

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 24, 2009

ONE HUNDRED TWELFTH SESSION DAY

TWO HUNDRED SIXTY-SEVENTH 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
Monday, August 24, 2009

The Assembly met at 12 noon.

Hon. Karen Bass, Speaker 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 Torrico moved a quorum call of the Assembly.

Motion carried. Time, 12:17 p.m.

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

Quorum Present

At 12:27 p.m., Speaker Bass declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—77:

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

PRAYER

Upon invitation of Speaker Bass, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, Every one, no matter how much faith they may have, or how good a person they are, will face disappointments. Lord, You don't send us the storms in our life, but You allow us to go through certain things in order to shape our character and prove our faith. Help us to grow spiritually and to be more like You, to extend forgiveness to others, and to glorify You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Bass, Assembly Member Davis then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Torrico, seconded by Assembly Member Blakeslee.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Hall.

Because of illness: Assembly Member Saldaña.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence were ordered printed in the Journal:

August 24, 2009

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I am writing to respectfully request to be excused from session on Monday, August 24, 2009 to attend a funeral and legislative business.

I am also respectfully requesting to be excused from check-in session on Tuesday, August 25, 2009 to attend to legislative business.

Thank you for your prompt attention to this matter.

Sincerely,

ISADORE HALL III, Assembly Member
Fifty-second District

COMMUNICATIONS

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

August 24, 2009

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

Dear Dotson: Please be advised that I have appointed Assemblymember Warren Furutani to replace Assemblymember Lori Saldaña on the Assembly Revenue and Taxation Committee for today's hearing only

Sincerely,

KAREN BASS
Speaker of the Assembly

August 21, 2009

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

RE: Appointment of Esther Sanchez
to California Coastal Commission

Dear Mr. Wilson: Please be advised I have appointed Councilmember Esther Sanchez to the California Coastal Commission. This is a term appointment starting August 21, 2009 and the expiration date is May 20, 2013.

Sincerely,

KAREN BASS
Speaker of the Assembly

August 21, 2009

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

RE: Appointment of Mark Stone
to California Coastal Commission

Dear Mr. Wilson: Please be advised I have appointed Supervisor Mark Stone to the California Coastal Commission. This is a term appointment starting August 21, 2009 and the expiration date is May 20, 2013.

Sincerely,

KAREN BASS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Veterans Affairs, Thursday, August 27, 2009, Upon Call of the Chair, in the Tom Bane Rules Committee Room;

Joint Committee on Emergency Management, to meet jointly with the Senate Health Committee and the Senate Select Committee on Disaster and Emergency Response, Thursday, August 27, 2009, at 9 a.m., or upon adjournment of Senate Floor Session, in Room 112.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 24, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 11

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REPORTS

The following reports were presented by the Chief Clerk:

**California Recycle Underutilized Sites (CalReUSE) Program
Annual Report of Activities for FY 2008–09
(Pursuant to Health and Safety Code section 53545.14(b))**

Above transmitted report, together with letter of transmittal from Michael Paparian, Executive Director, California Pollution Control Financing Authority, dated August 19, 2009, referred by the Speaker to the Committee on Housing and Community Development.

**Defensible Space Inspection Report, 2008
(Pursuant to Public Resources Code Section 4137(b))**

Above transmitted report, together with letter of transmittal from Del Walters, Director, Department of Forestry and Fire Protection, dated August 14, 2009, referred by the Speaker to the Committee on Natural Resources.

**Firearms Used in the Commission of Crimes, 2008
(Pursuant to Penal Code Section 12039)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 14, 2009, referred by the Speaker to the Committee on Public Safety.

**2009 OAL Determination No. 18(s)
(Pursuant to Government Code Section 11340.5
Code of Regulations, Title 1, Section 270(f))**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated August 12, 2009, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Toll Bridge Seismic Retrofit Program, Quarterly Report
Second Quarter, 2009
(Pursuant to Streets and Highway Code Section 30952.2)**

Above transmitted report, together with letter of transmittal from Richard A. Harmon, Assistant Deputy Director, Department of Transportation, dated August 17, 2009, referred by the Speaker to the Committee on Transportation.

**Emergency Medical Services Fund (EMS)
(Pursuant to Health and Safety Code Section 1797.98a) from:**

Glenn County, Deborah Storz, Assistant Director of Finance, dated August 11, 2009.

Referred by the Speaker to the Committee on Health.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolutions were referred to committee:

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
88 -----	Ed.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
53 -----	J., E.D. & E.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
12 -----	Pub. S.
15 -----	Health

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file.

Senate Bill No. 19, on request of Assembly Member Torrico;

Senate Bill No. 827, on request of Assembly Member Krekorian.

RECESS

By unanimous consent, at 12:30 p.m., Speaker Bass declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Hayashi introduced Jennifer Sakai, wife of Oakland Police Officer, Sergeant Daniel Sakai of Castro Valley. Sergeant Sakai and fellow Oakland Police Officers, Sergeant Mark Dunakin of Tracy, Sergeant Ervin Romans of Danville, and Officer John Hege of Concord were tragically killed in the line of duty on March 21, 2009.

Assembly Member Hayashi recognized Interim Police Chief, Howard Jordan, Sergeant Patrick Gonzales, Sergeant Mike Beaver, Sergeant Mike Reilly, SWAT Officer Casey Johnson, SWAT Officer Lawrence Low, and SWAT Officer Matt McGiffert from the Oakland Police Department, who joined Mrs. Sakai in the rear of the Assembly Chamber. Honoring Sergeant Sakai from the Assembly Gallery were Ron Cottingham, President, Peace Officers Research Association of California, Mike Durant, Vice President, Peace Officers Research Association of California, Aaron Read, Randy Perry, Oakland Police Officer Jeff Thomason, Oakland Police Officer Cesar Garcia, and Oakland Police Officer John Fukuda.

Assembly Member Hayashi presented a resolution to Jennifer Sakai in tribute to the memory and brave service of her husband, Sergeant Daniel Sakai, and further thanked all of the Oakland Police Officers for their courage and dedication.

RECONVENED

At 12:35 p.m., the Assembly reconvened.

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

REQUEST FOR PHOTOGRAPHER

Assembly Members Anderson, Fletcher, Hayashi, and Nielsen were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

RE-REFERENCE OF BILLS

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

Assembly Bill No. 95 from the Committee on Education to the Committee on Rules.

JOINT RULE 62(a) WAIVED

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Concurrent Resolution No. 88 for hearing in the Committee on Education on Wednesday, August 26, 2009, at 1:30 p.m. in Room 4202.

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Concurrent Resolution No. 53 for hearing in the Committee on Jobs, Economic Development, and the Economy on Tuesday, August 25, 2009, at 9:30 a.m. in Room 126.

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Joint Resolution No. 10 for hearing in the Committee on Veterans Affairs on Thursday, August 27, 2009, upon Call of the Chair in the Tom Bane Rules Committee Room.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 811, on request of Assembly Member Torrico.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY CONCURRENT RESOLUTION NO. 76—Relative to Day of Inclusion.

Resolution read; amendments proposed by the Committee on Judiciary read and adopted; resolution ordered reprinted and to be returned to the second reading file.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 175—An act to amend Sections 12070, 12072, 12078, and 12083 of the Penal Code, relating to firearms.

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

SENATE BILL NO. 313—An act to amend Sections 62.5 and 3722 of the Labor Code, relating to workers' compensation.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file, by unanimous consent.

SENATE BILL NO. 449—An act to amend Sections 21636, 21637, 21638, and 21643 of, to amend, repeal, and add Sections 21628 and 21628.1 of, and to add Section 21628.2 to, the Business and Professions Code, and to amend Section 12071 of the Penal Code, relating to firearms.

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

SENATE BILL NO. 781—An act to add Section 1569.683 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 809—An act to add and repeal Section 6018.3 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 821—An act to amend Sections 139, 805, 1632.5, 1634.2, 2493, 2530.2, 2532.2, 2532.7, 2570.2, 2570.3, 2570.4, 2570.5, 2570.6, 2570.7, 2570.9, 2570.10, 2570.13, 2570.16, 2570.18, 2570.20, 2570.26, 2570.28, 2571, 2872.2, 3357, 3362, 3366, 3456, 3740, 3750.5, 3773, 4101, 4112, 4113, 4160, 4196, 4200.3, 4200.4, 4510.1, 4933, 4938, 4980.45, 4980.48, 4982, 4982.2, 4989.22, 4989.54, 4992.1, 4992.3, 4996.23, 4996.28, 4996.5, 4999.2, 5016, 5021, 5022, 5023, 5651, 7028.7, 7044, 7159, 7159.5, 7159.14, 7303.2, 7500.1, 7505.5, 7507.9, 7507.12, 7606, 7616, 7641, 7643, 7646, 7647, 7662, 7665, 7666, 7671, 7725.5, 7729, 9884.2, 9889.3, and 10146 of, to add Sections 2532.25, 2570.17, 4013, 4146, 4989.49, 4992.2, 4996.24, 7044.01, and 7507.115 to, to repeal Sections 821.5 and 821.6 of, and to repeal and add Section 7108.5 of, the Business and Professions Code, to amend Sections 44014.2, 44017.3, 44072.1, 44072.2, 44095, and 123105 of the Health and Safety Code, to amend Sections 28, 5201, and 24603 of the Vehicle Code, and to amend Section 3 of Chapter 294 of the Statutes of 2004, relating to consumer affairs.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 828—An act to amend Section 8592.1 of the Government Code, relating to public safety communication.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 829—An act to add Section 19824.5 to the Business and Professions Code, relating to gambling.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 831—An act to amend Section 8880.321 of the Government Code, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 833—An act to amend Sections 51177 and 51182 of the Government Code, to amend Sections 2772.7, 4291, 5096.518, 5097.98, and 30716 of the Public Resources Code, to amend Sections 7 and 12 of Chapter 543 of the Statutes of 2004, and to amend Sections 1 and 15 of Chapter 660 of the Statutes of 2007, relating to natural resources.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 400—An act to amend Sections 22950.5 and 22962 of the Business and Professions Code, relating to tobacco.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 412—An act to amend Section 379.6 of the Public Utilities Code, relating to electricity.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 415—An act to amend Section 23987 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 535—An act to amend Sections 5205.5, 21655.9, and 40000.13 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

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, and ordered to third reading.

SENATE BILL NO. 575—An act to amend Sections 65080, 65583, and 65588 of the Government Code, and to amend Section 75123 of the Public Resources Code, relating to local planning.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 606—An act to amend Sections 2436.5 and 2455 of, and to add Section 2455.1 to, the Business and Professions Code, and to amend Sections 128330 and 128553 of the Health and Safety Code, relating to physicians and surgeons, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 608—An act to amend Section 50408 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 626—An act to add Section 740.2 to the Public Utilities Code, relating to electrical infrastructure.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 674—An act to amend Sections 651 and 2023.5 of, and to add Section 2027.5 to, the Business and Professions Code, and to amend Sections 1248, 1248.15, 1248.2, 1248.25, 1248.35, 1248.5, 1248.55, and 1279 of the Health and Safety Code, relating to healing arts.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 695—An act to amend Sections 327, 382, 739.1, and 747 of, and to add Sections 365.1, 739.9, 745, and 748 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, and ordered to third reading.

SENATE BILL NO. 802—An act to amend Section 10261 of, and to add Section 7201 to, the Public Contract Code, relating to public contracts.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 820—An act to amends Sections 800, 803.1, 805, 805.1, 805.5, and 2027 of, and to add Section 805.01 to, the Business and Professions Code, relating to healing arts.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 361—An act to amend Section 66025.8 of the Education Code, relating to postsecondary education.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 397—An act to amend Sections 789.10 and 10127.7 of the Insurance Code, relating to life insurance.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 450—An act to add Chapter 6.8 (commencing with Section 50676) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 459—An act to amend Section 6302.1 of, and to add Sections 6302.2, 6302.3, 6302.4, and 6302.5 to, the Public Resources Code, relating to tidelands and submerged lands.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 478—An act to amend Section 7311.1 of, and to add Section 7311.25 to, the Labor Code, relating to employment safety.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 509—An act to amend Sections 1270, 14035, 16197, 17584, 17592.5, 24216.5, 37254, 44259, 44961, 47660, 51452, 52052, 52127, and 54026 of, and to repeal Sections 41857 and 47623 of, the Education Code, and to amend Section 53892.1 of the Government Code, relating to education.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 548—An act to amend Section 999.5 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 634—An act to amend Sections 22115, 22508, 22515, 22661, 22713, 22801, 22802, 22803, 22805, 22820, 22821, 22822, 22823, 22826, 23200, 23201, 23859, 24001, 24101, 24201.5, 24216, 24216.5, 24216.6, 24301, 24309, 25007, 25010, 25011.1, 25017, and 25020 of, to amend the heading of Part 14 (commencing with Section 26000) of Division 1 of Title 1 of, and to add Section 25008.5 to, the Education Code, relating to teachers' retirement.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 644—An act to amend Section 18978 of the Government Code, relating to civil service examinations.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 655—An act to amend Section 345.5 of the Public Utilities Code, relating to energy.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 656—An act to amend Section 3511 of the Government Code, relating to public employment.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 717—An act to amend Sections 70, 70.2, 70.4, 70.8, 71.2, 71.4, 71.8, 72, 72.2, 76, 76.3, 76.5, 76.6, 86, 131, 133, 264, 300, 301, 302, 304, 305, 306, 307, 308, 505.5, 571, 652, 654.5, 658.3, 668.1, 738, and 780 of, to add Sections 309 and 310 to, to repeal Section 660.2 of, and to repeal Chapter 2.5 (commencing with Section 110) of Division 1.5 of, the Harbors and Navigation Code, relating to boating and waterways.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 739—An act to add Section 84307.5 to the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

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, and ordered to Consent Calendar.

SENATE BILL NO. 37—An act to amend Section 19849.7 of the Government Code, relating to public employees.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 55—An act to amend Section 14551 of, and to repeal Section 14523.5 of, the Public Resources Code, relating to recycling.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 143—An act to amend Sections 25395.91, 25395.109, and 25395.110 of the Health and Safety Code, relating to hazardous materials.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 148—An act to add Section 115102 to the Health and Safety Code, relating to mammography.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 178—An act to add Section 14673.9 to the Government Code, relating to state property, and making an appropriation therefor.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 188—An act to add Section 527.85 to the Code of Civil Procedure, and to amend Section 273.6 of the Penal Code, relating to temporary restraining orders.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 191—An act to amend Section 47660 of the Education Code, relating to charter schools.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 241—An act to amend Sections 113733, 113735, 113769, 113784, 113789, 113801, 113818, 113821, 113831, 113871, 113876, 113879, 113930, 113932, 113939, 113947, 113949.1, 113949.2, 113950.5, 113953, 113969, 113976, 113982, 113984, 113986, 113996, 114002, 114004, 114021, 114041, 114067, 114089, 114099.2, 114099.6, 114117, 114159, 114163, 114185, 114185.5, 114250, 114252, 114279, 114286, 114295, 114311, 114313, 114314, 114358, 114371, 114380, 114381, and 114387 of, to add Sections 113747.1, 113778.4, 113794.4, 114099.7, 114118, 114130.6, and 114306 to, to add the heading of Chapter 10.5 (commencing with Section 114332) to Part 7 of Division 104 of, to repeal Sections 113915, 114020.1, 114245.8, 114435, and 114436 of, and to repeal the heading of Article 13.5 (commencing with Section 114332) of Chapter 10 of Part 7 of Division 104 of, the Health and Safety Code, relating to food facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 256—An act to add Section 14673.3 to the Government Code, relating to state property, and making an appropriation therefor.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 273—An act to amend Sections 124250 and 124251 of the Health and Safety Code, and to amend Sections 13823.15 and 12823.16 of the Penal Code, relating to domestic violence.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 289—An act to amend Section 130061 of the Health and Safety Code, relating to health facilities.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 296—An act to amend Section 1368.015 of, and to add Sections 1367.29 and 1368.016 to, the Health and Safety Code, and to add Sections 10123.198 and 10123.199 to the Insurance Code, relating to health care coverage.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 312—An act to add Section 33009.7 to the Education Code, and to add Section 15491 to the Government Code, relating to public meetings and hearings.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 321—An act to amend Section 53753 of the Government Code, relating to local government.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 337—An act to amend Section 1280.15 of the Health and Safety Code, relating to health facilities.

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to third reading.

SENATE BILL NO. 7—An act to amend Section 2827 of the Public Utilities Code, relating to energy.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 23—An act to amend Sections 18603 and 18871.8 of the Health and Safety Code, relating to manufactured housing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 34—An act to add Section 102.5 to the Elections Code, relating to petitions.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 41—An act to amend Sections 11106, 12030, 12076, 12077, and 12078 of the Penal Code, relating to firearms.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 45—An act to amend Section 1777.1 of the Labor Code, relating to prevailing wage.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 94—An act to amend Sections 10026, 10085, 10133.1, and 10177 of, to add Section 10147.6 to, and to add and repeal Sections 6106.3 and 10085.6 of, the Business and Professions Code, to amend Section 2945.1 of, to add Section 2944.6 to, and to add and repeal Section 2944.7 of, the Civil Code, and to amend Section 22161 of the Financial Code, relating to mortgage loans, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 135—An act to amend Section 597n of the Penal Code, relating to animal abuse.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 136—An act relating to state real property.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 149—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 172—An act to amend Sections 2224, 2225, and 2226 of the Elections Code, relating to voters.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 173—An act to add Article 6.7 (commencing with Section 110808) to Chapter 5 of Part 5 of Division 104 of the Health and Safety Code, relating to food safety.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 190—An act to add Sections 110051 and 110726 to the Health and Safety Code, relating to misbranded food.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 196—An act to amend Sections 1255.1, 1255.2, and 1255.25 of the Health and Safety Code, relating to emergency medical services.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 212—An act to amend Section 17578 of, and to add Section 33134 to, the Education Code, relating to school safety.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 303—An act to amend Sections 1418.9 and 1599.1 of, and to add Section 1599.15 to, the Health and Safety Code, relating to nursing facility residents.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 396—An act to amend Section 1707.7 of the Insurance Code, relating to the Insurance Commissioner.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 120—An act to add Section 1942.2 to the Civil Code, and to amend Sections 777.1, 10009, 10009.1, 12822, 12822.1, 16481, and 16481.1 of, and to amend, repeal, and add Section 777 of, the Public Utilities Code, relating to residential tenancies.

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

SENATE BILL NO. 511—An act to amend Sections 60641, 69613, 69613.6, 69667, 70101, 70104, 70124, 87482, and 87882 of the Education Code, relating to postsecondary education.

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

SENATE BILL NO. 291—An act to amend Section 12640.05 of the Insurance Code, relating to insurance.

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

SENATE BILL NO. 541—An act to amend Sections 13002, 13004, 13005, 13006, 18400, 19202, 19214, and 19214.5 of, to add Section 19212.5 to, and to repeal Section 13007 of, the Elections Code, relating to elections.

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

SENATE BILL NO. 126—An act to amend Sections 326.3, 326.45, and 326.5 of the Penal Code, relating to bingo, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 586—An act to add Section 19622.5 to the Business and Professions Code, and to add Section 11011.27 to the Government Code, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

RECESS

By unanimous consent, at 12:38 p.m., Speaker Bass declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Fletcher introduced Brigadier General Angie Salinas, United States Marine Corps.

Marine Corps Brigadier General Angie Salinas enlisted in 1974 and today is one of only six women, and the only Latina in the 233 year history of the United States Marine Corps to have achieved the rank of General. Brigadier General Salinas is leaving her command post at San Diego's Marine Corps Recruit Depot to assume duty at Marine Corps National Headquarters in Quantico, VA.

Assembly Member Fletcher presented a resolution to Brigadier General Salinas and recognized her extraordinary achievements and dedicated service to the United States of America.

RECONVENED

At 12:42 p.m., the Assembly reconvened.

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

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. 55, on request of Assembly Member Torrico.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 655, on request of Assembly Member Torrico.

RECESS

By unanimous consent, at 12:47 p.m., Speaker Bass declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Nielsen and Nava introduced Nikos Krohn of Sutter, who graduated from Sutter Union High School in May with a record of perfect attendance from kindergarten through the 12th grade. Nikos Krohn was joined by his mother, Tara Krohn, and his stepfather, Assembly Sergeant-at-Arms, Vincent Aguilar.

Assembly Members Nielsen and Nava presented a resolution to Nikos Krohn and recognized him for his exemplary academic record and dedication to community service.

RECONVENED

At 12:49 p.m., the Assembly reconvened.

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

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

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 264 (Cook)—An act to amend Section 37222 of the Education Code, and to add Section 6715 to the Government Code, relating to state observances.

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—76

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 174 (Carter)—An act to amend Sections 35511, 35706, 35708, 35710, and 35711 of, to amend and renumber Section 35535 of, and to add Sections 35710.3, 35780.1, and 35787 to, the Education Code, relating to school district reorganization.

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—76

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1246 (Jones)—An act to amend Section 11003.4 of the Business and Professions Code, to amend Section 1351 of, and to add Chapter 5 (commencing with Section 817) to Title 2 of Part 2 of Division 2 of, the Civil Code, and to amend Sections 33413.7 and 50073 of, and to repeal Section 33007.5 of, the Health and Safety Code, relating to housing.

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—77

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 292 (Yamada)—An act to amend Sections 18761, 18765, and 18766 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.)

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

AYES—75

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

NOES—None

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 964 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 964 was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

HOUSE RESOLUTION NO. 14 (Ruskin)—Relative to Alternative Fuel Vehicle Awareness Month.

Resolution read, and adopted by the following vote:

AYES—76

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

NOES—None

THIRD READING OF SENATE BILLS

SENATE BILL NO. 728 (Lowenthal)—An act to amend Section 43845 of the Health and Safety Code, relating to air pollution.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:19 p.m.

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

SENATE BILL NO. 318 (Calderon)—An act to add Section 598.1 to the Penal Code, relating to dogfighting.

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

Bill passed by the following vote:

AYES—77

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

NOES—None**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 318: Assembly Member Anderson from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 112 (Oropeza)—An act to amend Sections 1247.2, 1247.4, 1247.6, 1247.63, 1247.64, and 1247.8 of, to add Section 1247.61 to, and to add and repeal Section 1247.62 of, the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Emmerson

Assembly Member Emmerson moved the adoption of amendments.

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

SENATE BILL NO. 359 (Romero)—An act to amend Sections 6275, 6276.02, 6276.04, 6276.06, 6276.08, 6276.10, 6276.12, 6276.14, 6276.16, 6276.18, 6276.22, 6276.24, 6276.26, 6276.28, 6276.30, 6276.32, 6276.34, 6276.36, 6276.38, 6276.40, 6276.42, 6276.44, 6276.46, and 6276.48 of the Government Code, relating to records.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 262 (Lowenthal)—An act to amend Section 30315 of, and to add Section 30315.2 to, the Public Resources Code, relating to coastal resources.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:24 p.m.

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

SENATE BILL NO. 532 (Cogdill)—An act to amend Sections 164.15, 164.16, 408, and 501 of, and to add Section 301.2 to, the Streets and Highways Code, relating to transportation.

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 510 (Corbett)—An act to amend Sections 10134, 10135, 10136, 10137, 10138, 10139, 10139.3, and 10139.5 of the Insurance Code, relating to structured settlements.

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

Bill passed by the following vote:

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

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

Resolution read, and presented by Assembly Member Ma.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:32 p.m.

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

SENATE BILL NO. 398 (Correa)—An act to amend Section 18691 of the Health and Safety Code, relating to mobilehomes.

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

Bill passed by the following vote:

AYES—49

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

NOES—24

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 340 (Yee)—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 third time, and presented by Assembly Member Torlakson.

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 520 (Pavley)—An act to add Section 51225.31 to the Education Code, relating to high school curriculum.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:37 p.m.

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

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Bills Nos. 656 and 289, on request of Assembly Member Hagman.

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

SENATE BILL NO. 419 (Committee on Veterans Affairs)—An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 752 (Correa)—An act to add Section 31678.31 to the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Silva

Assembly Member Silva moved the adoption of amendments.

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

SENATE BILL NO. 251 (Committee on Transportation and Housing)—An act to amend Sections 65584.05 and 66412 of the Government Code, to amend Sections 18031.7, 18062.9, 33334.14, and 53545.9 of the Health and Safety Code, and to amend Sections 3692.4, 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to housing.

Bill read third time.

Motion to Amend by Assembly Member Torres

Assembly Member Torres moved the adoption of amendments.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 728**

At 1:48 p.m., on motion of Assembly Member Blumenfield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 728 passed by the following vote:

AYES—45

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

NOES—29

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 262**

At 1:49 p.m., on motion of Assembly Member Chesbro, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 262 passed by the following vote:

AYES—49

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

NOES—27

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 520**

At 1:50 p.m., on motion of Assembly Member Brownley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 520 passed by the following vote:

AYES—45

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

NOES—29

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE JOINT RESOLUTION NO. 1**

At 1:52 p.m., on motion of Assembly Member Ma, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Joint Resolution No. 1 adopted by the following vote:

AYES—44

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

NOES—31

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

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Bills

SENATE BILL NO. 627 (Calderon)—An act to add Section 21610 to the Business and Professions Code, relating to junk.

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. 748 (Leno)—An act to add Section 14029.5 to the Penal Code, relating to witness relocation and assistance.

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—76

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

NOES—None

ADJOURN IN MEMORY

Assembly Member Krekorian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marine Lance Corporal Pedro Antonio Barboza Flores, United States Marine Corps, of Glendale.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Garrick was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raymond Watt of Rancho Mirage.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Krekorian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John “Jack” Loutensock of Burbank.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Speaker Bass announced that the Committee on Business and Professions would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

Speaker Bass announced that the Committee on Revenue and Taxation would meet today, upon adjournment of Floor session, in Room 126.

ANNOUNCEMENTS

Speaker Bass announced the following session schedule:

Tuesday, August 25, 2009, Check-in Session, 7 a.m.–3 p.m., and Floor Session Upon Call of the Speaker;

Wednesday, August 26, 2009, Check-in Session, 7 a.m.–3 p.m., and Floor Session Upon Call of the Speaker;

Thursday, August 27, 2009, Floor Session, 9:30 a.m.,

ADJOURN IN MEMORY

Assembly Member Bill Berryhill was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fred L. Sullivan of Manteca.

Assembly Member Krekorian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fred Lawrence of Burbank and Robert Korda of Van Nuys.

VOTE ADDS

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

Assembly Bill No. 264, Concurrence: Beall, Tom Berryhill, Calderon, De León, Huffman, Lieu, Miller, Nava, and Torres—Aye.

Assembly Bill No. 174, Concurrence: Beall, Tom Berryhill, Calderon, De León, Evans, Fuentes, Hayashi, Lieu, Miller, Nava, and Portantino—Aye.

Assembly Bill No. 1246, Concurrence: Ammiano, Beall, Tom Berryhill, Calderon, De León, Evans, Fuentes, Huffman, Miller, and Nava—Aye.

Assembly Bill No. 292, Concurrence: Ammiano, Beall, Tom Berryhill, Calderon, De León, Evans, Fuentes, Hayashi, Huffman, Lieu, Miller, Nava, and Torlakson—Aye.

House Resolution No. 14: Adams, Beall, Tom Berryhill, Calderon, De León, Evans, Fletcher, Fuentes, Hayashi, Lieu, Miller, Nava, Smyth, and Torlakson—Aye.

Senate Bill No. 318: Beall, Tom Berryhill, Calderon, De León, Evans, Fletcher, Fuentes, Hayashi, Huffman, Jones, Lieu, Mendoza, Miller, Nestande, and Swanson—Aye.

Senate Bill No. 359: Anderson, Arambula, Beall, Tom Berryhill, Calderon, De León, Evans, Fletcher, Fuentes, Hayashi, Huffman, Jones, Lieu, Mendoza, Miller, Nestande, Smyth, and Swanson—Aye.

Senate Bill No. 532: Anderson, Tom Berryhill, Calderon, De León, Evans, Fuentes, Hayashi, Huffman, Lieu, Mendoza, Nestande, and Swanson—Aye.

Senate Bill No. 510: Tom Berryhill, Calderon, De León, Evans, Hayashi, Hernandez, Huffman, Lieu, Nestande, and Swanson—Aye.

Senate Bill No. 398: Calderon, De León, Evans, Fletcher, Hayashi, Lieu, Ruskin, and Swanson—Aye; Adams, Tom Berryhill, and Smyth—No.

Senate Bill No. 340: Calderon, De León, Evans, Fletcher, Hayashi, Huffman, Lieu, Ruskin, Smyth, and Swanson—Aye.

Senate Bill No. 419: Arambula, Block, Calderon, De León, Fletcher, Fuentes, Hayashi, Lieu, Nestande, Ruskin, Smyth, Swanson, and Torlakson—Aye.

Senate Bill No. 728: Lieu—Aye.

Senate Bill No. 262: Calderon, Gilmore, and Lieu—Aye; Nestande—No.

Senate Bill No. 520: Lieu—Aye.

Consent Calendar: Nestande—Aye.

MOTION TO ADJOURN

At 2:02 p.m., Assembly Member Krekorian moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:02 p.m., Speaker Bass declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 24—Bonnie Lowenthal. Relative to marine air pollution.

AUTHOR'S AMENDMENTS Committee on Appropriations

August 24, 2009

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

Senate Bill No. 307

Senate Bill No. 592

Senate Bill No. 662

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

DE LEÓN, Chair

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.

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. 592—An act to amend Sections 17078.57 and 17078.62 of, and to add Section 17078.63 to, the Education Code, relating to school facilities, 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. 662—An act to amend Sections 19440 and 19616.51 of the Business and Professions Code, relating to horse racing.

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 Appropriations

Date of Hearing: August 19, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 20

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

DE LEÓN, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: August 18, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 19

With amendments with the recommendation: Amend, and be adopted as amended.

FEUER, Chair

Above resolution ordered to second reading.

Committee on Appropriations

Date of Hearing: August 19, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 792

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

DE LEÓN, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: August 18, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 13

Assembly Joint Resolution No. 15

With amendments with the recommendation: Amend, and be adopted as amended.

FEUER, Chair

Above resolutions ordered to second reading.

Committee on Business and Professions

Date of Hearing: August 24, 2009

Mme. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 1585

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

HAYASHI, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: August 24, 2009

Mme. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 86

Assembly Concurrent Resolution No. 90

With the recommendation: Be adopted.

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

LIEU, Chair

Above resolutions ordered to the Consent Calendar.

Date of Hearing: August 24, 2009

Mme. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 48

With the recommendation: Be adopted.

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

LIEU, Chair

Above resolution ordered to the Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 24, 2009

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

Assembly Concurrent Resolution No. 12

And reports the same correctly enrolled, and presented to the Secretary of State on the 24th day of August, 2009, at 12:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 24, 2009

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

Assembly Bill No. 32

Assembly Bill No. 117

Assembly Bill No. 134

Assembly Bill No. 261

Assembly Bill No. 400

Assembly Bill No. 576

Assembly Bill No. 595

Assembly Bill No. 645

Assembly Bill No. 653

Assembly Bill No. 720

Assembly Bill No. 825

Assembly Bill No. 1046

Assembly Bill No. 1459

And reports the same correctly enrolled, and presented to the Governor on the 24th day of August, 2009, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, August 24, 2009

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

Assembly Bill No. 313

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate

By David Valverde, Assistant Secretary

Above bill ordered to unfinished business file.

INTRODUCTION OF GUESTS

Assembly Member Feuer, of the 42nd Assembly District, introduced Bruce Gumbiner and his daughter Caleigh Gumbiner.

Assembly Member Nielsen, of the 2nd Assembly District, introduced Ian and Sherri Stripling of Redding.

Assembly Member Anderson, of the 77th Assembly District, introduced Hon. Brian Jones, Vice Mayor, City of Santee.

Speaker Bass, of the 47th Assembly District, introduced Hon. Kevin Murray, former Member of the Assembly from 1994–1998 and State Senator from 1998–2006.

ADJOURNMENT

At 3:30 p.m., pursuant to the motion by Assembly Member Krekorian, the Assembly adjourned until 7 a.m., Tuesday, August 25, 2009, out of respect to the memory of Lance Corporal Pedro Antonio Barboza Flores, on motion of Assembly Member Krekorian; out of respect to the memory of Raymond Watt, on motion of Assembly Member Garrick; out of respect to the memory of John “Jack” Loutensock, on motion of Assembly Member Krekorian; out of respect to the memory of Fred L. Sullivan, on motion of Assembly Member Bill Berryhill; and out of respect to the memory of Fred Lawrence and Robert Korda, on motion of Assembly Member Krekorian.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 24, 2009**

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

ACR RN

76 0921512

SB RN

112 0921463

120 0921398

126 0921759

175 0921434

251 0920264

291 0920537

307 0921656

313 0921122

449 0919029

511 0921460

541 0921539

586 0921516

592 0921664

662 0921441

752 0921052

Daily Total: 16**Cumulative Total: 2225**

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