

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, March 22, 2010**

**ONE HUNDRED SEVENTY-FOURTH SESSION DAY  
FOUR HUNDRED SEVENTY-SEVENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, March 22, 2010

The Assembly met at 12 noon.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Silva moved a quorum call of the Assembly.

Motion carried. Time, 12:03 p.m.

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

#### Quorum Present

At 12:23 p.m., Speaker pro Tempore Ma declared a quorum of the Assembly present.

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

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

**PRAYER**

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

*Lord, We live in the natural realm, but as believers in You, we are not limited to this natural realm. We can tap into Your supernatural power and strength by lining up our thoughts and actions with Your truth and Your will. No matter what may happen to us in our life, we know that Your goodness endures forever and Your word is truth.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Ma, Assembly Member Evans 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 Calderon, seconded by Assembly Member Garrick.

**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 Members Anderson and Miller.*

*Because of illness: Assembly Member Saldaña.*

**COMMUNICATIONS**

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

March 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 removed myself from the following Assembly select committees:

- Select Committee on Domestic Violence
- Select Committee on Renewable Energy

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

March 22, 2010

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

Dear Dotson: Please be advised that I have appointed Assemblymember Connie Conway to replace Assemblymember Jeff Miller on the Assembly Transportation Committee for today's hearing only.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

### SPECIAL COMMITTEE MEETINGS

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

Education, Wednesday, March 24, 2010, upon adjournment of the regularly scheduled bill hearing, in Room 447.

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 2010

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

Assembly Bill No. 1642	Assembly Bill No. 1745
Assembly Bill No. 1677	Assembly Bill No. 1830
Assembly Bill No. 1703	Assembly Bill No. 1841
Assembly Bill No. 1712	Assembly Bill No. 1926
Assembly Bill No. 1713	Assembly Bill No. 1955
Assembly Bill No. 1726	Assembly Bill No. 1962
Assembly Bill No. 1728	Assembly Bill No. 1999
Assembly Bill No. 1729	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 22, 2010

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

Assembly Concurrent Resolution No. 115  
Assembly Concurrent Resolution No. 142

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, March 22, 2010

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

Assembly Bill No. 2019	Assembly Bill No. 2191
Assembly Bill No. 2033	Assembly Bill No. 2494
Assembly Bill No. 2080	Assembly Bill No. 2522
Assembly Bill No. 2114	Assembly Bill No. 2578
Assembly Bill No. 2169	Assembly Bill No. 2626
Assembly Bill No. 2179	Assembly Bill No. 2701
Assembly Bill No. 2186	Assembly Bill No. 2756

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 22, 2010

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

Assembly Concurrent Resolution No. 123

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

#### BILLS RETURNED TO THIRD READING FILE

In compliance with notice given on a previous day pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

**Senate Bills Nos. 71, 77, 78, and 79**, on request of Assembly Member Torrico.

#### REQUEST FOR PHOTOGRAPHER

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

**RE-REFERENCE OF BILLS**

Assembly Member Calderon was granted unanimous consent that the following bills be re-referred as noted pursuant to Assembly Rule 96:

Assembly Constitutional Amendment No. 4 from the Committee on Appropriations to the Committee on Rules;

Senate Bill No. 244 from the Committee on Appropriations to the Committee on Rules;

Assembly Bill No. 2066 from the Committee on Insurance to the Committee on Judiciary and to be returned to the Committee on Insurance.

**SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)**

Assembly Member Calderon was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the following committee to notice hearing of the following bill, pending re-referral to the committee:

Committee on Governmental Organization, to hear Assembly Bill No. 142 on Tuesday, March 23, 2010, upon Call of the Chair.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Calderon announced his intention to request that Senate Bill No. 183 be removed from the inactive file.

**CONSIDERATION OF AMENDMENTS TO SENATE BILL NO. 77  
BY UNANIMOUS CONSENT**

Assembly Member Skinner was granted unanimous consent that Assembly Rule 78 be suspended for the purpose of permitting consideration of amendments to Senate Bill No. 77, without reference to file.

**SENATE BILL NO. 77 (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 Skinner**

Assembly Member Skinner moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—44**

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

**NOES—22**

Adams	Emmerson	Jeffries	Smyth
Berryhill, B.	Fuller	Knight	Strickland
Berryhill, T.	Gaines	Logue	Tran
Conway	Garrick	Niello	Villines
Cook	Gilmore	Nielsen	
DeVore	Hagman	Silva	

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

**RECESS**

By unanimous consent, at 12:42 p.m., Speaker pro Tempore Ma declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Skinner introduced women leaders from Iraq:

Ms. Iman Kadhim Abbood, Senior Program Director, Cooperative Housing Foundation, Al-Anbar Province, Mrs. Muntaha Fazaa Abed, Al Muthanna Provincial Council Member, Mrs. Sawsan Shaheed Barto Al-Baaj, Taji Qada Council Member, Ms. Eman A Mohseen Al-Bidhany, Public Affairs Officer, Baghdad Provincial Council, Ms. Ramlah Hameed Ahmed Al-Obaidi, Kirkuk Provincial Council Member, Ms. Baydaa Mahdi Abbas Al-Waeli, Member Taji Qada Council, and Chair, Civil Society Committee, Ms. Iman Jawdat Naji, Kirkuk City Council, and Dr. Amal Ali Sloumy Naser, Assistant Professor, Babylon University.

**RECONVENED**

At 12:44 p.m., the Assembly reconvened.

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

**CAUCUS ANNOUNCEMENTS**

At 12:45 p.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge.

**RECESS**

By unanimous consent, at 12:46 p.m., Speaker pro Tempore Ma declared the Assembly recessed.

**RECONVENED**

At 1:31 p.m., the Assembly reconvened.

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

**CONSIDERATION OF AMENDMENTS TO SENATE BILL NO. 71  
BY UNANIMOUS CONSENT**

Assembly Member Blumenfield was granted unanimous consent that Assembly Rule 78 be suspended for the purpose of permitting consideration of amendments to Senate Bill No. 71, without reference to file.

**SENATE BILL NO. 71 (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 Blumenfield**

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

**Re-reference of Bill to Committee Pursuant to  
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 71 to the Committee on Budget.

**Joint Rule 62(a) Suspended**

Assembly Member Calderon was granted unanimous consent that Joint Rule 62(a) be suspended for the purpose of setting Senate Bill No. 71 for hearing in the Committee on Budget at 1:30 p.m.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee schedule was announced:

Committee on Transportation, today, at 1:30 p.m., in Room 126;

Committee on Budget, today, at 1:30 p.m., in Room 4202;

Committee on Natural Resources, today, at 1:30 p.m., in Room 447;

Joint Committee on the Master Plan for Higher Education, today, at 1:30 p.m., in Room 437.

**RECESS**

By unanimous consent, at 1:36 p.m., Speaker pro Tempore Ma declared the Assembly recessed.

**RECONVENED**

At 3:07 p.m., the Assembly reconvened.

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

**COMMITTEE MEETING ANNOUNCEMENTS**

Speaker pro Tempore Ma announced that the Committee on Rules would meet immediately, in the Tom Bane Rules Committee Room.

**ADJOURN IN MEMORY**

Assembly Member Skinner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jim Gleich of Berkeley.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Beall was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John “Jack” Matthew Grogan of San Jose.

(Assembly Rule 45.5 suspended.)

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

**SENATE BILL NO. 10 (Leno)**—An act to add Part 5.6 (commencing with Section 11160) to Division 2 of the Revenue and Taxation Code, relating to local government finance.

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

**Call of the Assembly**

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

Motion carried. Time, 3:40 p.m.

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

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Calderon announced his intention to request that Senate Bill No. 401 be removed from the inactive file.

**CAUCUS ANNOUNCEMENTS**

At 3:43 p.m., by unanimous consent, the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 3:43 p.m., Speaker pro Tempore Ma declared the Assembly recessed.

**RECONVENED**

At 4:29 p.m., the Assembly reconvened.

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

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

**SENATE BILL NO. 70 (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 Blumenfield**

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

**Consideration of Senate Bill No. 70, as Amended,  
by Unanimous Consent**

Assembly Member Blumenfield was granted unanimous consent to take up Senate Bill No. 70 as amended, without reference to print or file, for purpose of consideration.

**SENATE BILL NO. 70 (Committee on Budget and Fiscal Review)**—An act to amend Sections 6051.8, 6201.8, 6480.1, 7360, 7361.1, 7653.1, and 60050 of, and to add Section 6357.3 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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



Bill passed by the following vote:

**AYES—70**

Adams	De León	Hayashi	Portantino
Ammiano	DeVore	Hernandez	Ruskin
Arambula	Emmerson	Hill	Salas
Bass	Eng	Huber	Silva
Beall	Evans	Huffman	Skinner
Berryhill, B.	Feuer	Jeffries	Smyth
Berryhill, T.	Fletcher	Lieu	Solorio
Blakeslee	Fong	Logue	Strickland
Block	Fuentes	Lowenthal	Swanson
Blumenfield	Fuller	Ma	Torlakson
Bradford	Furutani	Mendoza	Torres
Brownley	Gaines	Monning	Torrico
Calderon	Galgiani	Nava	Tran
Carter	Garrick	Nestande	Villines
Chesbro	Gilmore	Niello	Yamada
Cook	Hagman	Nielsen	Mr. Speaker
Coto	Hall	Norby	
Davis	Harkey	Pérez, V.M.	

**NOES—2**

Buchanan Caballero

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 70: Assembly Member Knight from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate immediately.

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

At 4:37 p.m., on motion of Assembly Member Torlakson, 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 Torlakson moved to continue the call of the Assembly.

Motion carried. Time, 4:38 p.m.

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

**REPORTS OF STANDING COMMITTEES**

**Committee on Budget**

Date of Hearing: March 22, 2010

Mr. Speaker: Your Committee on Budget reports:

Senate Bill No. 71

With the recommendation: Do pass.

BLUMENFIELD, Chair

Above bill ordered to second reading.

**REQUEST FOR UNANIMOUS CONSENT  
TO TAKE UP COMMITTEE REPORT ON SENATE BILL NO. 71**

Assembly Member Blumenfield was granted unanimous consent to take up the Report of the Committee on Budget, as it relates to Senate Bill No. 71, for purpose of second reading.

**Second Reading of Senate Bill No. 71 by Unanimous Consent**

**SENATE BILL NO. 71**—An act to amend Section 26003 of, and to add and repeal Section 26011.8 of, the Public Resources Code, relating to economic development.

Bill read second time, and ordered to third reading.

**Consideration of Senate Bill No. 71  
by Unanimous Consent**

Assembly Member Blumenfield was granted unanimous consent to take up Senate Bill No. 71, without reference to file, for purpose of amendment.

**SENATE BILL NO. 71 (Padilla)**—An act to amend Section 26003 of, and to add and repeal Section 26011.8 of, the Public Resources Code, relating to economic development.

Bill read third time.

**Assembly Rule 69(a) Invoked**

Speaker pro Tempore Ma announced that Assembly Rule 69(a) would be invoked for the purpose of adding coauthors to Senate Bill No. 71

**Members Made Coauthors of Senate Bill No. 71**

The following Assembly Members indicated a desire to become coauthors:

Adams, Ammiano, Arambula, Beall, Bill Berryhill, Tom Berryhill, Blakeslee, Block, Bradford, Brownley, Caballero, Calderon, Carter, Conway, Coto, Davis, Emmerson, Eng, Evans, Feuer, Fletcher, Furutani, Gaines, Galgiani, Gilmore, Hall, Hayashi, Jones, Knight, Lowenthal, Ma, Monning, Nava, Nestande, Nielsen, John A. Pérez, V. Manuel Pérez, Salas, Smyth, Solorio, Strickland, Swanson, Torres, Tran, Villines, and Yamada.

**Motion to Amend by Assembly Member Blumenfield**

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

**Consideration of Senate Bill No. 71, as Amended,  
by Unanimous Consent**

Assembly Member Blumenfield was granted unanimous consent to take up Senate Bill No. 71, as amended, without reference to print or file, for purpose of consideration.

**SENATE BILL NO. 71 (Padilla)**—An act to amend Section 26003 of, and to add and repeal Section 26011.8 of, the Public Resources Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

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

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 22, 2010

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

Assembly Bill No. 142

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, March 22, 2010

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

Assembly Bill No. 183

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

**CONSIDERATION OF SENATE AMENDMENTS—  
ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Caballero was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 183, without reference to file.

**ASSEMBLY BILL NO. 183 (Caballero)**—An act to add and repeal Section 17059.1 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—67**

Adams	Coto	Hall	Pérez, V.M.
Ammiano	Davis	Harkey	Portantino
Arambula	De León	Hayashi	Ruskin
Bass	DeVore	Hernandez	Salas
Beall	Emmerson	Hill	Silva
Berryhill, B.	Eng	Huber	Skinner
Berryhill, T.	Evans	Jeffries	Smyth
Blakeslee	Feuer	Knight	Solorio
Block	Fletcher	Lieu	Strickland
Blumenfield	Fong	Logue	Swanson
Bradford	Fuentes	Lowenthal	Torlakson
Buchanan	Fuller	Ma	Torres
Caballero	Furutani	Mendoza	Torrico
Calderon	Gaines	Monning	Tran
Carter	Garrick	Nava	Villines
Conway	Gilmore	Nestande	Mr. Speaker
Cook	Hagman	Nielsen	

**NOES—2**

Huffman Niello

**Assembly Bill No. 183 Ordered Enrolled Immediately**

Assembly Member Caballero was granted unanimous consent that Assembly Bill No. 183 be ordered enrolled immediately.

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

**SENATE BILL NO. 4 (Oropeza)**—An act to add Section 5008.9 to the Public Resources Code, relating to public resources.

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

Bill passed by the following vote:

**AYES—42**

Ammiano	Chesbro	Hernandez	Portantino
Bass	Coto	Hill	Ruskin
Beall	Davis	Huber	Salas
Block	De León	Huffman	Skinner
Blumenfield	Eng	Jones	Solorio
Bradford	Evans	Lieu	Swanson
Brownley	Feuer	Lowenthal	Torlakson
Buchanan	Fong	Ma	Torrico
Caballero	Furutani	Mendoza	Yamada
Calderon	Galgiani	Monning	
Carter	Hayashi	Nava	

**NOES—27**

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

Bill ordered transmitted to the Senate immediately.

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

At 5:33 p.m., on motion of Assembly Member Torlakson, 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 Torlakson moved to continue the call of the Assembly.

Motion carried. Time, 5:34 p.m.

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

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Bill**

**ASSEMBLY BILL NO. 1684 (Jeffries)**—An act to amend Section 325 of the Code of Civil Procedure, relating to civil actions.

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

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

**Consent Calendar Roll Call**

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

**AYES—73**

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

**NOES—None****COMMITTEE MEETING ANNOUNCEMENTS**

The following committee schedule was announced:

Committee on Governmental Organization, on Tuesday, March 23, 2010, at 1:30 p.m., in Room 444.

**ANNOUNCEMENTS**

Speaker pro Tempore Ma announced the following session schedule:

Tuesday, March 23, 2010, Check-in Session, 7 a.m.–3 p.m.

Wednesday, March 24, 2010, Check-in Session, 7 a.m.–3 p.m.

Thursday, March 25, 2010, Floor Session, 9:30 a.m. Spring Recess begins upon adjournment.

Monday, March 29, 2010, Observance of César Chávez Holiday.

Monday, April 5, 2010, the Legislature reconvenes from Spring Recess.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 142 to the Committee on Governmental Organization.

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

At 5:38 p.m., on motion of Assembly Member Torlakson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 10 refused passage by the following vote:

**AYES—35**

Ammiano	Coto	Hayashi	Ruskin
Arambula	Davis	Hill	Salas
Bass	De La Torre	Huffman	Skinner
Beall	De León	Jones	Swanson
Blumenfield	Eng	Lieu	Torlakson
Bradford	Evans	Lowenthal	Torricon
Brownley	Feuer	Ma	Yamada
Calderon	Fong	Mendoza	Mr. Speaker
Chesbro	Furutani	Nava	

**NOES—29**

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

**Motion to Reconsider Senate Bill No. 10  
on Next Legislative Day**

Assembly Member Torlakson moved to reconsider on the next legislative day the vote whereby Senate Bill No. 10 was this day refused passage.

Senate Bill No. 10 ordered to the unfinished business file.

**ADJOURN IN MEMORY**

Assembly Member Smyth was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dellmae Courtland of Del Mar.

Assembly Member Huber was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Melvin E. Finos of Lodi.

**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. 77, Skinner Amendments:** Hayashi, Huber, Huffman, Lieu, Mendoza, and Torres—Aye; Tom Berryhill, DeVore, Garrick, and Villines—No.

**Senate Bill No. 70:** Beall, Blakeslee, Block, DeVore, Fong, Fuller, Gaines, Gilmore, Hernandez, Hill, Huber, Jeffries, Lieu, Logue, Monning, Portantino, Ruskin, Strickland, and Villines—Aye; Buchanan and Caballero—No.

**Senate Bill No. 71 and Urgency:** Torrico—Aye.

**Assembly Bill No. 183, Concurrence:** Evans—Aye.

**Consent Calendar:** Evans and Fuentes—Aye.

**MOTION TO ADJOURN**

At 5:40 p.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 5:40 p.m., Speaker pro Tempore Ma declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 147—Lieu and Niello.**  
Relative to Financial Aid and Literacy Month.

**ASSEMBLY CONCURRENT RESOLUTION NO. 148—Charles Calderon.**  
Relative to the Armenian Martyrs Memorial.

**HOUSE RESOLUTION NO. 27—John A. Pérez.** Relative to the Committee on Business and Professions.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following resolution was referred to committee:

<i>House</i>		<i>Committee</i>
<i>Resolution No.</i>		<i>Rls.</i>
27	-----	

**AUTHOR’S AMENDMENTS**

**Committee on Health**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 2042

Assembly Bill No. 2590

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

MONNING, Chair

**ASSEMBLY BILL NO. 2042**—An act to amend Section 123195 of the Health and Safety Code, relating to public health.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 2590**—An act to amend Section 121010 of the Health and Safety Code, relating to public health.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS**

**Committee on Transportation**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1760

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

LOWENTHAL, Chair



**ASSEMBLY BILL NO. 1760**—An act to add and repeal Article 6.5 (commencing with Section 217) of Chapter 1 of Division 1 of the Streets and Highways Code, relating to transportation.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS**  
**Committee on Higher Education**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Higher Education reports:  
Assembly Bill No. 2159

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

BLOCK, Chair

**ASSEMBLY BILL NO. 2159**—An act to repeal Section 68130.5 of the Education Code, to add Article 5 (commencing with Section 275) to Chapter 3 of Part 1 of Division 2 of the Military and Veterans Code, and to repeal Section 1 of Chapter 814 of the Statutes of 2001, relating to postsecondary education.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS**  
**Committee on Education**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 2635

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

BROWNLEY, Chair

**ASSEMBLY BILL NO. 2635**—An act to amend Section 60061 of the Education Code, relating to instructional material.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS**  
**Committee on Housing and Community Development**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:  
Assembly Bill No. 2120

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

TORRES, Chair

**ASSEMBLY BILL NO. 2120**—An act to amend Section 798.15 of the Civil Code, relating to mobilehomes.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Public Safety**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1813

Assembly Bill No. 2141

Assembly Bill No. 2263

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

AMMIANO, Chair

**ASSEMBLY BILL NO. 1813**—An act to amend Section 6254.21 of the Government Code, relating to public officials.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 2141**—An act to add Section 790.5 to the Welfare and Institutions Code, relating to juvenile offenders.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 2263**—An act to amend and repeal Sections 186.22, 186.33, 1170, 1170.1, 1170.3, 12021.5, 12022.2, and 12022.4 of the Penal Code, relating to sentencing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Local Government**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 2003

Assembly Bill No. 2184

Assembly Bill No. 2483

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

SMYTH, Chair

**ASSEMBLY BILL NO. 2003**—An act to add Section 50035 to the Government Code, relating to local government.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 2184**—An act to amend Section 13 of the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to the Fresno Metropolitan Flood Control District.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 2483**—An act to repeal the Santa Clara Valley Water District Act (Chapter 1404 of the Statutes of 1951) and to add Division 50 (commencing with Section 100000) to the Water Code, relating to the Santa Clara Valley Water District.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS  
Committee on Rules**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Rules reports:

Assembly Concurrent Resolution No. 137

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

SKINNER, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 137**—Relative to Latino Education and Advocacy Week.

Resolution read; author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS  
Committee on Rules**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Rules reports:

Assembly Concurrent Resolution No. 144

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

SKINNER, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 144**—Relative to Genocide Awareness and Prevention Month.

Resolution read; author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS  
Committee on Education**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 2320

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

BROWNLEY, Chair

**ASSEMBLY BILL NO. 2320**—An act to amend Sections 47605, 47605.8, and 47607 of, and to add Section 47604.1 to, the Education Code, relating to charter schools.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Insurance**

March 22, 2010

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 2030

Assembly Bill No. 2423

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

SOLORIO, Chair

**ASSEMBLY BILL NO. 2030**—An act to add Article 2.2 (commencing with Section 1301) to Chapter 5 of Part 1 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 2423**—An act to amend Section 62.5 of the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Judiciary**

Date of Hearing: March 16, 2010

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1596

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

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: March 16, 2010

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1738

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

FEUER, Chair

Above bill ordered to second reading.

**Committee on Higher Education**

Date of Hearing: March 16, 2010

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1691

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

PORTANTINO, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: March 16, 2010

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1656

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

FEUER, Chair

Above bill ordered to second reading.

**Committee on Rules**

Date of Hearing: March 22, 2010

Mr. Speaker: Your Committee on Rules reports:

Assembly Constitutional Amendment No. 4

With the recommendation: That the resolution be re-referred to the Committee on Budget.

SKINNER, Chair

Above resolution re-referred to the Committee on Budget.

**Committee on Elections and Redistricting**

Date of Hearing: March 16, 2010

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

Assembly Bill No. 1668

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

FONG, Chair

Above bill ordered to second reading.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 22, 2010

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

Assembly Bill No. 183

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

E. DOTSON WILSON, Chief Clerk

**INTRODUCTION OF GUESTS**

Assembly Member Silva, of the 67th Assembly District, introduced Mike and Chrys Vollmer and Marvin and Sue Johnson of Huntington Beach.

Assembly Member Carter, of the 62nd Assembly District, introduced members of the Delta Sigma Theta Sorority, Incorporated with Regional Director Laverne Gray Davis and Regional Representative Krystle Evans.

**ADJOURNMENT**

At 6:30 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 7 a.m., Tuesday, March 23, 2010 out of respect to the memory of Jim Gleich, on motion of Assembly Member Skinner; out of respect to the memory of John "Jack" Matthew Grogan, on motion of Assembly Member Beall; out of respect to the memory of Dellmae Courtland, on motion of Assembly Member Smyth; and out of respect to the memory of Melvin E. Finos, on motion of Assembly Member Huber.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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

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

**AB RN**

1760	1008087
1813	1007394
2003	1007053
2030	1008054
2042	1007806
2120	1007782
2141	1007930
2159	1007404
2184	1007789
2263	1007628
2320	1008033
2423	1007577
2483	1007939
2590	1007766
2635	1007343

**ACR RN**

137	1008228
144	1008042

**SB RN**

70	1008051
71	1008262
71	1008297
77	1008050

<b>Daily Total:</b>	<b>21</b>
<b>Cumulative Total:</b>	<b>2800</b>