

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, September 15, 2008

**TWO HUNDRED FORTY-THIRD SESSION DAY
SIX HUNDRED FIFTY-SECOND 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
Monday, September 15, 2008

The Assembly met at 4:43 p.m.
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

At 4:44 p.m., Speaker pro Tempore Lieber placed a quorum call upon the Assembly.

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

Quorum Present

At 5:48 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—78:

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

PRAYER

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

Lord, The strong spirit of individualism that prevails in our world today may give us the illusion that we can make it on our own without any connection to You. But such an attitude can be a formula for disaster. The world around us becomes more beautiful when we can see Your hand in nature and Your face in the faces of those around us. Help us to understand, Lord, that in order to find true fulfillment, we need to find You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Lieber, Assembly Member Leno 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 Benoit.

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 Plescia.

Because of illness: Assembly Member Soto.

COMMUNICATIONS

The following communications were presented by the Chief Clerk and ordered printed in the Journal:

September 10, 2008

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

Dear Dotson: Please be advised that I am waiving my per diem effective September 1, 2008, until the state budget is passed.

Sincerely,

KAREN BASS
Speaker of the Assembly

September 10, 2008

*Madame Speaker Karen Bass
State Capitol, Room 217
Sacramento, California*

Dear Madame Speaker: I will not accept per diem payments until the Legislature passes a state budget. I wish to apply this retroactively to September 1, 2008.

Thank you for your assistance in this matter.

Sincerely,

IRA RUSKIN, Assembly Member
Twenty-first District

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Youth Violence Prevention, on Monday, September 29, 2008, at 9 a.m., in Fresno;

Insurance, on Tuesday, October 7, 2008, at 10 a.m.;

Jobs, Economic Development, and the Economy, on Thursday, October 2, 2008, at 10 a.m., in Bakersfield.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Torrico was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 830

September 9, 2008

Mr. Dotson Wilson

Chief Clerk of the Assembly

Room 3196, State Capitol

Sacramento, California

Dear Mr. Wilson: I respectfully submit this letter to clarify intent of my Assembly Bill 830.

Assembly Bill 830 modernizes laws concerning charter party carriers and recognizes the right of parents to contract for the safe transportation of their children. Specifically, AB 830 allows for a parent(s) to contract with a charter-party carrier that operates a vehicle carrying between 11 and 25 persons to and from school-sponsored activities and appropriately institutes safety measures—background checks, driver training, vehicle inspection and alcohol free rides.

With respect to the vehicle inspection that is to be performed by the California Highway Patrol (CHP) on common carrier vehicles transporting students to and from school-sponsored activities, it is my intent that the inspection be similar to the vehicle inspection required under Vehicle Code section 2807.1. It is also my intent that those inspection parameters that are not pertinent to limousine vehicles not be applicable.

AB 830 is needed to ensure the safe, professional, reliable transportation of students to and from school sponsored activities.

In Peace and Friendship,

FIONA MA, Assembly Member
Twelfth District

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 6:03 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.

CAUCUS ANNOUNCEMENTS

At 6:34 p.m., Assembly Member Blakeslee was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 6:40 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

RECONVENED

At 8:28 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONFERENCE COMMITTEE REPORTS**

ASSEMBLY BILL NO. 1781 (As proposed by the Conference Committee)—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Laird.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:44 p.m.

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

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

SENATE BILL NO. 1073 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1073
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1073 out of order, without reference to file, for purpose of consideration.

SENATE BILL NO. 1073 (Committee on Budget and Fiscal Review)—An act to amend Sections 8879.55, 8879.56, 14556.7, 14556.75, 14556.8, and 16965 of, to add Articles 2.5 (commencing with Section 8879.52) and 11 (commencing with Section 8879.66) to Chapter 12.491 of Division 1 of Title 2 of, and to add and repeal Section 14556.85 of, the Government Code, to amend Section 99312 of the Public Utilities Code, to amend Sections 7102, 7103, 7104, and 7104.2 of the Revenue and Taxation Code, to amend Sections 182.6 and 182.7 of, and to add Article 3.7 (commencing with Section 157) to Chapter 1 of Division 1 of, the Streets and Highways Code, and to amend Sections 1678, 9250.13, and 9553.5 of, to amend, repeal, and add Sections 9554 and 9554.5 of, and to add Section 9553.7 to, the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:48 p.m.

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

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

SENATE BILL NO. 1069 (Ducheny)—An act to amend and supplement the Budget Act of 2007 by amending Items 5225-001-0001 and 5225-002-0001 of Section 2.00 of that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:50 p.m.

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

SENATE BILL NO. 1077 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend by Assembly Member Anderson—Set 1

Assembly Member Anderson moved the adoption of amendments.

Amendments read.

**Motion to Table Anderson Amendments
to Senate Bill No. 1077—Set 1**

Assembly Member Torrico moved that the amendments offered by Assembly Member Anderson to Senate Bill No. 1077—Set 1 be laid upon the table.

Assembly Member De León seconded the motion.

Motion carried 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	Núñez	

NOES—30

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

Motion to Amend by Assembly Member Gaines—Set 2

Assembly Member Gaines moved the adoption of amendments.
Amendments read.

**Motion to Table Gaines Amendments
to Senate Bill No. 1077—Set 2**

Assembly Member Torrico moved that the amendments offered by Assembly Member Gaines to Senate Bill No. 1077—Set 2 be laid upon the table.

Assembly Member De León seconded the motion.

Motion carried 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	Núñez	

NOES—30

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

Motion to Amend by Assembly Member La Malfa—Set 3

Assembly Member La Malfa moved the adoption of amendments.
Amendments read.

**Motion to Table La Malfa Amendments
to Senate Bill No. 1077—Set 3**

Assembly Member Torrico moved that the amendments offered by Assembly Member La Malfa to Senate Bill No. 1077—Set 3 be laid upon the table.

Assembly Member Feuer seconded the motion.

Motion carried 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	Núñez	

NOES—30

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

Motion to Amend by Assembly Member Laird—Set 4

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1077
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1077 without reference to file, for purpose of consideration.

SENATE BILL NO. 1077 (Committee on Budget and Fiscal Review)—An act to amend Sections 1266, 1279, 1324.21, 1324.23, 1324.28, 1324.29, 1324.30, 2805, 106925, 123853, 125191, 130501, 130506, and 130542 of, and to add Section 130542.1 to, the Health and Safety Code, to amend Sections 12693.43, 12693.63, and 12693.65 of, and to add Section 12693.271 to, the Insurance Code, and to amend Sections 4061, 4783, 4860, 5777, 14005.11, 14007.9, 14011.16, 14080, 14105.19, 14105.3, 14105.86, 14126.027, 14126.033, 14154, 14154.5, 14166.9, 14166.12, 14166.20, 14166.25, 14301.1, 14526.1, and 16809 of, to amend, repeal, and add Sections 14005.25 and 14166.245 of, to add Sections 4100.2, 4646.4, 7502.5, 14005.42, 14011.17, 14011.18, 14053.3, 14104.93, 14105.191, 14124.11, 14126.034, and 17605.051 to, and to add and repeal Article 2.93 (commencing with Section 14091.3) and Article 6.6 (commencing with Section 14199) of, Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:01 p.m.

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

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

SENATE BILL NO. 1078 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1078
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1078 without reference to file, for purpose of consideration.

SENATE BILL NO. 1078 (Committee on Budget and Fiscal Review)—An act to amend Sections 8206.1, 8222, 8223, 8357, and 8447 of, and to add Section 8275.5 to, the Education Code, to amend Sections 9205, 17560, and 17706 of, and to amend, repeal, and add Sections 8807, 8808, 8810, and 8820 of, the Family Code, to amend Sections 1522, 1596.871, 11758.42, 11758.421, and 11758.46 of the Health and Safety Code, and to amend Sections 10082, 10823, 11320.32, 11402.6, 11453, 12201, 12305.82, 12317, 14021.6, 14124.93, and 18939 of, to add Sections 10080.5 and 10553.15 to, to add Chapter 10.1 (commencing with Section 15525) to Part 3 of Division 9 of, and to repeal Section 10083 of, the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:03 p.m.

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

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

SENATE BILL NO. 1080 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1080
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1080 without reference to file, for purpose of consideration.

SENATE BILL NO. 1080 (Committee on Budget and Fiscal Review)—An act to amend Section 23320 of the Business and Professions Code, to amend Sections 22664, 22954, 22954.1, 22955, 22955.5, 24412, 24415, 24416, 24417, and 24600 of, to add Sections 8277.65, 8277.66, and 24415.5 to, to repeal Section 24411 of, and to repeal and add Section 22954.5 of, the Education Code, to amend Section 13001 of the Fish and Game Code, to add Section 4101.4 to the Food and Agricultural Code, to amend Sections 8544.5, 11032, 11033, 11270, 11271, 11272, 11274, 11276, 11277, 13300, 13302, 13332.02, 13332.03, 15849.6, 16142, 16142.1, 16144, 22877, 22883, 30061, 63035, and 76104.6 of, to add Sections 11270.1, 13311, 13312, 15814.28, and 19816.22 to, to add Chapter 7 (commencing with Section 15849.20) to Part 10b of Division 3 of Title 2 of, and to repeal Section 13997.4 of, the Government Code, to amend Sections 33675 and 33680 of, and to add Sections 17928, 33684, 33685, 33686, 33687, 33688, and 33689 to, the Health and Safety Code, to amend Section 1060 of the Insurance Code, to amend Sections 62.5, 62.9, and 139.48 of the Labor Code, to add Section 69.9 to the Military and Veterans Code, to amend Section 25416 of the Public Resources Code, to amend Section 281 of the Public Utilities Code, to amend Sections 18535, 18536, 19280, and 30131.4 of, and to add Sections 19011.5 and 19290.1 to, the Revenue and Taxation Code, to amend Section 5891 of the Welfare and Institutions Code, and to amend Section 6 of Chapter 213 of the Statutes of 2000, relating to state government, making an appropriation therefore, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:06 p.m.

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

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

SENATE BILL NO. 1084 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1084
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1084 without reference to file, for purpose of consideration.

SENATE BILL NO. 1084 (Committee on Budget and Fiscal Review)—An act to amend Sections 8880.1, 8880.4, 8880.5, 8880.25, 8880.26, 8880.321, 8880.38, 8880.48, 8880.56, 8880.62, 8880.64, and 8880.65 of, to add Sections 8880.4.5 and 8880.5.5 to, and to repeal Section 8880.63 of, the Government Code, and to amend Section 5 of the California State Lottery Act of 1984, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:08 p.m.

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

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

SENATE BILL NO. 1085 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1085
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1085 without reference to file, for purpose of consideration.

SENATE BILL NO. 1085 (Committee on Budget and Fiscal Review)—An act to add Article 6.7 (commencing with Section 63048.91) to Chapter 2 of Division 1 of Title 6.7 of the Government Code, relating to the California State Lottery, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:10 p.m.

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

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Torrico was granted unanimous consent that Assembly Constitutional Amendment No. 9, be withdrawn from the Committee on Revenue and Taxation and placed on the third reading file.

**CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Assembly Constitutional Amendment No. 9 without reference to file, for purpose of amendment.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9 (DeVore)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (a) of Section 3 of Article XIII thereof, relating to taxation.

Resolution read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Assembly Constitutional Amendment No. 9 without reference to file, for purpose of consideration.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9 (Laird)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to the California State Lottery.

Resolution read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:14 p.m.

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

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

SENATE BILL NO. 1076 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1076
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1076 without reference to file, for purpose of consideration.

SENATE BILL NO. 1076 (Committee on Budget and Fiscal Review)—An act to amend and supplement the Budget Act of 2008 by amending Items 0250-001-0159, 0650-001-0001, 0690-001-0001, 0690-001-0890, 0690-002-0001, 0690-101-0890, 0690-102-0001, 0820-001-0001, 0840-001-0001, 0855-111-0367, 0890-001-0001, 0950-001-0001, 1760-001-0666, 1880-001-0001, 1955-001-9730, 2640-101-0046, 2660-001-0042, 2660-104-6059, 2660-304-6059, 2660-492, 3540-001-0001, 3790-490, 3900-001-0044, 4260-101-0001, 4260-101-0890, 4260-111-0001, 4260-111-0890, 4300-101-0001, 4440-101-0001, 5180-101-0001, 5180-101-0890, 5180-111-0001, 5180-141-0001, 5180-141-0890, 5180-151-0001, 5180-151-0890, 5225-001-0001, 5225-002-0001, 5225-101-0001, 5225-301-0001, 5225-301-0660, 6110-001-0001, 6110-001-0890, 6110-101-0349, 6110-103-0001, 6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001, 6110-111-0001, 6110-119-0001, 6110-122-0001, 6110-123-0890, 6110-124-0001, 6110-125-0001, 6110-126-0890, 6110-128-0001, 6110-130-0001, 6110-134-0890, 6110-136-0890, 6110-140-0001, 6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-158-0001, 6110-161-0001, 6110-167-0001, 6110-181-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-196-0001, 6110-198-0001, 6110-201-0890, 6110-202-0001, 6110-203-0001, 6110-204-0001, 6110-209-0001, 6110-211-0001, 6110-224-0001, 6110-228-0001, 6110-232-0001, 6110-234-0001, 6110-240-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-488, 6120-011-6029, 6440-001-0001, 6440-302-6041, 6440-304-6048, 6870-101-0001, 7980-001-0001, 7980-001-0890, 7980-101-0001, 7980-101-0890, 8380-001-0001, 8660-001-0042, 8660-001-0046, 8660-001-0412, 8660-001-0461, 8660-001-0462, 8860-001-0001, 8880-001-9737, 8940-001-0001, and 9210-101-0001 of, by adding Items 0820-012-0378, 0820-495, 3790-494, 6440-301-0660, 6610-301-0660, 6610-491, 8660-011-0470, 8660-011-0471, 8660-011-0483, 9210-105-0001, and 9350-104-6065 to, and by repealing Items 0690-001-1014, 3540-001-1014, and 6110-135-0890 of, Section 2.00 of, and by amending Sections 4.07, 12.32, 24.85, and 35.50 of, and by adding Section 35.20 to, that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:29 p.m.

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

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

SENATE BILL NO. 1074 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1074
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1074 without reference to file, for purpose of consideration.

SENATE BILL NO. 1074 (Committee on Budget and Fiscal Review)—An act to amend Sections 2558.46, 41203.1, 42238.146, 52052, 52055.57, 52059, 56836.155, 60604, 60605, 60605.6, 60606, 60616, 60630, 60640, 60641, 60642.5, 60643, 60645, 60647, 69521.3, 69521.4, 69521.5, 69521.10, 69521.11, 69522, 69561, and 76300 of, to add Sections 12143 and 52055.59 to, and to repeal Sections 60642 and 60644 of, the Education Code, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:32 p.m.

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

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

SENATE BILL NO. 1079 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1079
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1079 without reference to file, for purpose of consideration.

SENATE BILL NO. 1079 (Committee on Budget and Fiscal Review)—An act to add Section 12841.3 to the Food and Agricultural Code, to amend Section 12892 of the Government Code, to amend Section 85.2 of the Harbors and Navigation Code, to amend Sections 13138, 13146.1, 13146.2, 25173.6, 25174, 39625.1, and 39626 of, to add Sections 43022.5 and 44274.7 to, and to add Article 8.6 (commencing with Section 25395.35) to Chapter 6.8 of Division 20 of, the Health and Safety Code, to amend Sections 3258, 6217.3, 30620, and 37036 of, and to add Sections 30620.1 and 30620.2 to, the Public Resources Code, to add Section 326.5 to, and to add and repeal Section 343 of, the Public Utilities Code, and to amend Sections 12561, 13385.1, and 79441 of the Water Code, relating to public resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:34 p.m.

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

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

SENATE BILL NO. 1081 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1081
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1081 without reference to file, for purpose of consideration.

SENATE BILL NO. 1081 (Committee on Budget and Fiscal Review)—An act to amend Section 6248, 17276, 17942, and 24416 of, to add Sections 17039.2, 17276.9, 17276.10, 19137, 23036.2, 23663, 24416.9, and 24416.10 to, and to add Chapter 9.2 (commencing with Section 19740) to Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:36 p.m.

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

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

SENATE BILL NO. 1082 (Committee on Budget and Fiscal Review)—An act relating to the Budget Act of 2008.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1082
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 1082 without reference to file, for purpose of consideration.

SENATE BILL NO. 1082 (Committee on Budget and Fiscal Review)—An act to repeal Sections 8483.5 and 8483.6 of the Education Code, and to amend Section 14 of Proposition 49 of the 2002 statewide general election, relating to before and after school programs, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:39 p.m.

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

RECESS

By unanimous consent, at 10:02 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

RECONVENED

At 10:14 p.m., the Assembly reconvened.

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

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES

Assembly Member Torrico requested unanimous consent that the Rules be suspended for the purpose of allowing Assembly Member De La Torre to print a letter of legislative intent in the Journal.

Assembly Member Blakeslee withheld unanimous consent.

Motion to Suspend the Rules

Assembly Member Torrico moved that the Rules be suspended for the purpose of allowing Assembly Member De La Torre to print a letter of legislative intent in the Journal.

Assembly Member De León seconded the motion.

Rules suspended by the following vote:

AYES—45

Arambula	Dymally	Krekorian	Price
Beall	Eng	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
Davis	Hernandez	Mullin	Mme. Speaker
De La Torre	Huffman	Nava	
De León	Jones	Núñez	
DeSaulnier	Karnette	Portantino	

NOES—29

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

CONSENT TO PRINT IN JOURNAL

Pursuant to a roll call vote, Assembly Member De La Torre was granted consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1945

September 4, 2008

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

Dear Mr. Wilson,

I respectfully submit this letter to be printed in the Assembly Journal in order to provide context for my Assembly Bill 1945.

AB 1945 aims to protect patients from retroactive rescissions where health plans and insurers look to rescind or cancel a patient's individual health coverage only after the patient files a claim and based upon information that allegedly was or was not provided in the application process. Accordingly, AB 1945 requires an automatic independent external review before an insurer or health plan can retroactively cancel or rescind a patient's coverage, with a patient's ability to opt-out. The bill requires the Department of Managed Health Care (DMHC) and the Department of Insurance (DOI) to jointly establish standard information and health history questions to be used on applications, including a pool of approved questions to be used for applications to DMHC and DOI plans. AB 1945 also requires health plans and insurers to complete medical underwriting prior to issuing coverage. Additionally, AB 1945 requires plans and insurers to demonstrate that the conditions specified in the bill are met, including that the enrollee intentionally lied in the application process for purposes of obtaining health coverage, prior to retroactively rescinding or cancelling an individual health care service plan.

Concerns were raised that this bill could be interpreted to make inoperable Health & Safety Code Section 1365(a)(1), which provides that a health plan can cancel an enrollee's coverage if the enrollee/subscriber failed to pay the charge for the coverage. As a matter of reason, and as the legislative history of this bill clearly demonstrates, AB 1945 does not (nor was it ever intended to) impact a health plan's or insurer's ability to cancel a person's coverage because the person failed to pay for the coverage. AB 1945 does not address cancellations for failing to pay the premium, it does lay out the regulatory process for canceling or rescinding coverage based upon information that was, or was not, provided in the application process.

AB 1945 does not conflict with Section 1365(a)(1), delete this provision, or otherwise make Health & Safety Code Section 1365(a)(1) inoperable. As Section 1365(a)(1) makes clear, an enrollment or a subscription may be cancelled if there is a failure to pay the charge for such coverage, the subscriber has been duly notified and billed for the charge, and at least 15 days has elapsed since the date of notification.

Sincerely,

HECTOR DE LA TORRE, Assembly Member
Fiftieth District

CAUCUS ANNOUNCEMENTS

At 10:55 p.m., Assembly Member Villines was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

Speaker pro Tempore Lieber was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 10:55 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**SIX HUNDRED FIFTY-THIRD CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, September 16, 2008

At 12 midnight.

Speaker pro Tempore Sally Lieber, presiding.

RECONVENED

At 1:06 a.m., the Assembly reconvened.

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

MESSAGES FROM THE SENATE

Senate Chamber, September 15, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1781

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

Senate Chamber, September 15, 2008

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

Senate Constitutional Amendment No. 12

Senate Constitutional Amendment No. 13

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

FIRST READING OF SENATE BILLS

The following resolutions were read the first time:

SENATE CONSTITUTIONAL AMENDMENT NO. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to the California State Lottery.

SENATE CONSTITUTIONAL AMENDMENT NO. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, and by amending Section 20 of, and adding Section 21 to, Article XVI thereof, relating to state finance.

Senate Chamber, September 16, 2008

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

Assembly Bill No. 10	Assembly Bill No. 1389
Assembly Bill No. 88	Assembly Bill No. 1452
Assembly Bill No. 158	Assembly Bill No. 1526
Assembly Bill No. 186	Assembly Bill No. 1654
Assembly Bill No. 268	Assembly Bill No. 1741
Assembly Bill No. 519	Assembly Bill No. 1805
Assembly Bill No. 1183	Assembly Bill No. 2026
Assembly Bill No. 1279	Assembly Bill No. 2246
Assembly Bill No. 1338	Assembly Bill No. 2784

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.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 88 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 88, without reference to file.

ASSEMBLY BILL NO. 88 (Committee on Budget)—An act to amend and supplement the Budget Act of 2008 by amending Items 0250-001-0159, 0650-001-0001, 0690-001-0001, 0690-001-0890, 0690-002-0001, 0690-101-0890, 0690-102-0001, 0820-001-0001, 0840-001-0001, 0855-111-0367, 0890-001-0001, 0950-001-0001, 1760-001-0666, 1880-001-0001, 1955-001-9730, 2640-101-0046, 2660-001-0042, 2660-104-6059, 2660-304-6059, 2660-492, 3540-001-0001, 3790-490, 3900-001-0044, 4260-101-0001, 4260-101-0890, 4260-111-0001, 4260-111-0890, 4300-101-0001, 4440-101-0001, 5180-101-0001, 5180-101-0890, 5180-111-0001, 5180-141-0001, 5180-141-0890, 5180-151-0001, 5180-151-0890, 5225-001-0001, 5225-002-0001, 5225-101-0001, 5225-301-0001, 5225-301-0660, 6110-001-0001, 6110-001-0890, 6110-101-0349, 6110-103-0001, 6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001, 6110-111-0001, 6110-119-0001, 6110-122-0001, 6110-123-0890, 6110-124-0001, 6110-125-0001, 6110-126-0890, 6110-128-0001, 6110-130-0001, 6110-134-0890, 6110-136-0890, 6110-140-0001, 6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-158-0001, 6110-161-0001, 6110-167-0001, 6110-181-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-196-0001, 6110-198-0001, 6110-201-0890, 6110-202-0001, 6110-203-0001, 6110-204-0001, 6110-209-0001, 6110-211-0001, 6110-224-0001, 6110-228-0001, 6110-232-0001, 6110-234-0001, 6110-240-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-488, 6120-011-6029, 6440-001-0001, 6440-302-6041, 6440-304-6048, 6870-101-0001, 7980-001-0001, 7980-001-0890, 7980-101-0001, 7980-101-0890, 8380-001-0001, 8660-001-0042, 8660-001-0046, 8660-001-0412, 8660-001-0461, 8660-001-0462, 8860-001-0001, 8880-001-9737, 8940-001-0001, and 9210-101-0001 of, by adding items 0820-012-0378, 0820-495, 3790-494, 6440-301-0660, 6610-301-0660, 6610-491, 8660-011-0470, 8660-011-0471, 8660-011-0483, 9210-105-0001, and 9350-104-6065 to, and by repealing Items 0690-001-1014, 3540-001-1014, and 6110-135-0890 of, Section 2.00 of, and by amending Sections 4.07, 12.32, 24.85, and 35.50 of, and by adding Section 35.20 to, that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:13 a.m.

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

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 268 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 268, without reference to file.

ASSEMBLY BILL NO. 268 (Committee on Budget)—An act to amend Sections 8879.55, 8879.56, 14556.7, 14556.75, 14556.8, and 16965 of, to add Articles 2.5 (commencing with Section 8879.52) and 11 (commencing with Section 8879.66) to Chapter 12.491 of Division 1 of Title 2 of, and to add and repeal Section 14556.85 of, the Government Code, to amend Section 99312 of the Public Utilities Code, to amend Sections 7102, 7103, 7104, and 7104.2 of the Revenue and Taxation Code, to amend Sections 182.6 and 182.7 of, and to add Article 3.7 (commencing with Section 157) to Chapter 1 of Division 1 of, the Streets and Highways Code, and to amend Sections 1678, 9250.13, and 9553.5 of, to amend, repeal, and add Sections 9554 and 9554.5 of, and to add Section 9553.7 to, the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—59

Adams	De León	Jeffries	Núñez
Aghazarian	DeSaulnier	Jones	Portantino
Arambula	Dymally	Karnette	Price
Beall	Emmerson	Krekorian	Runner
Benoit	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Blakeslee	Feuer	Levine	Saldaña
Brownley	Fuentes	Lieber	Smyth
Caballero	Galgiani	Lieu	Solorio
Calderon	Hayashi	Ma	Swanson
Carter	Hernandez	Maze	Torrico
Cook	Horton	Mendoza	Villines
Coto	Houston	Mullin	Wolk
Davis	Huff	Nava	Mme. Speaker
De La Torre	Huffman	Niello	

NOES—17

Anderson	Gaines	La Malfa	Tran
Berryhill	Garcia	Nakanishi	Walters
DeVore	Garrick	Silva	
Duvall	Hancock	Spitzer	
Fuller	Keene	Strickland	

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

AYES—59

Adams	De León	Jeffries	Núñez
Aghazarian	DeSaulnier	Jones	Portantino
Arambula	Dymally	Karnette	Price
Beall	Emmerson	Krekorian	Runner
Benoit	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Blakeslee	Feuer	Levine	Saldaña
Brownley	Fuentes	Lieber	Smyth
Caballero	Galgiani	Lieu	Solorio
Calderon	Hayashi	Ma	Swanson
Carter	Hernandez	Maze	Torrico
Cook	Horton	Mendoza	Villines
Coto	Houston	Mullin	Wolk
Davis	Huff	Nava	Mme. Speaker
De La Torre	Huffman	Niello	

NOES—17

Anderson	Gaines	La Malfa	Tran
Berryhill	Garcia	Nakanishi	Walters
DeVore	Garrick	Silva	
Duvall	Hancock	Spitzer	
Fuller	Keene	Strickland	

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 519 BY UNANIMOUS CONSENT

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 519, without reference to file.

ASSEMBLY BILL NO. 519 (Committee on Budget)—An act to amend Sections 2558.46, 41203.1, 42238.146, 52052, 52055.57, 52059, 56836.155, 60604, 60605, 60605.6, 60606, 60616, 60630, 60640, 60641, 60642.5, 60643, 60645, 60647, 69521.3, 69521.4, 69521.5, 69521.10, 69521.11, 69522, 69561, and 76300 of, to add Sections 12143 and 52055.59 to, and to repeal Sections 60642 and 60644 of, the Education Code, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

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

NOES—7

Anderson	Duvall	La Malfa	Walters
DeVore	Gaines	Nakanishi	

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

AYES—68

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

NOES—7

Anderson	Duvall	La Malfa	Walters
DeVore	Gaines	Nakanishi	

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1183 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1183, without reference to file.

ASSEMBLY BILL NO. 1183 (Committee on Budget)—An act to amend Sections 1266, 1279, 1324.21, 1324.23, 1324.28, 1324.29, 1324.30, 2805, 106925, 123853, 125191, 130501, 130506, and 130542 of, and to add Section 130542.1 to, the Health and Safety Code, to amend Sections 12693.43, 12693.63, and 12693.65 of, and to add Section 12693.271 to, the Insurance Code, and to amend Sections 4061, 4783, 4860, 5777, 14005.11, 14007.9, 14011.16, 14080, 14105.19, 14105.3, 14105.86, 14126.027, 14126.033, 14154, 14154.5, 14166.9, 14166.12, 14166.20, 14166.25, 14301.1, 14526.1, and 16809 of, to amend, repeal, and add Sections 14005.25 and 14166.245 of, to add Sections 4100.2, 4646.4, 7502.5, 14005.42, 14011.17, 14011.18, 14053.3, 14104.93, 14105.191, 14124.11, 14126.034, and 17605.051 to, and to add and repeal Article 2.93 (commencing with Section 14091.3), and Article 6.6 (commencing with Section 14199) of, Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—55

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

NOES—21

Anderson	Garcia	Maze	Strickland
Cook	Garrick	Nakanishi	Tran
DeVore	Horton	Runner	Walters
Duvall	Jeffries	Silva	
Fuller	Keene	Smyth	
Gaines	La Malfa	Spitzer	

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

AYES—55

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

NOES—21

Anderson	Garcia	Maze	Strickland
Cook	Garrick	Nakanishi	Tran
DeVore	Horton	Runner	Walters
Duvall	Jeffries	Silva	
Fuller	Keene	Smyth	
Gaines	La Malfa	Spitzer	

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1279 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1279, without reference to file.

ASSEMBLY BILL NO. 1279 (Committee on Budget)—An act to amend Sections 8206.1, 8222, 8223, 8357, and 8447 of, and to add Section 8275.5 to, the Education Code, to amend Sections 9205, 17560, and 17706 of, and to amend, repeal, and add Sections 8807, 8808, 8810, and 8820 of, the Family Code, to amend Sections 1522, 1596.871, 11758.42, 11758.421, and 11758.46 of the Health and Safety Code, and to amend Sections 10082, 10823, 11320.32, 11402.6, 11453, 12201, 12305.82, 12317, 14021.6, 14124.93, and 18939 of, to add Sections 10080.5 and 10553.15 to, to add Chapter 10.1 (commencing with Section 15525) to Part 3 of Division 9 of, and to repeal Section 10083 of, the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—56

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

NOES—20

Anderson	Duvall	Keene	Silva
Benoit	Gaines	La Malfa	Spitzer
Berryhill	Garcia	Maze	Strickland
Cook	Garrick	Nakanishi	Tran
DeVore	Jeffries	Runner	Walters

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

AYES—56

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

NOES—20

Anderson	Duvall	Keene	Silva
Benoit	Gaines	La Malfa	Spitzer
Berryhill	Garcia	Maze	Strickland
Cook	Garrick	Nakanishi	Tran
DeVore	Jeffries	Runner	Walters

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1338 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1338, without reference to file.

ASSEMBLY BILL NO. 1338 (Committee on Budget)—An act to add Section 12841.3 to the Food and Agricultural Code, to amend Section 12892 of the Government Code, to amend Section 85.2 of the Harbors and Navigation Code, to amend Sections 13138, 13146.1, 13146.2, 25173.6, 25174, 39625.1, and 39626 of, to add Sections 43022.5 and 44274.7 to, and to add Article 8.6 (commencing with Section 25395.35) to Chapter 6.8 of Division 20 of, the Health and Safety Code, to amend Sections 3258, 6217.3, 30620, and 37036 of, and to add Sections 30620.1 and 30620.2 to, the Public Resources Code, to add Section 326.5 to, and to add and repeal Section 343 of, the Public Utilities Code, and to amend Sections 12561, 13385.1, and 79441 of the Water Code, relating to public resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—62

Adams	Dymally	Jones	Portantino
Aghazarian	Emmerson	Karnette	Price
Arambula	Eng	Krekorian	Runner
Beall	Evans	Laird	Ruskin
Berg	Feuer	Leno	Salas
Blakeslee	Fuentes	Levine	Saldaña
Brownley	Furutani	Lieber	Smyth
Caballero	Galgiani	Lieu	Solorio
Calderon	Garcia	Ma	Strickland
Carter	Hancock	Maze	Swanson
Cook	Hayashi	Mendoza	Torrico
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nakanishi	Wolk
De La Torre	Houston	Nava	Mme. Speaker
De León	Huff	Niello	
DeSaulnier	Huffman	Núñez	

NOES—15

Anderson	Duvall	Jeffries	Spitzer
Benoit	Fuller	Keene	Tran
Berryhill	Gaines	La Malfa	Walters
DeVore	Garrick	Silva	

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

AYES—62

Adams	Dymally	Jones	Portantino
Aghazarian	Emmerson	Karnette	Price
Arambula	Eng	Krekorian	Runner
Beall	Evans	Laird	Ruskin
Berg	Feuer	Leno	Salas
Blakeslee	Fuentes	Levine	Saldaña
Brownley	Furutani	Lieber	Smyth
Caballero	Galgiani	Lieu	Solorio
Calderon	Garcia	Ma	Strickland
Carter	Hancock	Maze	Swanson
Cook	Hayashi	Mendoza	Torrico
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nakanishi	Wolk
De La Torre	Houston	Nava	Mme. Speaker
De León	Huff	Niello	
DeSaulnier	Huffman	Núñez	

NOES—15

Anderson	Duvall	Jeffries	Spitzer
Benoit	Fuller	Keene	Tran
Berryhill	Gaines	La Malfa	Walters
DeVore	Garrick	Silva	

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1389 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1389, without reference to file.

ASSEMBLY BILL NO. 1389 (Committee on Budget)—An act to amend Section 23320 of the Business and Professions Code, to amend Sections 22664, 22954, 22954.1, 22955, 22955.5, 24412, 24415, 24416, 24417, and 24600 of, to add Sections 8277.65, 8277.66, and 24415.5 to, to repeal Section 24411 of, and to repeal and add Section 22954.5 of, the Education Code, to amend Section 13001 of the Fish and Game Code, to add Section 4101.4 to the Food and Agricultural Code, to amend Sections 8544.5, 11032, 11033, 11270, 11271, 11272, 11274, 11276, 11277, 13300, 13302, 13332.02, 13332.03, 15849.6, 16142, 16142.1, 16144, 22877, 22883, 30061, 63035, and 76104.6 of, to add Sections 11270.1, 13311, 13312, 15814.28, and 19816.22 to, to add Chapter 7 (commencing with Section 15849.20) to Part 10b of Division 3 of Title 2 of, and to repeal Section 13997.4 of, the Government Code, to amend Sections 33675 and 33680 of, and to add Sections 17928, 33684, 33685, 33686, 33687, 33688, and 33689 to, the Health and Safety Code, to amend Section 1060 of the Insurance Code, to amend Sections 62.5, 62.9, and 139.48 of the Labor Code, to add Section 69.9 to the Military and Veterans Code, to amend Section 25416 of the Public Resources Code, to amend Section 281 of the Public Utilities Code, to amend Sections 18535, 18536, 19280, and 30131.4 of, and to add Sections 19011.5 and 19290.1 to, the Revenue and Taxation Code, to amend Section 5891 of the Welfare and Institutions Code, and to amend Section 6 of Chapter 213 of the Statutes of 2000, relating to state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—55

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

NOES—22

Anderson	Fuller	La Malfa	Spitzer
Berryhill	Gaines	Maze	Strickland
Cook	Garrick	Nakanishi	Tran
DeVore	Horton	Runner	Walters
Duvall	Jeffries	Silva	
Emmerson	Keene	Smyth	

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

AYES—55

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

NOES—22

Anderson	Fuller	La Malfa	Spitzer
Berryhill	Gaines	Maze	Strickland
Cook	Garrick	Nakanishi	Tran
DeVore	Horton	Runner	Walters
Duvall	Jeffries	Silva	
Emmerson	Keene	Smyth	

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1452 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1452, without reference to file.

ASSEMBLY BILL NO. 1452 (Committee on Budget)—An act to amend Sections 6248, 17276, 17942, and 24416 of, to add Sections 17039.2, 17276.9, 17276.10, 19137, 23036.2, 23663, 24416.9, and 24416.10 to, and to add Chapter 9.2 (commencing with Section 19740) to Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:25 a.m.

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

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1526 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1526, without reference to file.

ASSEMBLY BILL NO. 1526 (Committee on Budget)—An act to repeal Sections 8483.5 and 8483.6 of the Education Code, and to amend Section 14 of Proposition 49 of the 2002 statewide general election, relating to before and after school programs, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

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

NOES—5

Fuller	La Malfa	Nakanishi
Hancock	Maze	

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

AYES—68

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

NOES—5

Fuller	La Malfa	Nakanishi
Hancock	Maze	

Vote Changes

By unanimous consent, the following vote changes were permitted on the urgency clause and on Concurrence in Senate Amendments to Assembly Bill No. 1526: Assembly Members Anderson and Gaines from “No” to “Aye”.

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1654 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1654, without reference to file.

ASSEMBLY BILL NO. 1654 (Committee on Budget)—An act to amend Sections 8880.1, 8880.4, 8880.5, 8880.25, 8880.26, 8880.321, 8880.38, 8880.48, 8880.56, 8880.62, 8880.64, and 8880.65 of, to add Sections 8880.4.5 and 8880.5.5 to, and to repeal Section 8880.63 of, the Government Code, and to amend Section 5 of the California State Lottery Act of 1984, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—65

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

NOES—11

Anderson	Gaines	Silva	Strickland
Berryhill	La Malfa	Smyth	Walters
DeVore	Maze	Spitzer	

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

AYES—65

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

NOES—11

Anderson	Gaines	Silva	Strickland
Berryhill	La Malfa	Smyth	Walters
DeVore	Maze	Spitzer	

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause and on Concurrence in Senate Amendments to Assembly Bill No. 1654: Assembly Member Duvall from “No” to “Aye”.

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1741 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1741, without reference to file.

ASSEMBLY BILL NO. 1741 (Committee on Budget)—An act to add Article 6.7 (commencing with Section 63048.91) to Chapter 2 of Division 1 of Title 6.7 of the Government Code, relating to the California State Lottery, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Laird.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—64

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

NOES—12

Anderson	Fuller	Maze	Spitzer
Berryhill	Gaines	Silva	Strickland
DeVore	La Malfa	Smyth	Walters

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

AYES—64

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

NOES—12

Anderson	Fuller	Maze	Spitzer
Berryhill	Gaines	Silva	Strickland
DeVore	La Malfa	Smyth	Walters

Above bill ordered enrolled.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Laird

Resolved, That Senate Constitutional Amendments Nos. 12 and 13 present cases of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the resolutions be read on three separate days in each house is hereby dispensed with, and it is ordered that the resolutions be placed upon their adoption, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—76

Adams	DeVore	Huff	Núñez
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
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	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garcia	Ma	Swanson
Cook	Garrick	Maze	Torrico
Coto	Hancock	Mendoza	Tran
Davis	Hayashi	Mullin	Villines
De La Torre	Hernandez	Nakanishi	Walters
De León	Horton	Nava	Wolk
DeSaulnier	Houston	Niello	Mme. Speaker

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Senate Constitutional Amendment No. 12

SENATE CONSTITUTIONAL AMENDMENT NO. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to the California State Lottery.

Resolution read second time.

**CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 12
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Constitutional Amendment No. 12 without reference to file, for purpose of consideration.

SENATE CONSTITUTIONAL AMENDMENT NO. 12 (Perata)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to the California State Lottery.

Resolution read third time, and presented by Assembly Member Laird.

Resolution adopted by the following vote:

AYES—63

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

NOES—14

Anderson	Duvall	Maze	Strickland
Berryhill	Fuller	Nakanishi	Walters
Calderon	Gaines	Silva	
DeVore	La Malfa	Spitzer	

Resolution ordered transmitted to the Senate.

Second Reading of Senate Constitutional Amendment No. 13

SENATE CONSTITUTIONAL AMENDMENT NO. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, and by amending Section 20 of, and adding Section 21 to, Article XVI thereof, relating to state finance.

Resolution read second time.

**CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 13
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Constitutional Amendment No. 13 without reference to file, for purpose of consideration.

SENATE CONSTITUTIONAL AMENDMENT NO. 13 (Ashburn)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, and by amending Section 20 of, and adding Section 21 to, Article XVI thereof, relating to state finance.

Resolution read third time, and presented by Assembly Member Laird.

Resolution adopted by the following vote:

AYES—64

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

NOES—6

Anderson	Calderon	Hancock
Berryhill	Gaines	Swanson

Resolution ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1452**

At 1:43 a.m., on motion of Assembly Member Laird, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1452 adopted by the following vote:

AYES—55

Adams	De León	Houston	Nava
Aghazarian	DeSaulnier	Huff	Niello
Arambula	Dymally	Huffman	Núñez
Beall	Emmerson	Jones	Portantino
Benoit	Eng	Karnette	Price
Berg	Evans	Krekorian	Ruskin
Blakeslee	Feuer	Laird	Salas
Brownley	Fuentes	Leno	Saldaña
Caballero	Furutani	Levine	Swanson
Carter	Galgiani	Lieber	Torrico
Cook	Garcia	Lieu	Villines
Coto	Hayashi	Ma	Wolk
Davis	Hernandez	Mendoza	Mme. Speaker
De La Torre	Horton	Mullin	

NOES—21

Anderson	Gaines	Maze	Strickland
Berryhill	Garrick	Nakanishi	Tran
Calderon	Hancock	Runner	Walters
DeVore	Jeffries	Silva	
Duvall	Keene	Smyth	
Fuller	La Malfa	Spitzer	

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

AYES—55

Adams	De León	Houston	Nava
Aghazarian	DeSaulnier	Huff	Niello
Arambula	Dymally	Huffman	Núñez
Beall	Emmerson	Jones	Portantino
Benoit	Eng	Karnette	Price
Berg	Evans	Krekorian	Ruskin
Blakeslee	Feuer	Laird	Salas
Brownley	Fuentes	Leno	Saldaña
Caballero	Furutani	Levine	Swanson
Carter	Galgiani	Lieber	Torrico
Cook	Garcia	Lieu	Villines
Coto	Hayashi	Ma	Wolk
Davis	Hernandez	Mendoza	Mme. Speaker
De La Torre	Horton	Mullin	

NOES—21

Anderson	Gaines	Maze	Strickland
Berryhill	Garrick	Nakanishi	Tran
Calderon	Hancock	Runner	Walters
DeVore	Jeffries	Silva	
Duvall	Keene	Smyth	
Fuller	La Malfa	Spitzer	

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 10 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 10, without reference to file.

ASSEMBLY BILL NO. 10 (Committee on Budget)—An act to amend Section 515.5 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Niello.

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.)

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

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

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

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 186 BY UNANIMOUS CONSENT**

Assembly Member Maze was granted unanimous consent to take up consideration of Assembly Bill No. 186, without reference to file.

ASSEMBLY BILL NO. 186 (Maze)—An act to amend Section 14175 of the Penal Code, relating to crime prevention, and declaring the urgency thereof, to take effect immediately.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—75

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Karnette	Runner
Arambula	Emmerson	Keene	Ruskin
Beall	Eng	Krekorian	Salas
Benoit	Feuer	La Malfa	Saldaña
Berg	Fuentes	Laird	Silva
Berryhill	Fuller	Leno	Smyth
Blakeslee	Gaines	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	Nava	Wolk
De León	Huff	Niello	Mme. Speaker
DeSaulnier	Huffman	Núñez	

NOES—None

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

AYES—75

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Karnette	Runner
Arambula	Emmerson	Keene	Ruskin
Beall	Eng	Krekorian	Salas
Benoit	Feuer	La Malfa	Saldaña
Berg	Fuentes	Laird	Silva
Berryhill	Fuller	Leno	Smyth
Blakeslee	Gaines	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	Nava	Wolk
De León	Huff	Niello	Mme. Speaker
DeSaulnier	Huffman	Núñez	

NOES—None

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1805 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up consideration of Assembly Bill No. 1805, without reference to file.

ASSEMBLY BILL NO. 1805 (Committee on Budget)—An act to amend Section 18350 of, and to add Section 18350.5 to, the Welfare and Institutions Code, relating to foster care, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Beall.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—67

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

NOES—7

Benoit	Duvall	Maze	Niello
Berryhill	Garrick	Nakanishi	

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

AYES—67

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

NOES—7

Benoit	Duvall	Maze	Niello
Berryhill	Garrick	Nakanishi	

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2026 BY UNANIMOUS CONSENT

Assembly Member Niello was granted unanimous consent to take up consideration of Assembly Bill No. 2026, without reference to file.

ASSEMBLY BILL NO. 2026 (Villines)—An act to add Sections 5003.16 and 5080.41 to the Public Resources Code, and to amend Section 9 of Chapter 731 of the Statutes of 1998, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Niello.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

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

NOES—3

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

AYES—68

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

NOES—3

Hayashi	Huffman	Swanson
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Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2246 BY UNANIMOUS CONSENT**

Assembly Member Niello was granted unanimous consent to take up consideration of Assembly Bill No. 2246, without reference to file.

ASSEMBLY BILL NO. 2246 (Villines)—An act to amend and repeal Section 47612.7 of, and to add and repeal Section 42238.20 of, the Education Code, relating to charter schools, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Niello.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

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

NOES—None

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

AYES—69

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

NOES—None

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 158 BY UNANIMOUS CONSENT**

Assembly Member Torrico was granted unanimous consent to take up consideration of Assembly Bill No. 158, without reference to file.

ASSEMBLY BILL NO. 158 (Torrico)—An act to amend Sections 12712, 12715, 12716, and 12718 of the Government Code, relating to gaming, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—76

Adams	DeVore	Huff	Núñez
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
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	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garcia	Ma	Swanson
Cook	Garrick	Maze	Torrico
Coto	Hancock	Mendoza	Tran
Davis	Hayashi	Mullin	Villines
De La Torre	Hernandez	Nakanishi	Walters
De León	Horton	Nava	Wolk
DeSaulnier	Houston	Niello	Mme. Speaker

NOES—None

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

AYES—76

Adams	DeVore	Huff	Núñez
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
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	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garcia	Ma	Swanson
Cook	Garrick	Maze	Torrico
Coto	Hancock	Mendoza	Tran
Davis	Hayashi	Mullin	Villines
De La Torre	Hernandez	Nakanishi	Walters
De León	Horton	Nava	Wolk
DeSaulnier	Houston	Niello	Mme. Speaker

NOES—None

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2784 BY UNANIMOUS CONSENT**

Assembly Member La Malfa was granted unanimous consent to take up consideration of Assembly Bill No. 2784, without reference to file.

ASSEMBLY BILL NO. 2784 (La Malfa)—An act to amend, repeal, and add Section 14166.245 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—70

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

NOES—None

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

AYES—70

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

NOES—None

Above bill ordered enrolled.

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

At 2:01 a.m., on motion of Assembly Member Laird, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 10 adopted by the following vote:

AYES—54

Adams	De León	Jeffries	Saldaña
Aghazarian	DeVore	Keene	Silva
Anderson	Duvall	La Malfa	Smyth
Arambula	Dymally	Levine	Solorio
Benoit	Emmerson	Lieber	Spitzer
Berg	Evans	Lieu	Strickland
Berryhill	Fuller	Ma	Torrico
Blakeslee	Gaines	Maze	Tran
Caballero	Galgiani	Nakanishi	Villines
Calderon	Garcia	Niello	Walters
Carter	Garrick	Núñez	Wolk
Cook	Horton	Parra	Mme. Speaker
Coto	Houston	Runner	
De La Torre	Huff	Ruskin	

NOES—19

Beall	Hancock	Laird	Portantino
Brownley	Hayashi	Leno	Price
DeSaulnier	Huffman	Mendoza	Salas
Feuer	Jones	Mullin	Swanson
Furutani	Karnette	Nava	

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

AYES—54

Adams	De León	Jeffries	Saldaña
Aghazarian	DeVore	Keene	Silva
Anderson	Duvall	La Malfa	Smyth
Arambula	Dymally	Levine	Solorio
Benoit	Emmerson	Lieber	Spitzer
Berg	Evans	Lieu	Strickland
Berryhill	Fuller	Ma	Torrico
Blakeslee	Gaines	Maze	Tran
Caballero	Galgiani	Nakanishi	Villines
Calderon	Garcia	Niello	Walters
Carter	Garrick	Núñez	Wolk
Cook	Horton	Parra	Mme. Speaker
Coto	Houston	Runner	
De La Torre	Huff	Ruskin	

NOES—19

Beall	Hancock	Laird	Portantino
Brownley	Hayashi	Leno	Price
DeSaulnier	Huffman	Mendoza	Salas
Feuer	Jones	Mullin	Swanson
Furutani	Karnette	Nava	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
CONFERENCE COMMITTEE REPORT ON ASSEMBLY BILL NO. 1781**

At 2:08 a.m., on motion of Assembly Member Laird, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Conference Committee Report on Assembly Bill No. 1781 adopted by the following vote:

AYES—61

Adams	DeSaulnier	Jones	Price
Aghazarian	DeVore	Karnette	Runner
Arambula	Dymally	Keene	Ruskin
Beall	Eng	Krekorian	Salas
Benoit	Evans	Laird	Saldaña
Berg	Feuer	Leno	Solorio
Blakeslee	Fuentes	Levine	Strickland
Brownley	Furutani	Lieber	Swanson
Caballero	Galgiani	Lieu	Torrico
Calderon	Garcia	Ma	Tran
Carter	Hancock	Mendoza	Villines
Cook	Hayashi	Mullin	Wolk
Coto	Hernandez	Nava	Mme. Speaker
Davis	Houston	Niello	
De La Torre	Huff	Núñez	
De León	Huffman	Portantino	

NOES—11

Anderson	Gaines	Maze	Spitzer
Berryhill	Jeffries	Nakanishi	Walters
Fuller	La Malfa	Silva	

Vote Changes

By unanimous consent, the following vote changes were permitted on the Conference Committee Report on Assembly Bill No. 1781: Assembly Member Silva from "Aye" to "No"; Assembly Member Horton from "Aye" to "Not Voting".

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 88**

At 2:08 a.m., on motion of Assembly Member Laird, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 88 adopted by the following vote:

AYES—59

Adams	DeSaulnier	Jones	Portantino
Aghazarian	DeVore	Karnette	Price
Arambula	Dymally	Krekorian	Runner
Beall	Eng	La Malfa	Ruskin
Benoit	Evans	Laird	Salas
Berg	Feuer	Leno	Saldaña
Blakeslee	Fuentes	Levine	Smyth
Brownley	Furutani	Lieber	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Hancock	Mendoza	Tran
Coto	Hayashi	Mullin	Villines
Davis	Hernandez	Nava	Wolk
De La Torre	Houston	Niello	Mme. Speaker
De León	Huff	Núñez	

NOES—17

Anderson	Fuller	Jeffries	Spitzer
Berryhill	Gaines	Keene	Walters
Cook	Garrick	Maze	
Duvall	Horton	Nakanishi	
Emmerson	Huffman	Silva	

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

AYES—59

Adams	DeSaulnier	Jones	Portantino
Aghazarian	DeVore	Karnette	Price
Arambula	Dymally	Krekorian	Runner
Beall	Eng	La Malfa	Ruskin
Benoit	Evans	Laird	Salas
Berg	Feuer	Leno	Saldaña
Blakeslee	Fuentes	Levine	Smyth
Brownley	Furutani	Lieber	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Hancock	Mendoza	Tran
Coto	Hayashi	Mullin	Villines
Davis	Hernandez	Nava	Wolk
De La Torre	Houston	Niello	Mme. Speaker
De León	Huff	Núñez	

NOES—17

Anderson	Fuller	Jeffries	Spitzer
Berryhill	Gaines	Keene	Walters
Cook	Garrick	Maze	
Duvall	Horton	Nakanishi	
Emmerson	Huffman	Silva	

Vote Changes

By unanimous consent, the following vote changes were permitted on the urgency clause and on Concurrence in Senate Amendments to Assembly Bill No. 88: Assembly Members La Malfa and Tran from “No” to “Aye”.

Above bill ordered enrolled.

MOTION TO SUSPEND RULES

Assembly Member Laird moved to suspend the Assembly rules and direct the Chief Clerk to dispense with the calls on the following bills: Senate Bills Nos. 1073, 1069, 1077, 1078, 1080, 1084, 1085, 1076, 1074, 1079, 1081, and 1082, and Assembly Constitutional Amendment No. 9; and to rescind and expunge the record on those measures.

Assembly Member Feuer seconded the motion.

Motion carried by the following vote:

AYES—74

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

NOES—None**CALL OF THE ASSEMBLY DISPENSED WITH
AND RECORD EXPUNGED AND ACTION RESCINDED**

Pursuant to a roll call vote, Assembly Member Laird was granted consent that further proceedings under the call of the Assembly be dispensed with, the record be expunged, and the action rescinded whereby a roll call vote was taken on this day on the following bills: Senate Bills Nos. 1073, 1069, 1077, 1078, 1080, 1084, 1085, 1076, 1074, 1079, 1081, and 1082, and Assembly Constitutional Amendment No. 9.

MOTION TO PRINT A LETTER IN THE JOURNAL

Assembly Member Torrico moved that the rules be suspended to permit Assembly Member Laird to print a letter of legislative intent in the Journal.

Assembly Member Laird seconded the motion.

Motion carried 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	Núñez	

NOES—30

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

CONSENT TO PRINT IN JOURNAL

Pursuant to a roll call vote, Assembly Member Laird was granted consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 2654

September 15, 2008

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: I respectfully submit this letter in an effort to clarify the intent and effect of Section 7 of my bill, Assembly Bill 2654.

AB 2654 is the fifth in a series of nondiscrimination bills that I have authored, all of which have been signed into law. The first was AB 2900 in 2004, which amended over 35 labor and employment-related nondiscrimination statutes to be consistent with the Fair Employment and Housing Act (FEHA). The second was AB 1400 in 2005, which amended the Unruh Civil Rights Act and related provisions to clarify and confirm that Californians are protected from discrimination by business establishments regardless of their sexual orientation, gender identity and marital status. The third was AB 2800 in 2006, which amended 17 housing provisions to be consistent with FEHA. The fourth was last year's AB 14 which amended 51 anti-discrimination provisions that govern business and government activities in the state.

Under current law, there are 11 more business and government provisions which prohibit discrimination against individuals who are members of specified categories, also known as "protected classes." Such variances have created deficiencies in protection for Californians,

in addition to creating confusion for those charged with implementing and complying with these laws.

Section 7 (Insurance Code section 11628) of AB 2654 prohibits discrimination in various aspects of property and casualty insurance, including in the use and establishment of rating factors. A concern has been raised about how AB 2654 might affect rating factors used by these insurers in light of the fact that Proposition 103 established certain rating factors in law and also authorized the State Insurance Commissioner to establish additional optional rating factors through regulation.

It is not the intent of AB 2654 to amend Prop. 103 with respect to these rating factors. For many years, it has been abundantly clear in both statute and case law that property and casualty insurers, as with all insurers, and as with all business in the state of California, are subject to the Unruh Civil Rights Act (Civil Code Section 51). AB 2654 changes nothing other than to simply clarify this fact in additional sections of law, including Insurance Code section 11628 (section 7 of this bill). If the Legislature intended to statutorily change the rating factors, such a change would amend Proposition 103 statutes and therefore would require a two-thirds vote of the Legislature. Similarly, regulatory action by the Insurance Commissioner would be necessary to change the optional rating factors.

As with my prior four civil rights bills, AB 2654 simply makes many sections of law clear and consistent, thereby bolstering the strong anti-discrimination laws, such as Unruh, already on the books in California.

Respectfully submitted,

JOHN LAIRD, Assembly Member
Twenty-seventh District

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Torrico was granted unanimous consent that the following bills be considered engrossed: Assembly Bills Nos. 10, 88, 158, 186, 268, 519, 1183, 1279, 1338, 1389, 1452, 1526, 1654, 1741, 1805, 2026, 2246, and 2784.

RECESS

By unanimous consent, at 2:16 a.m., Speaker pro Tempore Lieber declared the Assembly recessed.

RECONVENED

At 2:18 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the following victims of the Metrolink/Union Pacific Train accident: Dennis Arnold, Aida Magdaleno, and Doyle Jay Souser, of Camarillo; Paul Long, Howard Barry Pompel, and Maria Elena Villalobos, of Moorpark; Manuel Macias, of Santa Paula; Christopher Aiken and Ernest Stephen Kish II, of Thousand Oaks; and Dean Lafoy Brower, of Ventura.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Smyth was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the following Metrolink/Union Pacific Train accident victims: Alan Lloyd Buckley, Yi Chao, Spree Desha, Walter Arney Fuller, Ronald G. Grace, Michael A. Hammersly, Gregory Lintner, Donna Lynn Remata, Roger Spacey, and Atul Vyas, of Simi Valley; and Kari Hsieh, of Santa Clarita.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tina Allen, of North Hills.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Arambula was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Councilman Matthew "Scott" Brockett, of Reedley City.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bette Dobkin, of Arcata.

Assembly Member Coto was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peter Camejo, of Folsom.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mazie Cecilia McDermott Nevin, of Millbrae.

Assembly Member Nava was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carolyn Ruddell Samuels, of Santa Barbara.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jacob Hefter, of Palmdale and Jerry Walter McGuire, of Antelope Valley.

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. 1077, Torrico Motion to Table Anderson Amendments: Hernandez and Karnette—Aye.

Senate Bill No. 1077, Torrico Motion to Table Gaines Amendments: Arambula and Salas—Aye.

Torrico Motion to Print in Journal: Galgiani, Hayashi, and Krekorian—Aye; Benoit and Strickland—No.

Assembly Bill No. 268, Urgency and Concurrence: Galgiani, Jeffries, and Maze—Aye; Hancock and La Malfa—No.

Assembly Bill No. 519, Urgency and Concurrence: Benoit—Aye.

Assembly Bill No. 1183, Urgency and Concurrence: Adams—Aye.

Assembly Bill No. 1279, Urgency and Concurrence: Adams—Aye; Benoit, Cook, La Malfa, and Strickland—No.

Assembly Bill No. 1338, Urgency and Concurrence: Adams—Aye; Benoit—No.

Assembly Bill No. 1389, Urgency and Concurrence: Adams—Aye; Maze—No.

Assembly Bill No. 1526, Urgency and Concurrence: Adams and Swanson—Aye; Hancock—No.

Assembly Bill No. 1654, Urgency and Concurrence: Adams—Aye.

Assembly Bill No. 1741, Urgency and Concurrence: Adams and Hancock—Aye.

Senate Constitutional Amendment No. 12: Adams, Garrick, and Hancock—Aye; Strickland—No.

Senate Constitutional Amendment No. 13: Adams—Aye; Gaines, Hancock, and Swanson—No.

Assembly Bill No. 1452, Urgency and Concurrence: Adams—Aye.

Assembly Bill No. 186, Urgency and Concurrence: Adams—Aye.

Assembly Bill No. 1805, Urgency and Concurrence: Adams, Gaines, and La Malfa—Aye.

Assembly Bill No. 2026, Urgency and Concurrence: Adams, La Malfa, and Ruskin—Aye.

Assembly Bill No. 2246, Concurrence: Adams, La Malfa, and Mullin—Aye.

Assembly Bill No. 158, Urgency and Concurrence: Adams and Lieu—Aye.

Assembly Bill No. 2784, Urgency and Concurrence: Adams, Anderson, Beall, Gaines, Hancock, Jones, Lieu, and Nakanishi—Aye.

Assembly Bill No. 10, Concurrence: Hayashi—No.

Assembly Bill No. 1781, Conference Report: Keene and Strickland—Aye; Anderson, Berryhill, Fuller, Gaines, Jeffries, La Malfa, Maze, Nakanishi, and Spitzer—No.

Assembly Bill No. 88, Urgency and Concurrence: Cook, Huffman, Jeffries, and Keene—No.

Laird Motion to Suspend the Rules: Nakanishi—Aye.

Torrico Motion to Print in Journal: Fuller—No.

MOTION TO ADJOURN

At 2:25 a.m., Assembly Member Torrico moved that the Assembly adjourn for the Final Recess of the 2007–08 Regular Session, pursuant to the provisions of Joint Rule 51(b)(3), until the adjournment *sine die* on November 30, 2008. Pursuant to Article IV, Section 3(a), the Organizational Session will convene on Monday, December 1, 2008, at 12 noon for the 2009–2010 Regular Session.

Assembly Member Blakeslee seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:31 a.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 2:31 a.m., pursuant to the motion by Assembly Member Torrico, and the provisions of Joint Rule 51(b)(3), the Assembly adjourned for the Final Recess of the 2007–08 Regular Session, until adjournment *sine die*, out of respect to the memory of Dennis Arnold, Aida Magdaleno, Doyle Jay Souser, Paul Long, Howard Barry Pompel, Maria Elena Villalobos, Manuel Macias, Christopher Aiken, Ernest Stephen Kish II, and Dean Lafoy Brower, on motion of Assembly Member Strickland; out of respect to the memory of Alan Lloyd Buckley, Yi Chao, Spree Desha, Walker Arney Fuller, Ronald G. Grace, Michael A. Hammersly, Gregory Lintner, Donna Lynn Remata, Roger Spacey, Atul Vyas, and Kari Hsieh, on motion of Assembly Member Smyth; out of respect to the memory of Tina Allen, on motion of Assembly Member Dymally; out of respect to the memory of Councilman Matthew “Scott” Brockett, on motion of Assembly Member Arambula; out of respect to the memory of Bette Dobkin, on motion of Assembly Member Berg; out of respect to the memory of Peter Camejo, on motion of Assembly Member Coto; out of respect to the memory of Mazie Cecilia McDermott Nevin, on motion of Assembly Member Mullin; out of respect to the memory of Carolyn Ruddell Samuels, on motion of Assembly Member Nava; and out of respect to the memory of Jacob Hefter and Jerry Walter McGuire, on motion of Assembly Member Runner.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 15, 2008

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

ACA RN

9 0827610

SB RN

1073 0827932

1074 0827943

1076 0827939

1077 0827979

1078 0827587

1079 0827915

1080 0827987

1081 0827957

1082 0827591

1084 0827952

1085 0827672

Daily Total: 12

Cumulative Total: 5774

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

SB

1077 (Anderson amendments—Set 1, RN0827969, laid upon the table)
 (Gaines amendments—Set 2, RN0827967, laid upon the table)
 (La Malfa amendments—Set 3, RN0827966, laid upon the table)

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