  
AND ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Evans was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 12, without reference to file.

**ASSEMBLY BILL NO. 12 (Committee on Budget)**—An act to amend Section 8879.53 of the Government Code, relating to port and maritime security, and making an appropriation therefor.

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—49**

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

**NOES—1**

Anderson

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2**

At 4:07 p.m., on motion of Assembly Member Evans, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2 by the following vote:

**AYES—44**

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

**NOES—20**

Anderson	Garrick	Lieu	Norby
Cook	Hagman	Logue	Silva
DeVore	Harkey	Miller	Smyth
Fuller	Jeffries	Nestande	Swanson
Gaines	Knight	Nielsen	Tran

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 6**

At 4:07 p.m., on motion of Assembly Member Evans, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 6 passed by the following vote:

**AYES—43**

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

**NOES—24**

Anderson	DeVore	Huber	Nielsen
Berryhill, B.	Fuller	Jeffries	Norby
Blakeslee	Gaines	Knight	Pérez, V.M.
Buchanan	Garrick	Logue	Silva
Caballero	Hagman	Miller	Smyth
Cook	Harkey	Nestande	Tran

Bill ordered transmitted to the Senate.

**REFERENCE OF BILLS TO COMMITTEE**

Assistant Speaker pro Tempore Hall was granted unanimous consent that Senate Bill No. 29 be referred to the Committee on Public Employees, Retirement, and Social Security.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Torrico announced that the Committee on Public Employees, Retirement and Social Security would meet immediately, in the Tom Bane Rules Committee Room.

Assembly Member Torrico announced that the Committee on Appropriations would meet today, upon adjournment of the Committee on Public Employees, Retirement and Social Security, in the Tom Bane Rules Committee Room.

**CAUCUS ANNOUNCEMENTS**

Speaker pro Tempore Hall announced that the Democratic Caucus would meet in the Assembly Lounge.

**RECESS**

By unanimous consent, at 4:55 p.m., Speaker pro Tempore Hall declared the Assembly recessed.

**RECONVENED**

At 5:41 p.m., the Assembly reconvened.

Hon. Isadore Hall III, Assistant Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 4**

At 5:42 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 Assembly refused to concur in Senate amendments to Assembly Bill No. 4 by the following vote:

**AYES—25**

Arambula	Feuer	Hernandez	Skinner
Calderon	Fong	Lowenthal	Solorio
Coto	Fuentes	Ma	Torlakson
Davis	Furutani	Mendoza	Mme. Speaker
De León	Galgiani	Pérez, J.	
Eng	Hall	Portantino	
Evans	Hayashi	Salas	

**NOES—25**

Ammiano	Fuller	Knight	Smyth
Anderson	Gaines	Logue	Swanson
Beall	Garrick	Miller	Tran
Blakeslee	Harkey	Nava	Yamada
Chesbro	Hill	Nielsen	
Cook	Huffman	Norby	
DeVore	Jeffries	Silva	

**Motion to Reconsider Assembly Bill No. 4  
on Next Legislative Day**

Assembly Member Torrico moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 4 were this day refused adoption.

Assembly Bill No. 4 ordered to the unfinished business file.



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

**SENATE BILL NO. 5 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Torrico**

On behalf of Assembly Member Evans, Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

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

**NOES—22**

Anderson	Gaines	Knight	Norby
Berryhill, T.	Garrick	Logue	Silva
Blakeslee	Gilmore	Miller	Smyth
Cook	Hagman	Nestande	Tran
Emmerson	Harkey	Niello	
Fuller	Jeffries	Nielsen	

Bill ordered reprinted, and ordered returned to the third reading file.

**SENATE BILL NO. 7 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Torrico**

On behalf of Assembly Member Evans, Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

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

**NOES—22**

Anderson	Gaines	Knight	Norby
Berryhill, T.	Garrick	Logue	Silva
Blakeslee	Gilmore	Miller	Smyth
Cook	Hagman	Nestande	Tran
Emmerson	Harkey	Niello	
Fuller	Jeffries	Nielsen	

Bill ordered reprinted, and ordered returned to the third reading file.

**SENATE BILL NO. 8 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Torrico**

On behalf of Assembly Member Evans, Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

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

**NOES—22**

Anderson	Gaines	Knight	Norby
Berryhill, T.	Garrick	Logue	Silva
Blakeslee	Gilmore	Miller	Smyth
Cook	Hagman	Nestande	Tran
Emmerson	Harkey	Niello	
Fuller	Jeffries	Nielsen	

Bill ordered reprinted, and ordered returned to the third reading file.

**SENATE BILL NO. 10 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Torrico**

On behalf of Assembly Member Evans, Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

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

**NOES—22**

Anderson	Gaines	Knight	Norby
Berryhill, T.	Garrick	Logue	Silva
Blakeslee	Gilmore	Miller	Smyth
Cook	Hagman	Nestande	Tran
Emmerson	Harkey	Niello	
Fuller	Jeffries	Nielsen	

Bill ordered reprinted, and ordered returned to the third reading file.

**SENATE BILL NO. 11 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Torrico**

On behalf of Assembly Member Evans, Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

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

**NOES—22**

Anderson	Gaines	Knight	Norby
Berryhill, T.	Garrick	Logue	Silva
Blakeslee	Gilmore	Miller	Smyth
Cook	Hagman	Nestande	Tran
Emmerson	Harkey	Niello	
Fuller	Jeffries	Nielsen	

Bill ordered reprinted, and ordered returned to the third reading file.

**SENATE BILL NO. 13 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2009.

Bill read third time.

**Motion to Amend by Assembly Member Torrico**

On behalf of Assembly Member Evans, Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

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

**NOES—22**

Anderson	Gaines	Knight	Norby
Berryhill, T.	Garrick	Logue	Silva
Blakeslee	Gilmore	Miller	Smyth
Cook	Hagman	Nestande	Tran
Emmerson	Harkey	Niello	
Fuller	Jeffries	Nielsen	

Bill ordered reprinted, and ordered returned to the third reading file.

**REFERENCE OF BILLS TO COMMITTEE**

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 32 be referred to the Committees on Revenue and Taxation and Appropriations.

**REPORTS OF STANDING COMMITTEES****Committee on Public Employees, Retirement and Social Security**

Date of Hearing: February 22, 2010

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

Senate Bill No. 29

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

HERNANDEZ, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Appropriations**

Date of Hearing: February 22, 2010

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 29

With the recommendation: Do pass.

DE LEÓN, Chair

Above bill ordered to second reading.

**SENATE BILL NO. 29 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING**

By unanimous consent, the following bill was taken up, without reference to file, for purpose of second reading and the bill ordered to the third reading file for the next legislative day.

**SENATE BILL NO. 29**—An act to add Sections 19852.2, 19852.3, and 19852.4 to the Government Code, relating to public employment.

**MESSAGES FROM THE SENATE**

Senate Chamber, February 22, 2010

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

Senate Bill No. 34

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

**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. 3, Evans Amendments:** Blumenfield, De León, and Lieu—Aye; Blakeslee and Smyth—No.

**Assembly Bill No. 1, Concurrence:** Blakeslee, Blumenfield, De La Torre, Hayashi, and Lieu—Aye; Logue—No.

**Assembly Bill No. 3, Concurrence:** Blumenfield, Huber, and Lieu—Aye; Blakeslee, De La Torre, and Smyth—No.

**Assembly Bill No. 7, Urgency and Concurrence:** Blakeslee, Blumenfield, Caballero, De La Torre, and Lieu—Aye.

**Assembly Bill No. 10, Concurrence:** Blakeslee, Blumenfield, Caballero, De La Torre, Hayashi, and Lieu—Aye; Logue and Smyth—No.

**Senate Bill No. 6, Evans Amendments:** Blumenfield, De La Torre, Lieu, and Yamada—Aye; Huber, Logue, and Smyth—No.

**Assembly Bill No. 11, Concurrence:** Blakeslee, Blumenfield, Galgiani, Hayashi, Lieu, and Mendoza—Aye; Anderson—No.

**Assembly Bill No. 12, Concurrence:** Blakeslee, Blumenfield, Galgiani, Hayashi, Huber, Lieu, Mendoza, and Torres—Aye; Anderson—No.

**Assembly Bill No. 2, Concurrence:** Blakeslee, Blumenfield, and Caballero—Aye; Lieu, Nestande, Smyth, and Swanson—No.

**Senate Bill No. 6:** Blumenfield and Lieu—Aye.

**Assembly Bill No. 4, Concurrence:** Blakeslee and Fuller—No.

**Senate Bill No. 5, Evans Amendments by Torrico:** Blakeslee—No.

**Senate Bill No. 7, Evans Amendments by Torrico:** Blakeslee—No.

**Senate Bill No. 8, Evans Amendments by Torrico:** Blakeslee—No.

**Senate Bill No. 10, Evans Amendments by Torrico:** Blakeslee—No.

**Senate Bill No. 11, Evans Amendments by Torrico:** Blakeslee—No.

**Senate Bill No. 13, Evans Amendments by Torrico:** Blakeslee—No.

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 22, 2010

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

Assembly Bill No. 1

Assembly Bill No. 10

Assembly Bill No. 2

Assembly Bill No. 11

Assembly Bill No. 3

Assembly Bill No. 12

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of February, 2010, at 6:30 p.m.

E. DOTSON WILSON, Chief Clerk

#### ADJOURNMENT

At 5:46 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 22, 2010**

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

<b>SB</b>	<b>RN</b>
1	1005962
2	1006211
3	1006350
4	1006219
5	1006574
6	1006595
7	1006250
8	1006270
10	1006409
11	1006500
13	1006484

**Daily Total: 11**

**Cumulative Total: 11**

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