

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 27, 2008

**TWO HUNDRED THIRTY-SIXTH SESSION DAY
SIX HUNDRED THIRTY-THIRD 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to
Sue Parker, Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 27, 2008

The Assembly met at 12:06 p.m.
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Elizabeth Potter 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 12:49 p.m., Speaker pro Tempore Lieber declared a quorum of the
Assembly present.

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

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Jones	Price
Anderson	Emmerson	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Spitzer
Brownley	Gaines	Lieber	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

PRAYER

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Mark Leno, Assembly Member, District 13:

Heavenly Father, As we begin each day to examine issues and discuss proposals, never let us be so distracted by the argument and rhetoric, as to forget that we are dealing with the lives and living patterns of human beings, those who have, and have not, but all possessing an indescribable dignity and destiny.

Help us to recognize our common humanity—our ability to love, to learn and to share. Help us to remember and respect that common humanity in all of official deliberations.

Barach atah adonoi, eloheyn malech ha'olom, sh'asani Kir'tzo'no.

Blessed are you, Creator of the Universe, Who has made each of us according to thy will and desire.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Lieber, Assembly Member Dymally 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 Ruskin, 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 personal business, and waiving per diem: Assembly Member Núñez.

Because of illness: Assembly Members Runner and Soto.

SPECIAL COMMITTEE MEETINGS

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

Jobs, Economic Development, and the Economy, on Wednesday, August 27, 2008, upon adjournment of Floor session;

Labor and Employment, on Wednesday, August 27, 2008, upon adjournment of Floor session in Room 437;

Natural Resources, on Wednesday, August 27, 2008, upon adjournment of Floor session.

MESSAGES FROM THE SENATE

Senate Chamber, August 22, 2008

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

Assembly Bill No. 169
Assembly Bill No. 981
Assembly Bill No. 1778
Assembly Bill No. 2031
Assembly Bill No. 2139
Assembly Bill No. 2275
Assembly Bill No. 2296

Assembly Bill No. 2578
Assembly Bill No. 2742
Assembly Bill No. 2765
Assembly Bill No. 2810
Assembly Bill No. 2901
Assembly Bill No. 2971
Assembly Bill No. 3078

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, August 26, 2008

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

Assembly Bill No. 887
 Assembly Bill No. 1133
 Assembly Bill No. 1720

Assembly Bill No. 1889
 Assembly Bill No. 2016
 Assembly Bill No. 2065

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, August 25, 2008

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

Senate Concurrent Resolution No. 132

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 132—Relative to the California Highway Patrol Officer Brent William Clearman Memorial Freeway.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Speaker Bass was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor to permit guests in the Assembly Chamber.

REQUEST FOR PHOTOGRAPHER

Speaker Bass was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

SPECIAL COMMITTEE MEETINGS

Assembly Member Torrico was granted unanimous consent that the Committee on Natural Resources be permitted to hold a special meeting today, upon Call of the Chair, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1762 for hearing.

ACTION RESCINDED ON SENATE BILL NO. 691

Assembly Member Torrico was granted unanimous consent to rescind the action whereby the Assembly, on August 25, 2008 (Assembly Journal, page 6838), passed Senate Bill No. 691, and whereby the bill was ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bills Nos. 1692 and **546**, on request of Assembly Member Torrico.

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

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Lieber re-referred the following Assembly bills to committees as noted:

Assembly Bill No. 550, to the Committee on Revenue and Taxation;
 Assembly Bill No. 659, to the Committee on Human Services;
 Assembly Bill No. 734, to the Committee on Labor and Employment;
 Assembly Bill No. 830, to the Committee on Transportation;
 Assembly Bill No. 1221, to the Committee on Local Government;

Assembly Bill No. 1916, to the Committee on Jobs, Economic Development, and the Economy;
Assembly Bill No. 1959, to the Committee on Local Government;
Assembly Bill No. 2824, to the Committee on Agriculture;
Assembly Bill No. 239, to the Committee on Business and Professions;
Assembly Bill No. 1057, to the Committee on Health;
Assembly Bill No. 1701, to the Committee on Health; and
Assembly Bill No. 1829, to the Committee on Health.

SPECIAL RECOGNITION

The Members of the Assembly joined Assembly Member Cook in extending best wishes to Assembly Member Berryhill on the occasion of his birthday.

CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1366 (Portantino)—An act to amend Section 65581 of the Government Code, and to amend Sections 50650.4, 50863, and 53545.13 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.)

Assembly Rule 112 Suspended

Assembly Member Garcia was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

Further Consideration of Assembly Bill No. 1366

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:09 p.m.

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

ASSEMBLY BILL NO. 2670 (Salas)—An act to add Section 89 to the Military and Veterans Code, relating to veterans.

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—73

Adams	Duvall	Jeffries	Price
Aghazarian	Dymally	Jones	Ruskin
Anderson	Emmerson	Karnette	Salas
Arambula	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Gaines	Lieber	Strickland
Brownley	Galgiani	Lieu	Swanson
Caballero	Garcia	Ma	Torrico
Calderon	Garrick	Maze	Tran
Carter	Hancock	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mme. Speaker
De León	Houston	Parra	
DeSaulnier	Huff	Plescia	
DeVore	Huffman	Portantino	

NOES—1

Nakanishi

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1357 (Padilla)—An act to amend Sections 14575 and 14581 of the Public Resources Code, relating to beverage containers, and making an appropriation therefor.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:20 p.m.

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

SENATE BILL NO. 1420 (Padilla)—An act to add Section 114094 to the Health and Safety Code, relating to food facilities.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:41 p.m.

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

SENATE BILL NO. 981 (Perata)—An act to add and repeal Sections 1371.42 and 1379.1 of, and to add and repeal Article 5.57 (commencing with Section 1374.40) of Chapter 2.2 of Division 2 of, the Health and Safety Code, relating to health care coverage.

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

Call of the Assembly

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

Motion carried. Time, 1:44 p.m.

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

SENATE BILL NO. 1313 (Corbett)—An act to add Chapter 12 (commencing with Section 108940) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

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

Call of the Assembly

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

Motion carried. Time, 1:47 p.m.

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

SENATE BILL NO. 53 (Ducheny)—An act relating to transportation.

Bill read third time, and presented by Assembly Member DeSaulnier.
Bill passed by the following vote:

AYES—72

Adams	DeSaulnier	Huffman	Plescia
Aghazarian	Dymally	Jeffries	Portantino
Anderson	Emmerson	Jones	Price
Arambula	Eng	Karnette	Ruskin
Beall	Evans	Keene	Salas
Benoit	Feuer	Krekorian	Saldaña
Berg	Fuentes	Laird	Silva
Berryhill	Fuller	Leno	Smyth
Blakeslee	Furutani	Levine	Solorio
Brownley	Galgiani	Lieber	Spitzer
Caballero	Garcia	Lieu	Strickland
Calderon	Garrick	Ma	Swanson
Carter	Hancock	Maze	Torrico
Cook	Hayashi	Mendoza	Tran
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nakanishi	Walters
De La Torre	Houston	Niello	Wolk
De León	Huff	Parra	Mme. Speaker

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 791 (Corbett)—An act to amend Section 14528.5 of, and to add Section 14528.55 to, the Government Code, relating to transportation.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:51 p.m.

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

SENATE BILL NO. 1543 (Machado)—An act to amend Section 10110.1 of, to add Sections 10113.3 and 10113.35 to, and to repeal and add Sections 10113.1 and 10113.2 of, the Insurance Code, relating to insurance.

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

Assembly Rule 112 Suspended

Assembly Member Duvall was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

Further Consideration of Senate Bill No. 1543

The roll was opened.

Bill passed by the following vote:

AYES—76

Aghazarian	Duvall	Huffman	Parra
Anderson	Dymally	Jeffries	Plescia
Arambula	Emmerson	Jones	Portantino
Beall	Eng	Karnette	Price
Benoit	Evans	Keene	Ruskin
Berg	Feuer	Krekorian	Salas
Berryhill	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Strickland
Cook	Garrick	Ma	Swanson
Coto	Hancock	Maze	Torrico
Davis	Hayashi	Mendoza	Tran
De La Torre	Hernandez	Mullin	Villines
De León	Horton	Nakanishi	Walters
DeSaulnier	Houston	Nava	Wolk
DeVore	Huff	Niello	Mme. Speaker

NOES—1

Adams

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1113 (Migden)—An act to amend Section 1021.5 of the Code of Civil Procedure, relating to attorney's fees.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:04 p.m.

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

**RECESS FOR A CEREMONY HONORING
RETIRING ASSEMBLY MEMBER**

By unanimous consent at 2:05 p.m., Speaker pro Tempore Lieber declared the Assembly recessed to permit the recognition of retiring Assembly Member Dymally.

Assembly Member Dymally was recognized for his distinguished years of service in the California State Assembly and to the State of California. A video presentation honoring Assembly Member Dymally's career and in recognition of his 80th birthday was shown. Assembly Member Dymally was presented with a Member's Resolution.

RECONVENED

At 2:52 p.m., the Assembly reconvened.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

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

SENATE BILL NO. 1698 (Romero)—An act to add Sections 7058.1, 7058.2, and 7138.2 to, the Business and Professions Code, relating to contractors, and making an appropriation therefor.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:56 p.m.

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

SENATE BILL NO. 963 (Ridley-Thomas)—An act to amend Sections 2920, 2933, 4928, 4934, 4990, 4990.04, 7000.5, 7011, 7810, 7815.5, 8000, 8030.2, 8030.4, 8030.6, 8030.8, 18602, and 18613 of the Business and Professions Code, and to amend and repeal Section 94801.5 of the Education Code, relating to regulatory boards.

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

Bill passed by the following vote:

AYES—76

Adams	DeVore	Huffman	Parra
Aghazarian	Duvall	Jeffries	Plescia
Anderson	Dymally	Jones	Portantino
Arambula	Emmerson	Karnette	Price
Beall	Eng	Keene	Ruskin
Benoit	Evans	Krekorian	Salas
Berg	Feuer	La Malfa	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani	Levine	Solorio
Caballero	Galgiani	Lieber	Spitzer
Calderon	Garcia	Lieu	Strickland
Carter	Garrick	Ma	Swanson
Cook	Hancock	Maze	Torrico
Coto	Hayashi	Mendoza	Tran
Davis	Hernandez	Mullin	Villines
De La Torre	Horton	Nakanishi	Walters
De León	Houston	Nava	Wolk
DeSaulnier	Huff	Niello	Mme. Speaker

NOES—None

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1113**

At 2:59 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1113 passed by the following vote:

AYES—42

Arambula	Eng	Krekorian	Price
Beall	Evans	Laird	Ruskin
Berg	Feuer	Leno	Salas
Brownley	Fuentes	Levine	Saldaña
Carter	Furutani	Lieber	Solorio
Coto	Hancock	Lieu	Swanson
Davis	Hayashi	Ma	Torrico
De La Torre	Hernandez	Mendoza	Wolk
De León	Huffman	Mullin	Mme. Speaker
DeSaulnier	Jones	Nava	
Dymally	Karnette	Portantino	

NOES—33

Adams	Emmerson	Jeffries	Smyth
Aghazarian	Fuller	Keene	Spitzer
Anderson	Gaines	La Malfa	Strickland
Benoit	Galgiani	Maze	Tran
Berryhill	Garcia	Nakanishi	Villines
Blakeslee	Garrick	Niello	Walters
Cook	Horton	Parra	
DeVore	Houston	Plescia	
Duvall	Huff	Silva	

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Lieu announced that the Committee on Rules would meet immediately in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 3:01 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1369 (Cedillo)—An act to add Sections 19850.5 and 19850.6 to the Business and Professions Code, and to amend Sections 326.5 and 337j of, and to add Sections 326.3 and 326.4 to, the Penal Code, relating to bingo, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—66

Adams	Emmerson	Jones	Portantino
Aghazarian	Eng	Karnette	Price
Anderson	Evans	Keene	Ruskin
Arambula	Feuer	Krekorian	Salas
Beall	Fuentes	La Malfa	Saldaña
Benoit	Fuller	Laird	Silva
Berryhill	Furutani	Leno	Smyth
Blakeslee	Galgiani	Levine	Solorio
Caballero	Garcia	Lieber	Strickland
Calderon	Garrick	Lieu	Swanson
Carter	Hayashi	Ma	Torrico
Cook	Hernandez	Maze	Tran
Coto	Horton	Mendoza	Walters
Davis	Houston	Nakanishi	Wolk
De La Torre	Huff	Nava	Mme. Speaker
De León	Huffman	Parra	
Dymally	Jeffries	Plescia	

NOES—3

Berg	DeSaulnier	Niello
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Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Resolutions

SENATE CONCURRENT RESOLUTION NO. 128 (Negrete McLeod)—Relative to California Native American Day.

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 CONCURRENT RESOLUTION NO. 130 (Ridley-Thomas)—Relative to California Firefighters Memorial Day.

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 Roll Call

The roll was called, and the above bills on the Consent Calendar adopted, by the following vote:

AYES—76

Adams	DeVore	Huff	Niello
Aghazarian	Duvall	Huffman	Parra
Anderson	Dymally	Jeffries	Plescia
Arambula	Emmerson	Jones	Portantino
Beall	Eng	Karnette	Price
Benoit	Evans	Keene	Ruskin
Berg	Feuer	Krekorian	Salas
Berryhill	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Strickland
Carter	Garcia	Lieu	Swanson
Cook	Garrick	Ma	Torrico
Coto	Hancock	Maze	Tran
Davis	Hayashi	Mendoza	Villines
De La Torre	Hernandez	Mullin	Walters
De León	Horton	Nakanishi	Wolk
DeSaulnier	Houston	Nava	Mme. Speaker

NOES—None**ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced the following session schedule:

Thursday, August 28, 2008, Floor Session, 9:30 a.m.

Friday, August 29, 2008, Floor Session, 9:30 a.m.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1366**

At 3:23 p.m., on motion of Assembly Member Portantino, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1366 by the following vote:

AYES—43

Arambula	DeSaulnier	Jones	Parra
Beall	Dymally	Karnette	Portantino
Berg	Eng	Krekorian	Price
Brownley	Evans	Laird	Ruskin
Caballero	Feuer	Leno	Salas
Calderon	Fuentes	Levine	Solorio
Carter	Furutani	Lieber	Swanson
Coto	Hayashi	Lieu	Torrico
Davis	Hernandez	Ma	Wolk
De La Torre	Horton	Mendoza	Mme. Speaker
De León	Huffman	Mullin	

NOES—29

Adams	Duvall	Jeffries	Smyth
Aghazarian	Emmerson	Keene	Strickland
Anderson	Fuller	La Malfa	Tran
Benoit	Gaines	Maze	Villines
Berryhill	Garcia	Nakanishi	Walters
Blakeslee	Garrick	Niello	
Cook	Houston	Plescia	
DeVore	Huff	Silva	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1357**

At 3:24 p.m., on motion of Assembly Member Fuentes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1357 passed by the following vote:

AYES—42

Arambula	Dymally	Karnette	Portantino
Beall	Eng	Laird	Price
Berg	Evans	Leno	Ruskin
Brownley	Feuer	Levine	Salas
Calderon	Fuentes	Lieber	Solorio
Carter	Furutani	Lieu	Swanson
Coto	Galgiani	Ma	Torrico
Davis	Hancock	Mendoza	Wolk
De La Torre	Hayashi	Mullin	Mme. Speaker
De León	Hernandez	Nava	
DeSaulnier	Jones	Parra	

NOES—30

Adams	Emmerson	Huffman	Silva
Anderson	Fuller	Jeffries	Smyth
Benoit	Gaines	Keene	Strickland
Berryhill	Garcia	La Malfa	Tran
Blakeslee	Garrick	Maze	Villines
Cook	Horton	Nakanishi	Walters
DeVore	Houston	Niello	
Duvall	Huff	Plescia	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1420**

At 3:25 p.m., on motion of Assembly Member DeSaulnier, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1420 passed by the following vote:

AYES—46

Aghazarian	Dymally	Karnette	Portantino
Arambula	Eng	Krekorian	Price
Beall	Evans	Laird	Ruskin
Berg	Feuer	Leno	Salas
Brownley	Fuentes	Levine	Saldaña
Caballero	Furutani	Lieber	Solorio
Calderon	Galgiani	Lieu	Swanson
Carter	Hancock	Ma	Torrico
Coto	Hayashi	Mendoza	Wolk
De La Torre	Hernandez	Mullin	Mme. Speaker
De León	Huffman	Nava	
DeSaulnier	Jones	Parra	

NOES—28

Adams	Duvall	Huff	Plescia
Anderson	Emmerson	Jeffries	Silva
Benoit	Fuller	Keene	Smyth
Berryhill	Gaines	La Malfa	Strickland
Blakeslee	Garrick	Maze	Tran
Cook	Horton	Nakanishi	Villines
DeVore	Houston	Niello	Walters

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 981**

At 3:25 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Jones moved to continue the call of the Assembly.

Motion carried. Time, 3:26 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1313**

At 3:26 p.m., on motion of Assembly Member Huffman, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1313 passed by the following vote:

AYES—43

Arambula	Dymally	Karnette	Portantino
Beall	Eng	Laird	Price
Berg	Evans	Leno	Ruskin
Brownley	Feuer	Levine	Salas
Caballero	Fuentes	Lieber	Saldaña
Calderon	Furutani	Lieu	Solorio
Carter	Hancock	Ma	Swanson
Coto	Hayashi	Mendoza	Torrico
Davis	Hernandez	Mullin	Wolk
De León	Huffman	Nava	Mme. Speaker
DeSaulnier	Jones	Parra	

NOES—30

Adams	Duvall	Huff	Silva
Aghazarian	Emmerson	Jeffries	Smyth
Anderson	Fuller	Keene	Strickland
Benoit	Gaines	La Malfa	Tran
Berryhill	Garcia	Maze	Villines
Blakeslee	Garrick	Nakanishi	Walters
Cook	Horton	Niello	
DeVore	Houston	Plescia	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 791**

At 3:26 p.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 791 passed by the following vote:

AYES—45

Arambula	Eng	Krekorian	Price
Beall	Evans	Laird	Ruskin
Berg	Feuer	Leno	Salas
Brownley	Fuentes	Levine	Saldaña
Caballero	Furutani	Lieber	Solorio
Calderon	Galgiani	Lieu	Swanson
Carter	Hancock	Ma	Torrico
Coto	Hayashi	Mendoza	Wolk
De La Torre	Hernandez	Mullin	Mme. Speaker
De León	Huffman	Nava	
DeSaulnier	Jones	Parra	
Dymally	Karnette	Portantino	

NOES—30

Adams	Emmerson	Jeffries	Smyth
Aghazarian	Fuller	Keene	Spitzer
Anderson	Gaines	La Malfa	Strickland
Benoit	Garcia	Maze	Tran
Berryhill	Garrick	Nakanishi	Villines
Blakeslee	Horton	Niello	Walters
DeVore	Houston	Plescia	
Duvall	Huff	Silva	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1698**

At 3:27 p.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1698 passed by the following vote:

AYES—46

Arambula	Dymally	Karnette	Portantino
Beall	Eng	Krekorian	Price
Berg	Evans	Laird	Ruskin
Brownley	Feuer	Leno	Salas
Caballero	Fuentes	Levine	Saldaña
Calderon	Furutani	Lieber	Solorio
Carter	Galgiani	Lieu	Swanson
Coto	Hancock	Ma	Torrico
Davis	Hayashi	Mendoza	Wolk
De La Torre	Hernandez	Mullin	Mme. Speaker
De León	Huffman	Nava	
DeSaulnier	Jones	Parra	

NOES—29

Adams	Emmerson	Jeffries	Smyth
Aghazarian	Fuller	Keene	Strickland
Anderson	Gaines	La Malfa	Tran
Berryhill	Garcia	Maze	Villines
Blakeslee	Garrick	Nakanishi	Walters
Cook	Horton	Niello	
DeVore	Houston	Plescia	
Duvall	Huff	Silva	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER SENATE BILL NO. 1351
Request for Reconsideration**

In compliance with a motion given on a previous day, Assembly Member Torrico requested unanimous consent that the vote be reconsidered whereby Senate Bill No. 1351 was refused passage.

Assembly Member Blakeslee withheld unanimous consent.

Motion

Assembly Member Torrico moved that the vote be reconsidered whereby Senate Bill No. 1351 was refused passage.

Senate Bill No. 1351 reconsidered by the following vote:

AYES—44

Arambula	DeSaulnier	Jones	Nava
Beall	Dymally	Karnette	Parra
Berg	Eng	Krekorian	Portantino
Brownley	Evans	Laird	Price
Caballero	Feuer	Leno	Ruskin
Calderon	Fuentes	Levine	Salas
Carter	Furutani	Lieber	Saldaña
Coto	Hancock	Lieu	Swanson
Davis	Hayashi	Ma	Torrico
De La Torre	Hernandez	Mendoza	Wolk
De León	Huffman	Mullin	Mme. Speaker

NOES—31

Adams	Duvall	Huff	Silva
Aghazarian	Emmerson	Jeffries	Smyth
Anderson	Fuller	Keene	Spitzer
Benoit	Gaines	La Malfa	Strickland
Berryhill	Garcia	Maze	Tran
Blakeslee	Garrick	Nakanishi	Villines
Cook	Horton	Niello	Walters
DeVore	Houston	Plescia	

THIRD READING OF SENATE BILL NO. 1351

SENATE BILL NO. 1351 (Corbett)—An act to amend Section 32121 of, and to add Sections 32121.6 and 32121.10 to, the Health and Safety Code, relating to hospital districts.

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

Bill passed by the following vote:

AYES—44

Arambula	DeSaulnier	Jones	Nava
Beall	Dymally	Karnette	Parra
Berg	Eng	Krekorian	Portantino
Brownley	Evans	Laird	Price
Caballero	Feuer	Leno	Ruskin
Calderon	Fuentes	Levine	Salas
Carter	Furutani	Lieber	Saldaña
Coto	Hancock	Lieu	Swanson
Davis	Hayashi	Ma	Torrico
De La Torre	Hernandez	Mendoza	Wolk
De León	Huffman	Mullin	Mme. Speaker

NOES—31

Adams	Duvall	Huff	Silva
Aghazarian	Emmerson	Jeffries	Smyth
Anderson	Fuller	Keene	Spitzer
Benoit	Gaines	La Malfa	Strickland
Berryhill	Garcia	Maze	Tran
Blakeslee	Garrick	Nakanishi	Villines
Cook	Horton	Niello	Walters
DeVore	Houston	Plescia	

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Member Laird was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Chris Matthews, of Soquel.

(Assembly Rule 45.5 suspended.)

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 8, Assembly Bill No. 1840, Senate Bill No. 1118, Senate Bill No. 1443, and Assembly Constitutional Amendment No. 15 were continued until the next legislative day.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

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

Committee on Health, to hear Assembly Bills Nos. 1057, 1701, and 1829, on Thursday, August 28, 2008, at 8 a.m. or upon Call of the Chair;

Committee on Agriculture, to hear Assembly Bill No. 2824, today, upon Call of the Chair;

Committee on Jobs, Economic Development, and the Economy, to hear Assembly Bill No. 1916, today, upon Call of the Chair; and the

Committee on Labor and Employment, to hear Assembly Bill No. 734, today, upon Call of the Chair.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES

Assembly Member De León requested unanimous consent that the Rules be suspended for the purpose of permitting all bills reported out of committee today with a "Do Pass as amended" recommendation be taken up today without reference to File for the purpose of adopting committee amendments, and return the bills to the second reading file.

Assembly Member Benoit withheld unanimous consent.

MOTION TO SUSPEND THE RULES

Assembly Member De León moved that the Rules be suspended for the purpose of permitting all bills reported out of committee today with a "Do Pass as amended" recommendation be taken up today without reference to File for the purpose of adopting committee amendments, and return the bills to the second reading file.

Assembly Member Davis seconded the motion.

Rules suspended by the following vote:

AYES—43

Arambula	Dymally	Karnette	Parra
Beall	Eng	Krekorian	Portantino
Berg	Evans	Laird	Price
Brownley	Feuer	Leno	Ruskin
Calderon	Fuentes	Levine	Salas
Carter	Furutani	Lieber	Saldaña
Coto	Hancock	Lieu	Solorio
Davis	Hayashi	Ma	Torrico
De La Torre	Hernandez	Mendoza	Wolk
De León	Huffman	Mullin	Mme. Speaker
DeSaulnier	Jones	Nava	

NOES—29

Adams	Duvall	Keene	Spitzer
Aghazarian	Emmerson	La Malfa	Strickland
Anderson	Fuller	Maze	Tran
Benoit	Gaines	Nakanishi	Villines
Berryhill	Garcia	Niello	Walters
Blakeslee	Garrick	Plescia	
Cook	Horton	Silva	
DeVore	Jeffries	Smyth	

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Lieber announced the following committee meetings:

Committee on Agriculture will meet today, upon adjournment of Floor session, in Room 126;

Committee on Natural Resources will meet today, at 4 p.m., in Room 447;

Committee on Labor and Employment will meet today, upon adjournment of Floor session, in Room 437;

Committee on Jobs, Economic Development, and the Economy will meet today, 30 minutes after adjournment of Floor session, in Room 444; and the

Committee on Health will meet Thursday, August 28, 2008, at 8 a.m., in Room 4202.

ANNOUNCEMENTS

Speaker pro Tempore Lieber announced that in recognition of Assembly Member Runner's determination to attend Floor session, a link to Donate Life California, a collaborative effort between the Department of Motor Vehicles and a non-profit to facilitate organ donation, is accessible on the Assembly Floor System laptops.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 981**

At 3:38 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 981 passed by the following vote:

AYES—42

Arambula	Eng	Laird	Price
Beall	Evans	Leno	Ruskin
Berg	Feuer	Levine	Salas
Brownley	Furutani	Lieber	Saldaña
Caballero	Hancock	Lieu	Solorio
Carter	Hayashi	Ma	Swanson
Coto	Hernandez	Mendoza	Torrco
Davis	Huffman	Mullin	Wolk
De La Torre	Jones	Nava	Mme. Speaker
DeSaulnier	Karnette	Parra	
Dymally	Krekorian	Portantino	

NOES—26

Adams	Duvall	Huff	Silva
Aghazarian	Fuller	Jeffries	Smyth
Anderson	Gaines	Keene	Strickland
Benoit	Garcia	La Malfa	Tran
Berryhill	Garrick	Maze	Walters
Blakeslee	Horton	Niello	
DeVore	Houston	Plescia	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 981: Assembly Member De León from “Aye” to “Not Voting”.

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. 2670, Concurrence: Davis, De León, DeVore, Evans, Gaines, Galgiani, Houston, Huff, Keene, Lieu, Maze, Spitzer, Tran, and Villines—Aye; Nakanishi—No.

Senate Bill No. 53: Adams, Blakeslee, Caballero, Davis, Garrick, Hayashi, Hernandez, Horton, Houston, Huff, Lieu, Maze, Parra, Spitzer, Strickland, Tran, and Villines—Aye.

Senate Bill No. 1543: Caballero, De León, Eng, Hancock, Huff, Lieu, Maze, Mendoza, Salas, Strickland, Tran, and Villines—Aye.

Senate Bill No. 963: Arambula, Calderon, Galgiani, Garcia, Huffman, Krekorian, Ma, Mendoza, Parra, Strickland, Tran, and Villines—Aye.

Senate Bill No. 1113: Karnette—Aye; Tran and Villines—No.

Senate Bill No. 1369: Calderon, Fuller, Hayashi, Karnette, Keene, Maze, Mendoza, Saldaña, Silva, and Strickland—Aye.

Consent Calendar: Emmerson, Hayashi, Mendoza, and Strickland—Aye.

Assembly Bill No. 1366, Concurrence: Hayashi—Aye; Strickland—No.

Senate Bill No. 1357: Karnette—Aye; Strickland and Villines—No.

Senate Bill No. 1420: Strickland—No.

Senate Bill No. 1313: Mendoza—Aye; Villines—No.

Senate Bill No. 791: De León—Aye; Aghazarian and Villines—No.
Senate Bill No. 1698: Huffman, Karnette, and Mendoza—Aye; Aghazarian, Garcia, and Villines—No.

Senate Bill No. 1351: Mendoza and Price—Aye.

Senate Bill No. 1351: Karnette and Mendoza—Aye.

De León Motion to Suspend the Rules: Krekorian and Solorio—Aye.

Senate Bill No. 981: Hayashi and Torrico—Aye.

MOTION TO ADJOURN

At 3:38 p.m., Assembly Member De León moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:39 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Date of Hearing: August 27, 2008

Mme. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 2824

With the recommendation: That Senate amendments be concurred in.

PARRA, Chair

Above bill ordered to unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, August 27, 2008

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

Assembly Bill No. 2386

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.

Senate Chamber, August 27, 2008

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

Assembly Bill No. 109

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.

ADJOURNMENT

At 4:52 p.m., pursuant to the motion by Assembly Member De León, the Assembly adjourned until 9:30 a.m., Thursday, August 28, 2008, out of respect to the memory of Chris Matthews, on motion of Assembly Member Laird.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

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