CALIFORNIA LEGISLATURE 2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 24, 2009

NINETY-SECOND SESSION DAY

TWO HUNDRED SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. 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 Thursday, June 24, 2009

The Assembly met at 9 a.m.

Hon. Lori Saldaña, 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 Cook moved a quorum call of the Assembly. Motion carried.

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

Quorum Present

At 9:23 a.m., Speaker pro Tempore Saldaña declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Assembly Member Skinner of the 14th Assembly District:

Father, For this new day with its promise and potential, we thank You. May our part in this day be full of meaning and hope for others. May our efforts and our words be characterized by kindness and give expression to the good will and truth that is within us. May they also be the key which unlocks the good and truth in others.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Assembly Member Knight 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 Duvall.

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2009-611.1 June 24, 2009

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California

Members of the Assembly: The Bureau of State Audits presents its analysis concerning the State's efforts to develop the necessary infrastructure to administer federal funds received under the American Recovery and Reinvestment Act of 2009 (Recovery Act). This analysis follows up on the identification of the State's implementation of the Recovery Act as a high-risk issue area in our April 2009 report titled *California's System for Administering Federal Recovery Act Funds* (2009-611).

Our analysis concludes that although some departments have exhibited more progress than others, none of the four departments we assessed—the Department of Education, the Department of Health Care Services, the Employment Development Department, and the Department of Social Services—are fully prepared to administer Recovery Act funding. Representatives from each of the four departments generally stated that they intend to rely on internal controls already in place for existing federal programs to administer Recovery Act funding. However, in our May 2009 report titled *State of California: Internal Control and State and Federal Compliance Audit Report for the Fiscal Year Ended June 30, 2008* (2008-002), we noted 30 internal control weaknesses related to certain compliance requirements and federal programs for which the four departments we assessed expect to receive Recovery Act funds in fiscal years 2008–09 and 2009–10. We

assessed the departments' status in correcting these control weaknesses and found that progress has been limited—the departments appear to have corrected only four, are still in the process of correcting 22, and have taken minimal or no action for the remaining four.

Further, some of the departments are uncertain as to whether they will be able to meet some of the reporting requirements established under Section 1512 of the Recovery Act, whereas other departments that administer entitlement or mandatory programs believe they are exempt from these reporting requirements. All four departments indicated they are either seeking or awaiting additional guidance from the federal government regarding these reporting requirements or are seeking guidance on other Recovery Act provisions. Finally, although the California Federal Economic Stimulus Task Force has provided general guidance for securing and applying for funds that are potentially available under the Recovery Act, we believe it should provide a more detailed framework to state departments for administering Recovery Act funding.

Respectfully submitted,

ELAINE M. HOWLE, CPA State Auditor

Above report referred to the Committee on Jobs, Economic Development, and the Economy.

REPORTS

The following reports were presented by the Chief Clerk:

Data to Facilitate Legislative Review of the Outcomes of the Dual Agency Program and Payment Changes (Pursuant to Welfare and Institutions Code, Section 11464(h))

Above transmitted report, together with letter of transmittal from John A. Wagner, Director, Department of Social Services, dated June 9, 2009, referred by the Speaker to the Committee on Human Services.

2007 Ethics Advisory Committee Report (Pursuant to Title 8, California Code of Regulations, Section 9722(c) (4))

Above transmitted report, together with letter of transmittal from John C. Duncan, Director, Department of Industrial Relations, dated June 24, 2009, referred by the Speaker to the Committee on Insurance.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 24, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 847

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 24, 2009

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

House Resolution No. 16

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REQUEST FOR PHOTOGRAPHER

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

RE-REFERENCE OF BILLS

Assembly Member Torrico was granted unanimous consent that the following bills be re-referred as noted:

Senate Bill No. 774 from the Committee on Public Safety to the Committee on Human Services and to be returned to the Committee on Public Safety;

Senate Bill No. 822 from the Committee on Appropriations to the Committee on Local Government and to be returned to the Committee on Appropriations.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 315, on request of Assembly Member Lieu.

BILL RETURNED TO SENATE

Upon request of Assembly Member Brownley, Assembly Member Torrico was granted unanimous consent that Assembly Bill No. 399 be returned to the Senate for further action.

BILLS REMOVED FROM CONSENT CALENDAR

The following resolution was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Concurrent Resolution No. 42, on request of Assembly Member Gaines.

CAUCUS ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced that the Democratic Caucus would meet in the Assembly Lounge and the Republican Caucus would meet in the Tom Bane Rules Committee Room, immediately.

RECESS

By unanimous consent, at 9:57 a.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 10:57 a.m., the Assembly reconvened.

Hon. Karen Bass, Speaker of the Assembly, presiding.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 24, 2009

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

Assembly Bill No. 176

And reports the same correctly enrolled, and presented to the Governor on the 24th day of June, 2009, at 10:50 a.m.

E. DOTSON WILSON, Chief Clerk

CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

SENATE BILL NO. 62 (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

Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

SENATE BILL NO. 76 (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

Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF SENATE BILL NO. 62, AS AMENDED, BY UNANIMOUS CONSENT

Assembly Members Evans was granted unanimous consent to take up Senate Bill No. 62 as amended, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 62 (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 0250-001-0001, 0250-001-0159, 0250-001-0932, 0250-001-3037, 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0250-301-0660, 0250-301-3037, 0502-001-0001, 0502-001-9740, 0510-001-0001, 0510-001-9740, 0520-001-0001, 0520-001-0044, 0530-001-9732, 0540-001-0140, 0540-001-6031, 0540-001-6051, 0555-001-0028, 0555-001-0044, 0555-001-0235, 0540-490. 0559-001-0001. 0559-001-3078, 0650-001-0001, 0650-001-0890, 0690-001-0001, 0690-001-0890, 0690-001-6061, 0690-101-0890, 0690-102-0214, 0690-102-0890, 0820-001-0001, 0840-011-0988, 0855-111-0367, 0860-001-0001, 0860-001-0022, 0860-001-0061, 0860-001-0623, 0860-001-3015, 0950-001-0001, 0950-001-9740, 0968-001-0457, 1111-002-0582, 1730-001-0001, 1730-001-0044, 1730-001-0644, 1730-001-0242, 1760-001-0666, 1760-101-0022, 1870-001-0001, 1870-001-0890, 1870-101-0890, 1880-001-0001, 1900-015-0815, 1900-015-0820, 1900-015-0830, 1900-015-0833, 1900-015-0884, 2240-001-0648, 2240-101-0001, 2240-101-0890, 2320-001-0317, 2660-001-0042, 2660-001-0890, 2660-001-6801, 2660-002-3007, 2660-002-3008, 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6064, 2660-004-6072, 2660-102-0890, 2660-302-0042, 2660-302-0890. 2660-303-0042. 2660-491. 2600-102-0890, 2600-302-0042, 2600-302-0690, 2600-303-0042, 2600-491, 2665-004-6043, 2670-001-0290, 2720-001-0044, 2720-001-0840, 2720-001-0890, 2720-301-0044, 2740-001-0044, 2740-001-0014, 3340-001-0318, 3340-001-6051, 3360-001-0381, 3360-001-0465, 3360-001-0890, 3360-001-3117, 3480-001-0001, 3480-001-0133, 3480-001-0141, 3480-001-0336, 3480-001-3046, 3480-101-0005, 3540-001-0001, 3540-001-0140, 3540-001-0235, 3540-001-0890, 3540-001-3120, 3600-001-0001, 3600-001-0005, 3600-001-0200, 3790-001-0392, 3790-301-6051, 3790-001-0235, 3790-001-0263, 3790-490, 3810-001-0140, 3810-301-6031, 3855-001-0140, 3860-001-0001. 3790-497, 3860-001-0140, 3860-001-0404, 3860-001-0890, 3860-001-3057, 3860-001-6052, 3860-101-6052, 3860-301-6052, 3910-001-0387, 3910-001-09890,3930-001-0106, 3940-001-00235, 3940-001-0439, 3940-001-0890, 3940-101-0001, 3960-001-0014, 3960-001-0557, 3980-001-0001, 3980-001-0044, 3980-001-0166, 3980-001-0557, 3980-001-3056, 4120-101-0001, 4170-001-0001, 4170-001-0890, 4170-101-0890, 4200-001-0367, 4200-001-0890, 4200-001-3113, 4200-001-3146,

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  7350-011-0001, 7350-012-0001, 7980-101-0784, 7980-490, 8550-001-3153, 8550-011-3153, 8855-011-0001, 8940-001-3085, and 9350-104-6065 to, and by repealing Items 0558-001-0001, 0650-001-0214, 0650-011-0001, 0650-101-0214, 1760-001-0001, 1760-001-0022, 1760-301-0001, 1760-301-0042, 1760-301-0044, 1760-301-0200, 1760-301-0768, 1955-001-9730, 3480-101-0867, 3600-001-0426, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-001, 1000-0
 3860-101-0544, 4200-001-3019, 4200-101-3019, 4200-105-0001, 4260-101-0236, 4260-111-0233, 4265-111-0232, 4265-111-0233, 4265-111-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-104-0236, 4280-1
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Sections 3.60, 3.90, 4.01, 4.12, 12.00, 12.32, 12.42, 17.00, 25.50, and 35.50 of, by adding Sections 3.55, 4.85, 8.55, 12.45, 12.50, 12.55, 13.10, 13.25, 13.50, 15.30, 17.50, 17.80, 18.00, 18.10, 18.20, 18.30, 18.40, 18.50, 24.60, and 25.25 to, and by repealing Section 24.65 of, that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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, 11:44 a.m.

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

RECESS

By unanimous consent, at 11:45 a.m., Speaker Bass declared the Assembly recessed.

RECONVENED

At 2:04 p.m., the Assembly reconvened.

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

At 2:15 p.m., Assistant Speaker pro Tempore Hall, 52nd District, presiding

RECESS

By unanimous consent, at 2:15 p.m., Assistant Speaker pro Tempore Hall declared the Assembly recessed to permit the introduction of a special guest.

Assembly Members Cook, Saldaña, Salas, and Gilmore introduced and welcomed Major General Michael Lenert, United States Marine Corps.

Assembly Member Cook then presented a resolution commending Major General Michael Lenert on his 36 years of service to the Marine Corps and to the United States of America whereupon Major General Lenert addressed the assemblage.

RECONVENED

At 2:21 p.m., the Assembly reconvened.

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

At 2:21 p.m., Speaker pro Tempore Saldaña, 76th District, presiding

RECESS

By unanimous consent, at 2:22 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Furutani introduced the Japanese Chamber of Commerce of Northern California (JCCNC) and the Japan Business Association of Southern California (JBA).

RECONVENED

At 2:24 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE (RESUMED) SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 272, ordered to third reading;

Senate Bill No. 226, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 680—An act to amend Sections 48301, 48306, 48307, 48310 and 48313 of, and to repeal Sections 48314.5 and 48315 of, the Education Code, relating to school attendance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 428—An act to amend Section 1 of Chapter 937 of the Statutes of 1931, relating to tide and submerged lands.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 527—An act to amend Section 21204 of the Vehicle Code, relating to bicycles.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 682—An act to add Section 52377.5 to the Education Code, relating to individuals with exceptional needs.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 176—An act to amend Section 395.5 of the Public Utilities Code, relating to electricity.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 18—An act to amend Section 368 of the Penal Code, relating to crimes.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 290—An act to amend Section 1946.1 of the Civil Code, relating to tenancy.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 320—An act to amend Sections 1716 and 1717 of the Code of Civil Procedure, relating to judgments.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 641—An act to amend Sections 6008.6 and 6140 of, to add Sections 6140.37 and 6161.2 to, to add Article 10.2 (commencing with Section 6174) to Chapter 4 of Division 3 of, and to add and repeal Section 6140.38 of, the Business and Professions Code, relating to the State Bar Act.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 786—An act to amend Section 425.16 of the Code of Civil Procedure, relating to civil procedure.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 40—An act to repeal and add Section 1798.89 of the Civil Code, and to amend Section 4506 of the Family Code, relating to social security numbers.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 319—An act to amend Section 209 of the Code of Civil Procedure, relating to jury service.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 743—An act to amend Section 1799.111 of the Health and Safety Code, relating to mental health.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 640—An act to amend Sections 52302.2 and 52302.8 of the Education Code, relating to career technical education.

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

SENATE BILL NO. 751—An act to amend Section 44275.4 of, and to add Article 14 (commencing with Section 44401) to Chapter 2 of Part 25 of Division 3 of Title 2 of, the Education Code, relating to teachers.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

UNFINISHED BUSINESS MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 964 and 761 and Senate Bill No. 116 were continued until the next legislative day.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolution

ASSEMBLY CONCURRENT RESOLUTION NO. 72 (Huffman)—Relative to Pain Awareness Month.

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

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

Consent Calendar—Senate Bills

SENATE BILL NO. 171 (Pavley)—An act to amend Sections 44839 and 44839.5 of the Education Code, relating to public schools.

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.)

SENATE BILL NO. 198 (Cogdill)—An act to amend Section 32130.6 of the Health and Safety Code, relating to health care districts.

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 198. See page 2237.)

SENATE BILL NO. 673 (Cox)—An act to amend Section 15956 of the Public Utilities Code, relating to public utility districts.

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.)

SENATE CONCURRENT RESOLUTION NO. 41 (Yee)—Relative to California Microenterprise Development Month.

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

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

SENATE BILL NO. 512 (Committee on Education)—An act to amend Sections 44221, 44225.6, 44251, 44259, 44263, 44332.5, 44421, 44422, 44426, 44830.7, 44853, 44856, 44917, 44980, 44987.3, 52127, 52163, and 52165 of the Education Code, relating to teacher credentialing.

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 bills on the Consent Calendar passed, by the following vote:

AYES-72

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

NOES-None

REQUEST TO RESCIND ACTION AND EXPUNGE RECORD ON SENATE BILL NO. 198

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. 198.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Senate Bill No. 198, on request of Assembly Member Tom Berryhill.

ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced the following session schedule:

Thursday, June 25, 2009, Floor Session, 9:30 a.m.

Friday, June 26, 2009, Upon Call of the Speaker;

Saturday, June 27, 2009, Upon Call of the Speaker;

Sunday, June 28, 2009, Upon Call of the Speaker.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY **CLAUSE TO SENATE BILL NO. 62**

At 2:31 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 urgency clause to Senate Bill No. 62 refused adoption by the following vote:

AYES-48

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

NOES-30

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

Motion to Reconsider Senate Bill No. 62 on Next Legislative Day

Assembly Member Evans moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 62 was this day refused adoption.

Senate Bill No. 62 ordered to the unfinished business file.

CAUCUS ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced that the Republican Caucus would meet in the Tom Bane Rules Committee Room, upon adjournment of Floor session.

ADJOURN IN MEMORY

Assembly Member Carter was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Seba Limbiko Tembo of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Logue was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ed Freeman of Boise, Idaho.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George Tsakopolous of Carmichael.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Yamada was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William A. Martindale of Vacaville.

Assembly Member Carter was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Melba Glanton Minter of San Bernardino.

Assembly Member Chesbro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Young of Healdsburg and Susan B. Jordan of Redwood Valley.

VOTE ADDS

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

Consent Calendar: Adams, Caballero, Carter, Hayashi, Jeffries, Nielsen, Tran, and Villines—Aye.

Senate Bill No. 62 and Urgency: Adams—No.

MOTION TO ADJOURN

At 2:40 p.m., Assembly Member Krekorian moved that the Assembly do now adjourn.

Assembly Member Evans seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:41 p.m., Speaker pro Tempore Saldaña declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 19—Cook. Relative to the 4th of July.

AUTHOR'S AMENDMENTS Committee on Revenue and Taxation

June 24, 2009

Mme. Speaker: The Chair of your Committee on Revenue and Taxation reports: Senate Joint Resolution No. 1

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

CALDERON, Chair

SENATE JOINT RESOLUTION NO. 1—Relative to the Sales Tax Fairness and Simplification Act.

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 Human Services

June 24, 2009

Mme. Speaker: The Chair of your Committee on Human Services reports: Senate Bill No. 516

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

BEALL, Chair

SENATE BILL NO. 516—An act to add and repeal Article 4.5 (commencing with Section 18736) of Chapter 3 of Part 10.2 of the Revenue and Taxation Code, and to add Chapter 4 (commencing with Section 2200) to Division 2.5 of the Welfare and Institutions Code, relating to the California Youth Legislature.

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 Environmental Safety and Toxic Materials

June 24, 2009

Mme. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 346

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

CHESBRO, Chair

SENATE BILL NO. 346—An act to add Article 13.5 (commencing with Section 25250.50) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous materials.

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 AMENDMENTSCommittee on Public Safety

June 24, 2009

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

Senate Bill No. 282

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

ARAMBULA, Chair

SENATE BILL NO. 282—An act to amend Section 186.22a of the Penal Code, relating to gangs.

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 Judiciary

June 24, 2009

Mme. Speaker: The Chair of your Committee on Judiciary reports: Senate Bill No. 188 Senate Bill No. 510

Senate Bill No. 340 Senate Bill No. 555

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

FEUER, Chair

SENATE BILL NO. 188—An act to add Section 527.85 to the Code of Civil Procedure, relating to temporary restraining orders.

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. **SENATE BILL NO. 340**—An act to add Article 9 (commencing with Section 17600) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to advertising.

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.

SENATE BILL NO. 510—An act to amend Section 10139.5 of the Insurance Code, relating to structured settlements.

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.

SENATE BILL NO. 555—An act to add Section 1240.055 to the Code of Civil Procedure, relating to eminent domain.

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 Natural Resources

June 24, 2009

Mme. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 832

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

SKINNER, Chair

SENATE BILL NO. 832—An act to amend Sections 44510, 44525, and 44525.7 of, and to repeal Section 44525.5 of, the Health and Safety Code, and to amend Sections 6206.5 and 41780 of the Public Resources Code, relating to resources, and declaring the urgency thereof, to take effect immediately.

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 Appropriations

June 24, 2009

Mme. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 818

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

DE LEÓN, Chair

SENATE BILL NO. 818—An act to amend Sections 179 and 179.5 of the Military and Veterans Code, relating to military and veterans.

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 Business and Professions

June 24, 2009

Mme. Speaker: The Chair of your Committee on Business and Professions reports:

Senate Bill No. 132 Senate Bill No. 374

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

HAYASHI, Chair

SENATE BILL NO. 132—An act to add Chapter 7.8 (commencing with Section 3575) to Division 2 of the Business and Professions Code, relating to healing arts, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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.

SENATE BILL NO. 374—An act to add Chapter 2.7 (commencing with Section 18900) to Division 8 of the Business and Professions Code, relating to personal trainers.

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 Utilities and Commerce

June 24, 2009

Mme. Speaker: The Chair of your Committee on Utilities and Commerce reports: Senate Bill No. 695

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

FUENTES, Chair

SENATE BILL NO. 695—An act to amend Sections 327, 382, 739.1, and 747 of, and to add Sections 365.1, 739.9, and 745 to, the Public Utilities Code, and to amend Section 80110 of the Water Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

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 Judiciary

June 24, 2009

Mme. Speaker: The Chair of your Committee on Judiciary reports:

Senate Bill No. 392

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

FEUER, Chair

SENATE BILL NO. 392—An act to amend Sections 7025, 7028.5, 7029, 7065, 7065.1, 7065.5, 7068, 7068.1, 7068.2, 7069, 7071, 7071.8, 7071.9, 7071.11, 7071.17, 7072.5, 7075.1, 7076, 7076.2, 7085.6, 7090.1, 7096, 7121, 7121.1, 7121.5, 7121.6, 7122, 7122.1, 7122.2, 7122.5, 7137, 7138, 7152, 7159, and 7159.10 of, and to add Section 7071.19 to, the Business and Professions Code, and to amend Section 17002 of the Corporations Code, relating to contractors, 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.

AUTHOR'S AMENDMENTSCommittee on Higher Education

June 24, 2009

Mme. Speaker: The Chair of your Committee on Higher Education reports: Senate Bill No. 48

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

PORTANTINO, Chair

SENATE BILL NO. 48—An act to add Section 66410 to the Education Code, relating to college textbooks.

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 Health

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Health reports:

Assembly Joint Resolution No. 17 With the recommendation: Be adopted.

JONES, Chair

Above resolution ordered to third reading.

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Health reports:

Senate Bill No. 54 Senate Bill No. 303

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

JONES, Chair

Above bills re-referred to the Committee on Judiciary.

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Health reports:

Senate Bill No. 173

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

JONES, Chair

Above bill re-referred to the Committee on Agriculture.

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Health reports:

Senate Bill No. 470

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

JONES Chair

Above bill re-referred to the Committee on Business and Professions.

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Health reports:

Senate Joint Resolution No. 7

With the recommendation: Be adopted.

JONES, Chair

Above resolution ordered to third reading.

Committee on Public Safety

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 135

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

ARAMBULA, Chair

Above bill ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: June 23, 2009

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

Senate Bill No. 288 Senate Bill No. 387

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

FONG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2009

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

Senate Bill No. 740

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

FONG, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2009

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

Assembly Constitutional Amendment No. 2

Assembly Constitutional Amendment No. 3

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

FONG, Chair

Above resolutions re-referred to the Committee on Appropriations.

Committee on Higher Education

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Joint Resolution No. 2

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

PORTANTINO, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 645

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTANTINO, Chair

Above bill ordered to second reading.

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 511

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

PORTANTINO, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: June 23, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 361

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs with recommendation: To Consent Calendar.

PORTANTINO, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Committee on Education

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 106

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

BROWNLEY, Chair

Above bill ordered to second reading.

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 572

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

BROWNLEY, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: June 22, 2009

Mme. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 581

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

FUENTES, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: June 22, 2009

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 722

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

SKINNER, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: June 16, 2009

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 678

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

ARAMBULA, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, June 24, 2009

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

Assembly Bill No. 18
Assembly Bill No. 528
Assembly Bill No. 688

Assembly Bill No. 1582
Assembly Bill No. 688

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.

Senate Chamber, June 24, 2009

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

Assembly Bill No. 81
Assembly Bill No. 332
Assembly Bill No. 332
Assembly Bill No. 348
Assembly Bill No. 401
Assembly Bill No. 409
Assembly Bill No. 409
Assembly Bill No. 409
Assembly Bill No. 1286

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

Above bills ordered enrolled.

Senate Chamber, June 24, 2009

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

Senate Bill No. 307

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

Senate Chamber, June 24, 2009

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 39

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 307—An act to add Section 52322.5 to the Education Code, relating to regional occupational centers or programs, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 39—Relative to Amyotrophic Lateral Sclerosis Awareness Month.

INTRODUCTION OF GUESTS

Assembly Member Caballero, of the 28th Assembly District, introduced Hon. Eugenia Sanchez, Mayor of Hollister.

Assembly Members Anderson and Coto, introduced Edwin Thorpe, Chairman, Barona Band of Mission Indians.

Speaker pro Tempore Saldaña, of the 76th Assembly District, introduced Curt Pringle, former Speaker of the Assembly.

ADJOURNMENT

At 3:30 p.m., pursuant to the motion by Assembly Member Krekorian, the Assembly adjourned until 9:30 a.m., Thursday, June 25, 2009, out of respect to the memory of Seba Limbiko Tembo, on motion of Assembly Member Carter; out of respect to the memory of Ed Freeman, on motion of Assembly Member Logue; out of respect to the memory of George Tsakopolous, on motion of Assembly Member Niello; out of respect to the memory of William A. Martindale, on motion of Assembly Member Yamada; out of respect to the memory of Melba Glanton Minter, on motion of Assembly Member Carter; and out of respect to the memory of Robert Young and Susan B. Jordan, on motion of Assembly Member Chesbro.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 24, 2009

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

SB	RN
48	0918364
62	0918338
76	0918396
132	0917938
188	0917368
282	0918315
340	0918372
346	0917960
374	0917844
392	0917995
510	0917856
516	0918340
555	0917993
640	0917692
680	0917675
682	0917682
695	0918018
751	0917746
818	0918299
832	0917847
CID	DN
SJR	RN
1	0918000

Daily Total: 21 Cumulative Total: 1901