

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, September 4, 2009

ONE HUNDRED TWENTIETH SESSION DAY

TWO HUNDRED SEVENTY-EIGHTH 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
Friday, September 4, 2009

The Assembly met at 9 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Torrico moved a quorum call of the Assembly. Motion carried. Time, 8:58 a.m.

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

At 9:20 a.m., Speaker pro Tempore Lori Saldaña, 76th District, presiding

Quorum Present

At 9:28 a.m., Speaker pro Tempore Saldaña declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—75:

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

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by the Hon. Paul Cook, Assembly Member, 65th Assembly District:

Father, For another day of service we are grateful. Grant us Your wisdom and guidance as the events and tasks of this session draw to a close. Help us to resolve the complexities and diversities before us in the light of the principles of truth, justice and equity, knowing that no problem is truly settled until it is settled right.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Assembly Member Fong then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

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 Members Ammiano, Evans, and Krekorian.

Because of illness: Assembly Member Davis.

EXPLANATIONS OF ABSENCE

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

August 21, 2009

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

Dear Speaker Bass: I write to request permission to be excused from Floor Session on Friday, September 4, 2009. I have an urgent legislative matter that I must attend to in my district.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or my executive assistant, Lourdes Machado, at (916) 319-2013.

Sincerely,

TOM AMMIANO, Assembly Member
Thirteenth District

September 1, 2009

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

Dear Mme. Speaker: I request to be excused from Floor Session on Friday, September 4, 2009 for legislative business. Thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member
Seventh District

August 18, 2009

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

Dear Speaker Bass: I am requesting an excused absence from Floor Session on Friday, September 4, 2009, due to district office business.

If you have any questions or concerns please contact Veronica Ortiz-Torres in my Capitol Office at 916-319-2043.

Sincerely,

PAUL KREKORIAN, Assembly Member
Forty-third District

COMMUNICATIONS

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

September 4, 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 Jerry Hill to fill the Democratic vacancy on the Assembly Appropriations Committee for the Friday, September 4 hearing only.

Sincerely,

KAREN BASS
Speaker of the Assembly

September 4, 2009

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

Dear Dotson: This is to advise you that I have established the Select Committee on Cleanup of the Santa Susana Field Laboratory for the 2009–10 Regular Session and have appointed the following membership:

- Assemblymember Julia Brownley, Chair
- Assemblymember Sam Blakeslee
- Assemblymember Bob Blumenfield
- Assemblymember Mike Feuer
- Assemblymember Jared Huffman
- Assemblymember Cameron Smyth

Sincerely,

KAREN BASS
Speaker of the Assembly

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor’s Office, Sacramento
September 4, 2009

*The Honorable Darrell Steinberg
President pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, California*

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

Dear Members of the California State Legislature:

I have executed a tribal-state gaming compact between the State of California and the Habematolel Pomo of Upper Lake, a federally recognized Indian tribe, located in the state of California. I am forwarding copies of this tribal-state gaming compact for consideration by the Legislature.

Sincerely,

ARNOLD SCHWARZENEGGER

RECEIPT

I acknowledge receipt this 4th day of September, 2009 at 9:43 a.m., of the Governor’s Tribal-State Gaming Compact between the State of California and the Habematolel Pomo of Upper Lake delivered to me by Jacque Roberts.

E. DOTSON WILSON
Chief Clerk of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 4, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 93
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, September 4, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 23
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, September 4, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 639
Assembly Bill No. 1029
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

CONSIDERATION OF AMENDMENTS

Assembly Member Torrico was granted unanimous consent that amendments to the following bills be adopted:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 13 (Hernandez)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article II thereof, relating to initiatives.

Resolution read third time.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 89 (Galgiani)—Relative to Italian American Heritage Month.

Resolution read third time.

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

SENATE BILL NO. 211 (Simitian)—An act to amend Section 5514 of, and to add Section 5506.14 to, the Public Resources Code, relating to parks and recreation.

Bill read third time.

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

SENATE BILL NO. 676 (Wolk)—An act to amend Section 2103 of the Code of Civil Procedure, to amend Section 711.4 of the Fish and Game Code, to amend Sections 27361 and 54985 of the Government Code, to amend Sections 987.5, 1203.1, 1203.1b, 1203.4, 1203.45, 1205, and 13300 of the Penal Code, and to amend Sections 903 and 903.3 of the Welfare and Institutions Code, relating to local fees.

Bill read third time.

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

SENATE BILL NO. 104 (Oropeza)—An act to amend Sections 38505 and 38562 of the Health and Safety Code, relating to air pollution.

Bill read third time.

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

SENATE BILL NO. 183 (Lowenthal)—An act to amend Sections 1102.6 and 1102.6d of the Civil Code, and to add Sections 17926, 17926.1, and 17926.2 to, and to add Chapter 8 (commencing with Section 13260) to Part 2 of Division 12 of, the Health and Safety Code, relating to residential building safety.

Bill read third time.

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

SENATE BILL NO. 819 (Committee on Business, Professions and Economic Development)—An act to amend Sections 27, 101, 128.5, 144, 146, 149, 683, 733, 800, 801, 803, 2089.5, 2096, 2102, 2107, 2135, 2168.4, 2175, 2221, 2307, 2335, 2486, 2488, 2570.5, 2570.6, 2570.7, 2570.185, 2760.1, 3503, 3517, 3518, 3625, 3635, 3636, 3753.5, 4022.5, 4027, 4040, 4051, 4059.5, 4060, 4062, 4076, 4081, 4110, 4111, 4126.5, 4161, 4174, 4231, 4301, 4305, 4329, 4330, 4857, 4980.30, 4980.43, 4996.2, 4996.17, 4996.18, 5801, 6534, 6536, 6561, 7616, 7629, 8030.2, 8740, and 8746 of, to add Sections 2169, 2570.36, 4036.5, 4980.04, 4990.09, and 9855.15 to, and to repeal Sections 2172, 2173, 2174, 4981, 4994.1, 4996.20, 4996.21, and 6761 of, the Business and Professions Code, to amend Section 8659 of the Government Code, to amend Sections 8778.5, 11150, and 11165 of the Health and Safety Code, and to amend Section 14132.100 of the Welfare and Institutions Code, relating to professions and vocations, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

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

Bill read third time.

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

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

Bill read third time.

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

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 802 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted and returned to the third reading file. See page 3046.)

SENATE BILL NO. 820 (Negrete McLeod)—An act to amend 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 third time.

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

SENATE BILL NO. 828 (Committee on Governmental Organization)—An act to amend Section 8592.1 of the Government Code, relating to public safety communication.

Bill read third time.

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

SENATE BILL NO. 499 (Ducheny)—An act to amend Section 1341.45 of the Health and Safety Code, relating to health care coverage.

Bill read third time.

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

SENATE BILL NO. 402 (Wolk)—An act to add Sections 19266 and 19560 to the Revenue and Taxation Code, relating to taxation.

Bill read third time.

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

SENATE BILL NO. 410 (Ducheny)—An act to amend Sections 9600.5, 14000, and 14230 of, and to add Section 14230.7 to, the Unemployment Insurance Code, relating to workforce investment.

Bill read third time.

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

SENATE BILL NO. 832 (Committee on Environmental Quality)—An act to amend Sections 44501, 44502, 44506, 44507, 44508, 44510, 44520, 44525, 44525.6, 44525.7, 44526, 44530, 44532, 44534, 44536, 44537, 44542, 44543, 44545, 44550, 44552.5, 44553, 44554, 44555, 44559.1, and 44559.4 of, and to repeal Sections 44525.5, 44533, 44535, 44546, and 44547 of, the Health and Safety Code, to amend Sections 6206.5 and 41780 of the Public Resources Code, and to amend Section 6010.10 of the Revenue and Taxation Code, relating to resources, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

SENATE BILL NO. 471 (Romero)—An act to add Article 13 (commencing with Section 33475) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to education.

Bill read third time.

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

SENATE BILL NO. 630 (Steinberg)—An act to amend Section 1367.63 of the Health and Safety Code, and to amend Section 10123.88 of the Insurance Code, relating to health care coverage.

Bill read third time.

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

SENATE BILL NO. 813 (Kehoe)—An act to add Sections 50517.12, 50650.8, 50862.6, and 50896.4 to the Health and Safety Code, relating to community development.

Bill read third time.

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

SENATE BILL NO. 32 (Negrete McLeod)—An act to amend Section 399.20 of, and to add Section 387.6 to, the Public Utilities code, relating to energy.

Bill read third time.

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

SENATE BILL NO. 117 (Corbett)—An act to amend Section 14571.2 of the Welfare and Institutions Code, relating to adult day health care.

Bill read third time.

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

SENATE BILL NO. 407 (Padilla)—An act to amend Section 1102.6 of, and to add Article 1.4 (commencing with Section 1101.1) to Chapter 2 of Title 4 of Part 4 of Division 2 of, the Civil Code, relating to water conservation.

Bill read third time.

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

SENATE BILL NO. 598 (Huff)—An act to amend Sections 13352, 13352.5, 23109, 23550, 23550.5, 23552, 23566, and 23568 of the Vehicle Code, relating to vehicles.

Bill read third time.

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

SENATE BILL NO. 65 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 66 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 67 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 68 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 546 (Lowenthal)—An act to add Sections 25250.29 and 25250.30 to the Health and Safety Code, and to amend Sections 48100, 48623, 48631, 48632, 48645, 48650, 48651, 48652, 48653, 48656, 48660, 48660.5, 48662, 48670, 48673, 48674, 48690, and 48691 of, to add Sections 48620.2, 48651.5, and 48654 to, and to repeal Sections 48633 and 48634 of, the Public Resources Code, relating to oil, and making an appropriation therefor.

Bill read third time.

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

SENATE BILL NO. 72 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 73 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

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

Bill read third time.

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

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

Bill read third time.

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

SENATE BILL NO. 75 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 81 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 85 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

SENATE BILL NO. 86 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

MEMBER EXCUSED FOR COMMITTEE MEETINGS

At 9:52 a.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 Rule Committee Room.

CONSIDERATION OF AMENDMENTS (RESUMED)

Assembly Member Torrico announced that pursuant to a leadership agreement, the next vote would be on the adoption of proposed amendments to the following list of agreed upon bills:

SENATE BILL NO. 201 (Oropeza)—An act to amend Section 21100.4 of the Vehicle Code, relating to vehicles

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 614 (Simitian)—An act to amend Sections 72401, 72410, 72420.1, 72421, 72430, 72440, and 72441 of, the Public Resources Code, relating to vessels.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 372 (Kehoe)—An act to amend Section 5019.50 of the Public Resources Code, relating to state parks.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 545 (Cedillo)—An act to amend Section 100.4 of, and to add Section 622.2 to, the Streets and Highways Code, relating to transportation.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 14 (Simitian)—An act to add Section 705 to the Fish and Game Code, to amend Sections 25740, 25740.5, 25741, 25742, 25746, 25747, and 25751 of, and to add Section 25500.1 to, the Public Resources Code, and to amend Sections 399.2.5, 399.11, 399.12, 399.17, and 454.5 of, to amend and renumber Section 399.16 of, to amend, renumber, and add Section 399.13 of, to add Sections 399.18, 399.26, 399.30, 399.31, and 1005.1 to, to add Article 11 (commencing with Section 910) to Chapter 4 of Part 1 of Division 1 of, to repeal Section 387 of, and to repeal and add Sections 399.14 and 399.15 of, the Public Utilities Code, relating to energy, and making an appropriation therefor.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 131 (Wiggins)—An act to amend Section 25500.1 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 406 (DeSaulnier)—An act to amend 65040.6 of, and to add Section 65083 to, the Government Code, to amend Sections 41081, 44223, and 44225 of the Health and Safety Code, to amend Section 75125 of the Public Resources Code, and to add Section 9250.6 to the Vehicle Code, relating to land use.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 294 (Negrete McLeod)—An act to add Section 2835.7 to the Business and Professions Code, relating to nurse practitioners.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 388 (Calderon)—An act to add Section 66407 to the Education Code, relating to college textbooks.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 82 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 83 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 84 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 88 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2009.

Bill read third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

SENATE BILL NO. 586 (Yee)—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 third time.

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

(For the vote on the adoption of amendments to the above bill, see this day's Adoption of Amendments roll call.)

Adoption of Amendments Roll Call

The roll was called, amendments to the above bills adopted by the following vote:

AYES—43

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

NOES—28

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

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:01 a.m., by unanimous consent, the members of the Committee on Appropriations 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.

ACTION RESCINDED ON SENATE BILL NO. 24

Assembly Member Torrico was granted unanimous consent to rescind the action whereby the Assembly, on July 9, 2009 (Assembly Journal, page 2448), passed Senate Bill No. 24, and whereby the bill was ordered transmitted to the Senate.

CONSIDERATION OF AMENDMENTS (RESUMED)

Assembly Member Torrico was granted unanimous consent that the amendments to the following bills be adopted:

SENATE BILL NO. 827 (Committee on Governmental Organization)—An act to add Title 16.5 (commencing with Section 98020) to, to repeal Sections 12012.25, 12012.30, 12012.35, 12012.40, 12012.45, 12012.46, 12012.465, 12012.47, 12012.475, 12012.48, 12012.485, 12012.49, 12012.495, 12012.5, 12012.51, 12012.515, 12012.52, 12012.53, 12012.75, 12012.85, and 12012.90 of, to repeal Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of, and to repeal Chapter 3 (commencing with Section 98055) of Title 16.5 of, the Government Code, relating to gaming.

Bill read third time.

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

SENATE BILL NO. 792 (Leno)—An act to repeal Section 5006.8 of the Public Resources Code, to repeal Section 3 of Chapter 2 of the Statutes of 1958 of the First Extraordinary Session, to repeal Chapter 1046 of the Statutes of 1998, to repeal Chapter 464 of the Statutes of 2002, and to repeal Chapter 435 of the Statutes of 2003, relating to tidelines and submerged lands.

Bill read third time.

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

SENATE BILL NO. 450 (Lowenthal)—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 third time.

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

SENATE BILL NO. 24 (Oropeza)—An act to amend Section 487h of the Penal Code, relating to theft.

Bill read third time.

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

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 585 (Leno)—An act to add Section 4132 to the Food and Agricultural Code, relating to Agricultural District 1-A.

Bill read third time.

Motion to Amend by Assembly Member Hagman—Set 1

Assembly Member Hagman moved the adoption of amendments.

Amendments read and refused adoption by the following vote:

AYES—28

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

NOES—41

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

Vote Changes

By unanimous consent, the following vote changes were permitted on the amendments offered by Assembly Member Hagman to Senate Bill No. 585: Assembly Members Anderson and Miller from “No” to “Aye”.

Bill read third time.

Motion to Amend by Assembly Member Hagman—Set 2

Assembly Member Hagman, on behalf of Assembly Member Anderson, moved the adoption of amendments.

Amendments read and refused adoption by the following vote:

AYES—28

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

NOES—41

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

Vote Changes

By unanimous consent, the following vote changes were permitted on the amendments offered by Assembly Member Hagman, on behalf of Assembly Member Anderson, to Senate Bill No. 585: Assembly Members Anderson and Miller from “No” to “Aye”.

**ACTION RESCINDED ON AMENDMENTS TO
SENATE BILL NO. 802**

Assembly Member Torrico was granted unanimous consent that the action be rescinded whereby earlier this day (Assembly Journal, page 3037), Senate Bill No. 802 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted.

REQUEST TO SUSPEND ASSEMBLY RULE 69(b)

Assembly Member Torrico requested unanimous consent to suspend Assembly Rule 69(b) to permit consideration of proposed amendments to Senate Bill No. 802.

Assembly Member Hagman withheld unanimous consent.

Motion to Suspend Assembly Rule 69(b)

Assembly Member Torrico moved that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 802.

Assembly Member Feuer seconded the motion.

Motion carried by the following vote:

AYES—43

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

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	

Further Consideration of Senate Bill No. 802

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

Bill read third time.

Motion to Amend by Assembly Member Fuentes

Assembly Member Fuentes moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—40

Arambula	Eng	Huffman	Ruskin
Beall	Feuer	Jones	Salas
Block	Fong	Lieu	Saldaña
Blumenfield	Fuentes	Lowenthal	Solorio
Brownley	Furutani	Ma	Swanson
Caballero	Galgiani	Mendoza	Torlakson
Calderon	Hayashi	Monning	Torres
Carter	Hernandez	Nava	Torrico
Coto	Hill	Pérez, J.	Yamada
De León	Huber	Portantino	Mme. Speaker

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 reprinted, and ordered returned to the third reading file.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 188 (Runner)—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 third time.

Motion to Amend by Assembly Member Knight

Assembly Member Knight moved the adoption of amendments.

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

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1553 to the Committee on Utilities and Commerce.

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Saldaña re-referred the following Senate Bills to committees as noted:

Senate Bill No. 586, to the Committees on Business and Professions and Appropriations;

Senate Bill No. 828, to the Committee on Governmental Organization;

Senate Bill No. 499, to the Committees on Health and Appropriations;

Senate Bill No. 14, to the Committee on Utilities and Commerce;

Senate Bill No. 402, to the Committee on Natural Resources;

Senate Bill No. 32, to the Committee on Utilities and Commerce;

Senate Bill No. 131, to the Committee on Governmental Organization;

Senate Bill No. 337, to the Committees on Health and Appropriations;

Senate Bill No. 388, to the Committee on Utilities and Commerce;
 Senate Bill No. 655, to the Committee on Revenue and Taxation;
 Senate Bill No. 85, to the Committee on Appropriations;
 Senate Bill No. 450, to the Committees on Natural Resources and
 Utilities and Commerce;
 Senate Bill No. 827, to the Committees on Natural Resources and
 Utilities and Commerce;
 Senate Bill No. 188, to the Committee on Judiciary.

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

SENATE BILL NO. 519—An act to amend Sections 21572, 21573, and 21574.7 of, and to add Section 22944.3 to, the Government Code, relating to public employment.

Bill read second time, and ordered to third reading.

**UNFINISHED BUSINESS
 MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the votes on Assembly Bill No. 964 and Senate Bills Nos. 364, 550, and 679 were continued until Tuesday, September 8, 2009.

ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced the following session schedule:

Monday, September 7, 2009, No Session in observance of Labor Day;
 Tuesday, September 8, 2009, Floor Session, 11 a.m.–6 p.m.
 Wednesday, September 9, 2009, Floor Session, 9:30 a.m.–6 p.m.
 Thursday, September 10, 2009, Floor Session, 9:30 a.m.–6 p.m.
 Friday, September 11, 2009, Floor Session, 9:30 a.m.–6 p.m.

ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced the following session deadlines:

Tuesday, September 8, 2009

Last day to receive a conference report at the Senate or Assembly Desk.

VOTE ADDS

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

Senate Bill No. 201: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 585: Hayashi—No.

Suspend the Rules: Hayashi and Solorio—Aye.

Senate Bill No. 802: Hayashi and Solorio—Aye.

Senate Bill No. 614: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 372: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 545: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 14: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 131: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 406: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 294: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 388: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 82: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 83: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 84: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 88: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 586 and Urgency: Blumenfield, Caballero, Hayashi, Huffman, Mendoza, Solorio, and Swanson—Aye; Garrick and Niello—No.

Senate Bill No. 585: Hayashi—No.

ADJOURN IN MEMORY

Assembly Member Chesbro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Hartman IV of Clearlake.

Assembly Member Logue was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Payne of Marysville.

Assembly Member Brownley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dave Laut of Oxnard.

MOTION TO ADJOURN

At 10:34 a.m., Assembly Member Duvall moved that the Assembly do now adjourn.

Assembly Member Emmerson seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:36 a.m., Speaker pro Tempore Saldaña declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 94—Charles Calderon.
Relative to the CHP Officer Joseph P. Sanders Memorial Highway.

AUTHOR'S AMENDMENTS
Committee on Judiciary

September 4, 2009

Mme. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 392

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

FEUER, Chair

SENATE BILL NO. 392—An act to amend Sections 7025, 7028.5, 7029, 7065, 7065.1, 7065.5, 7068, 7068.1, 7068.2, 7069, 7071, 7071.8, 7071.9, 7071.11, 7071.17, 7072.5, 7075.1, 7076, 7076.2, 7085.6, 7090, 7090.1, 7096, 7121, 7121.1, 7121.5, 7121.6, 7122, 7122.1, 7122.2, 7122.5, 7137, 7138, 7152, 7159, and 7159.10 of, and to add Section 7071.19 to, the Business and Professions Code, and to amend Section 17002 of the Corporations Code, relating to contractors, and making an appropriation therefor.

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

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: September 4, 2009

Mme. Speaker: Your Committee on Appropriations reports:
Senate Bill No. 19

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

DE LEÓN, Chair

Above bill ordered to second reading.

Committee on Veterans Affairs

Date of Hearing: August 27, 2009

Mme. Speaker: Your Committee on Veterans Affairs reports:
Senate Joint Resolution No. 10

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.

SALAS, Chair

Above resolution ordered to second reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 4, 2009

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

Assembly Bill No. 18	Assembly Bill No. 800
Assembly Bill No. 42	Assembly Bill No. 804
Assembly Bill No. 171	Assembly Bill No. 904
Assembly Bill No. 235	Assembly Bill No. 952
Assembly Bill No. 248	Assembly Bill No. 955
Assembly Bill No. 328	Assembly Bill No. 992
Assembly Bill No. 466	Assembly Bill No. 1072
Assembly Bill No. 774	Assembly Bill No. 1093

And reports the same correctly enrolled, and presented to the Governor on the 4th day of September, 2009, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 4, 2009

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

Assembly Bill No. 1136

Assembly Bill No. 1393

Assembly Bill No. 1158

Assembly Bill No. 1471

Assembly Bill No. 1165

Assembly Bill No. 1486

Assembly Bill No. 1255

Assembly Bill No. 1551

Assembly Bill No. 1379

And reports the same correctly enrolled, and presented to the Governor on the 4th day of September, 2009, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3:30 p.m., pursuant to the motion by Assembly Member Duvall, the Assembly adjourned until 11 a.m., Tuesday, September 8, 2009, out of respect to the memory of Frank Hartman IV, on motion of Assembly Member Chesbro; out of respect to the memory of Robert Payne, on motion of Assembly Member Logue; and out of respect to the memory of Dave Laut, on motion of Assembly Member Brownley.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 4, 2009

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

ACA	RN	SB	RN
13	0923011	294	0923084
		337	0922968
ACR	RN	372	0922608
89	0922682	388	0922828
		392	0922434
SB	RN	402	0922938
14	0922620	406	0922890
24	0922782	407	0921051
32	0922595	410	0922863
65	0922706	450	0922783
66	0922876	471	0922756
67	0922977	499	0923032
68	0922855	535	0922605
72	0923009	545	0922447
73	0923018	546	0922942
75	0922987	586	0922836
81	0922991	598	0922988
82	0922989	614	0922443
83	0923048	630	0922905
84	0922993	655	0923039
85	0923024	676	0922656
86	0923013	792	0922441
88	0923019	802	0923122
104	0922917	813	0922823
117	0923088	819	0922970
131	0922688	820	0922598
183	0922764	827	0922593
188	0922460	828	0922748
201	0922329	832	0922498
211	0921429		

Daily Total: 55

Cumulative Total: 2382

Amendments were considered by the Assembly, but not adopted, to the following measures:

SB

- 585 (Hagman amendments—Set 1, RN0921103, refused adoption)
(Anderson amendments presented by Hagman—Set 2, RN921100, refused adoption)