

CALIFORNIA LEGISLATURE
2009–10 SEVENTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, November 3, 2009

FOURTH SESSION DAY

NINTH 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 Minute Clerk: Phone 319-2360)

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(Corrected: 11-18-2009. See page 31.)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, November 3, 2009

The Assembly met at 10:33 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

ROLL CALL

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

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

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Assembly Member Isadore Hall III, 52nd District:

Lord, There are times when we do not hear You, we do not listen and we do not change. Only You, Lord, can give us the grace to forgive when we are hurt, to be faithful in darkness, to have hope when all seems lost and to love when we're not loved in return. Let your Spirit, Lord, come upon the earth and where there is sin and darkness, let there be light and holiness.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

Because of illness: Assembly Members Tom Berryhill and Calderon.

MESSAGES FROM THE SENATE

Senate Chamber, November 3, 2009

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

Senate Bill No. 6

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 6—An act to add Part 2.11 (commencing with Section 10920) to Division 6 of, and to repeal and add Section 12924 of, the Water Code, relating to groundwater.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Torrico.

Resolved, That Senate Bill No. 6 presents a case 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 bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—57

Adams	Emmerson	Hayashi	Ruskin
Ammiano	Eng	Hill	Salas
Arambula	Evans	Huffman	Saldaña
Blakeslee	Feuer	Jeffries	Silva
Block	Fletcher	Krekorian	Skinner
Blumenfield	Fong	Lieu	Smyth
Bradford	Fuentes	Lowenthal	Solorio
Brownley	Fuller	Ma	Strickland
Carter	Furutani	Mendoza	Torres
Conway	Galgiani	Monning	Torrico
Cook	Garrick	Nava	Tran
Coto	Gilmore	Nestande	Mme. Speaker
Davis	Hagman	Pérez, J.	
De La Torre	Hall	Pérez, V.M.	
De León	Harkey	Portantino	

NOES—12

Anderson	DeVore	Knight	Niello
Berryhill, B.	Gaines	Logue	Villines
Buchanan	Huber	Miller	Yamada

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

Second Reading of Senate Bill No. 6

SENATE BILL NO. 6—An act to add Part 2.11 (commencing with Section 10920) to Division 6 of, and to repeal and add Section 12924 of, the Water Code, relating to groundwater.

Bill read second time.

**Consideration of Amendments to Senate Bill No. 6
by Unanimous Consent**

Assembly Member Huffman was granted unanimous consent to take up Senate Bill No. 6 without reference to file, for purpose of amendment.

SENATE BILL NO. 6 (Steinberg)—An act to add Part 2.11 (commencing with Section 10920) to Division 6 of, and to repeal and add Section 12924 of, the Water Code, relating to groundwater.

Bill read third time.

Motion to Amend by Assembly Member Huffman

Assembly Member Huffman moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 6, as Amended
by Unanimous Consent**

Assembly Member Huffman was granted unanimous consent to take up Senate Bill No. 6, as amended, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 6 (Steinberg)—An act to add Part 2.11 (commencing with Section 10920) to Division 6 of, and to repeal and add Section 12924 of, the Water Code, relating to groundwater.

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

Call of the Assembly

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

Motion carried. Time, 5:35 p.m.

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

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Torrico.

Resolved, That Senate Bill No. 7 presents a case 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 bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—57

Adams	Emmerson	Hayashi	Ruskin
Ammiano	Eng	Hill	Salas
Arambula	Evans	Huffman	Saldaña
Blakeslee	Feuer	Jeffries	Silva
Block	Fletcher	Krekorian	Skinner
Blumenfield	Fong	Lieu	Smyth
Bradford	Fuentes	Lowenthal	Solorio
Brownley	Fuller	Ma	Strickland
Carter	Furutani	Mendoza	Torres
Conway	Galgiani	Monning	Torrico
Cook	Garrick	Nava	Tran
Coto	Gilmore	Nestande	Mme. Speaker
Davis	Hagman	Pérez, J.	
De La Torre	Hall	Pérez, V.M.	
De León	Harkey	Portantino	

NOES—11

Anderson	DeVore	Logue	Villines
Berryhill, B.	Gaines	Miller	Yamada
Buchanan	Huber	Niello	

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

Second Reading of Senate Bill No. 7

SENATE BILL NO. 7—An act to amend and repeal Section 10631.5 of, to add Part 2.55 (commencing with Section 10608) to Division 6 of, and to repeal and add Part 2.8 (commencing with Section 10800) of Division 6 of, the Water Code, relating to water.

Bill read second time.

**Consideration of Amendments to Senate Bill No. 7
by Unanimous Consent**

Assembly Member Feuer was granted unanimous consent to take up Senate Bill No. 7 without reference to file, for purpose of amendment.

SENATE BILL NO. 7 (Steinberg)—An act to amend and repeal Section 10631.5 of, to add Part 2.55 (commencing with Section 10608) to Division 6 of, and to repeal and add Part 2.8 (commencing with Section 10800) of Division 6 of, the Water Code, relating to water.

Bill read third time.

Motion to Amend by Assembly Member Feuer

Assembly Member Feuer moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 7, as Amended
by Unanimous Consent**

Assembly Member Feuer was granted unanimous consent to take up Senate Bill No. 7 as amended, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 7 (Steinberg)—An act to amend and repeal Section 10631.5 of, to add Part 2.55 (commencing with Section 10608) to Division 6 of, and to repeal and add Part 2.8 (commencing with Section 10800) of Division 6 of, the Water Code, relating to water.

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

Bill passed by the following vote:

AYES—49

Adams	De La Torre	Huffman	Ruskin
Ammiano	De León	Jones	Salas
Arambula	Emmerson	Krekorian	Saldaña
Beall	Eng	Lieu	Skinner
Blakeslee	Evans	Lowenthal	Smyth
Block	Feuer	Ma	Solorio
Blumenfield	Fletcher	Mendoza	Strickland
Bradford	Fuentes	Monning	Torrico
Brownley	Furutani	Nava	Tran
Caballero	Galgiani	Nestande	Mme. Speaker
Carter	Hall	Pérez, J.	
Coto	Hernandez	Pérez, V.M.	
Davis	Hill	Portantino	

NOES—19

Anderson	Fuller	Huber	Nielsen
Berryhill, B.	Gaines	Jeffries	Swanson
Buchanan	Gilmore	Logue	Villines
DeVore	Harkey	Miller	Yamada
Fong	Hayashi	Niello	

Bill ordered transmitted to the Senate immediately.

RECESS

By unanimous consent, at 6:03 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 9:20 p.m., the Assembly reconvened.

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

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Torrico.

Resolved, That Senate Bill No. 1 presents a case 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 bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—58

Adams	De León	Harkey	Pérez, V.M.
Ammiano	Emmerson	Hayashi	Portantino
Arambula	Eng	Hernandez	Ruskin
Blakeslee	Evans	Hill	Salas
Block	Feuer	Huffman	Saldaña
Blumenfield	Fletcher	Jeffries	Silva
Bradford	Fong	Krekorian	Skinner
Brownley	Fuentes	Lieu	Smyth
Caballero	Fuller	Lowenthal	Solorio
Carter	Furutani	Ma	Strickland
Conway	Galgiani	Mendoza	Torres
Cook	Garrick	Monning	Torrico
Coto	Gilmore	Nava	Mme. Speaker
Davis	Hagman	Nestande	
De La Torre	Hall	Pérez, J.	

NOES—11

Anderson	DeVore	Logue	Villines
Berryhill, B.	Gaines	Miller	Yamada
Buchanan	Huber	Niello	

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

Second Reading of Senate Bill No. 1

SENATE BILL NO. 1—An act to amend Sections 29702, 29725, 29727, 29733, 29735, 29735.1, 29738, 29741, 29751, 29752, 29754, 29756.5, 29763, 29771, and 29780 of, to add Sections 29703.5, 29722.5, 29722.7, 29728.5, 29759, 29773, 29773.5, and 29778.5 to, to add Division 22.3 (commencing with Section 32300) to, to repeal Section 29762 of, and to repeal and add Sections 29736, 29739, 29753, 29761, 29761.5, and 29764 of, the Public Resources Code, and to add Division 35 (commencing with Section 85000) to, and to repeal Division 26.4 (commencing with Section 79400) of, the Water Code, relating to public resources, and making an appropriation therefor.

Bill read second time.

Consideration of Amendments to Senate Bill No. 1 by Unanimous Consent

Assembly Member Huffman was granted unanimous consent to take up Senate Bill No. 1 without reference to file, for purpose of amendment.

SENATE BILL NO. 1 (Simitian)—An act to amend Sections 29702, 29725, 29727, 29733, 29735, 29735.1, 29738, 29741, 29751, 29752, 29754, 29756.5, 29763, 29771, and 29780 of, to add Sections 29703.5, 29722.5, 29722.7, 29728.5, 29759, 29773, 29773.5, and 29778.5 to, to add Division 22.3 (commencing with Section 32300) to, to repeal Section 29762 of, and to repeal and add Sections 29736, 29739, 29753, 29761, 29761.5, and 29764 of, the Public Resources Code, and to add Division 35 (commencing with Section 85000) to, and to repeal Division 26.4 (commencing with Section 79400) of, the Water Code, relating to public resources, and making an appropriation therefor.

Bill read third time.

Motion to Amend by Assembly Member Huffman—Set 2

Assembly Member Huffman moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

Bill read third time.

Motion to Amend by Assembly Member Huber—Set 1

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

Request for Use of Visual Aids

Assembly Member Huber was granted unanimous consent to use visual aids on the Floor to assist in debate.

Motion to Table Huber Amendments to Senate Bill No. 1—Set 1

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

Assembly Member Krekorian seconded the motion.

Parliamentary Inquiry

Assembly Member Huber arose to the following parliamentary inquiry:

Does an “Aye” vote on the motion to lay the amendments on the table mean that the amendments will not be adopted and does a “No” vote mean that the amendments will be eligible for adoption?

Reply by Assistant Speaker pro Tempore Hall

The Assistant Speaker pro Tempore replied in the affirmative.

Further Consideration of the Motion to Table Huber Amendments to Senate Bill No. 1—Set 1

The question being on the motion to lay the amendments on the table.

Motion carried by the following vote:

AYES—40

Anderson	Emmerson	Hernandez	Nestande
Arambula	Eng	Hill	Pérez, J.
Block	Evans	Huffman	Pérez, V.M.
Caballero	Feuer	Jeffries	Salas
Carter	Fuentes	Knight	Saldaña
Coto	Fuller	Krekorian	Silva
Davis	Furutani	Lieu	Solorio
De La Torre	Garrick	Lowenthal	Torres
De León	Hall	Ma	Torraco
DeVore	Harkey	Mendoza	Mme. Speaker

NOES—16

Beall	Fong	Logue	Skinner
Berryhill, B.	Gaines	Monning	Swanson
Buchanan	Huber	Niello	Torlakson
Chesbro	Jones	Ruskin	Yamada

Consideration of Senate Bill No. 1, as Amended, by Unanimous Consent

Assembly Member Huffman was granted unanimous consent to take up Senate Bill No. 1, as amended, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 1 (Simitian)—An act to amend Sections 29702, 29725, 29727, 29733, 29735, 29735.1, 29738, 29741, 29751, 29752, 29754, 29756.5, 29763, 29771, and 29780 of, to add Sections 29703.5, 29722.5, 29722.7, 29728.5, 29759, 29773, 29773.5, and 29778.5 to, to add Division 22.3 (commencing with Section 32300) to, to repeal Section 29762 of, and to repeal and add Sections 29736, 29739, 29753, 29761, 29761.5, and 29764 of, the Public Resources Code, and to add Division 35 (commencing with Section 85000) to, and to repeal Division 26.4 (commencing with Section 79400) of, the Water Code, relating to public resources, and making an appropriation therefor.

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

Request for Use of Visual Aids

Assembly Member Yamada was granted unanimous consent to use visual aids on the Floor to assist in debate.

Assembly Member Buchanan was granted unanimous consent to use visual aids on the Floor to assist in debate.

Point of Personal Privilege

Assembly Member Buchanan arose to a point of personal privilege.

Further Consideration of Senate Bill No. 1, as Amended

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—46

Adams	De La Torre	Hill	Portantino
Arambula	De León	Huffman	Salas
Blakeslee	Emmerson	Jeffries	Saldaña
Block	Eng	Jones	Silva
Blumenfield	Feuer	Krekorian	Smyth
Bradford	Fletcher	Lieu	Solorio
Brownley	Fuentes	Lowenthal	Strickland
Caballero	Fuller	Mendoza	Torres
Carter	Furutani	Nava	Torrco
Cook	Hagman	Nestande	Mme. Speaker
Coto	Hall	Pérez, J.	
Davis	Hernandez	Pérez, V.M.	

NOES—29

Ammiano	Evans	Huber	Skinner
Anderson	Fong	Knight	Swanson
Beall	Gaines	Logue	Torlakson
Berryhill, B.	Galgiani	Miller	Tran
Buchanan	Garrick	Monning	Yamada
Chesbro	Gilmore	Niello	
Conway	Harkey	Nielsen	
DeVore	Hayashi	Ruskin	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1: Assembly Member Harkey from “Aye” to “No”; Assembly Member V.M. Pérez from “No” to “Aye”.

Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 6**

At 10:51 p.m., on motion of Assembly Member Huffman, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 6 passed by the following vote:

AYES—44

Adams	Coto	Hagman	Nava
Ammiano	Davis	Hall	Nestande
Arambula	De La Torre	Hernandez	Pérez, J.
Beall	De León	Hill	Portantino
Blakeslee	Eng	Huffman	Salas
Block	Evans	Jones	Saldaña
Blumenfield	Feuer	Krekorian	Solorio
Bradford	Fuentes	Lieu	Strickland
Brownley	Furutani	Lowenthal	Torres
Caballero	Galgiani	Ma	Torrco
Carter	Garrick	Mendoza	Mme. Speaker

NOES—29

Anderson	Gaines	Miller	Swanson
Berryhill, B.	Gilmore	Monning	Torlakson
Buchanan	Harkey	Nielsen	Tran
Chesbro	Hayashi	Pérez, V.M.	Villines
Cook	Huber	Ruskin	Yamada
DeVore	Jeffries	Silva	
Fong	Knight	Skinner	
Fuller	Logue	Smyth	

Bill ordered transmitted to the Senate immediately.

RECESS

By unanimous consent, at 10:57 p.m., Assistant Speaker pro Tempore Hall declared the Assembly recessed.

**TENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, November 4, 2009

At 12 midnight.

Speaker Karen Bass, presiding.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 1—Torrico. Relative to final adjournment of the 2009–10 Seventh Extraordinary Session of the Legislature.

RECONVENED

At 12:44 a.m., the Assembly reconvened.

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

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Torrico.

Resolved, That Senate Bill No. 8 presents a case 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 bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—57

Adams	Emmerson	Hayashi	Portantino
Ammiano	Eng	Hernandez	Ruskin
Arambula	Evans	Hill	Salas
Blakeslee	Feuer	Huffman	Saldaña
Block	Fletcher	Krekorian	Silva
Blumenfield	Fong	Lieu	Skinner
Bradford	Fuentes	Lowenthal	Solorio
Brownley	Fuller	Ma	Strickland
Caballero	Furutani	Mendoza	Torres
Carter	Galgiani	Monning	Torrico
Conway	Garrick	Nava	Tran
Cook	Gilmore	Nestande	Mme. Speaker
Davis	Hagman	Nielsen	
De La Torre	Hall	Pérez, J.	
De León	Harkey	Pérez, V.M.	

NOES—8

Anderson	Buchanan	Gaines	Miller
Berryhill, B.	DeVore	Huber	Yamada

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

Second Reading of Senate Bill No. 8

SENATE BILL NO. 8—An act relating to water, and making an appropriation therefor.

Bill read second time.

Consideration of Amendments to Senate Bill No. 8 by Unanimous Consent

Assembly Member Galgiani was granted unanimous consent to take up Senate Bill No. 8 without reference to file, for purpose of amendment.

SENATE BILL NO. 8 (Steinberg)—An act relating to water, and making an appropriation therefor.

Bill read third time.

Motion to Amend by Assembly Member Galgiani

Assembly Member Galgiani moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 8, as Amended
by Unanimous Consent**

Assembly Member De León was granted unanimous consent to take up Senate Bill No. 8, as amended, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 8 (Steinberg)—An act to amend Sections 5100, 5101, 5103, and 5107 of, to add Chapter 2.7 (commencing with Section 348) to Division 1 of, and to repeal Section 5108 of, the Water Code, and to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items 3940-001-0439 and 3940-001-3058 of Section 2.00 of the Budget Act of 2009, relating to water resources, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member De León.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:01 a.m.

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

At 2:02 a.m., Speaker Karen Bass, 47th District, presiding

At 2:02 a.m., Assistant Speaker pro Tempore Isadore Hall III, 52nd District, presiding

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 8**

At 2:07 a.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 8 passed by the following vote:

AYES—49

Adams	Emmerson	Hill	Portantino
Arambula	Eng	Huffman	Salas
Blakeslee	Feuer	Knight	Saldaña
Block	Fletcher	Krekorian	Smyth
Blumenfield	Fuentes	Lieu	Solorio
Bradford	Fuller	Lowenthal	Strickland
Brownley	Furutani	Ma	Torres
Caballero	Galgiani	Mendoza	Torrico
Carter	Garrick	Nava	Tran
Cook	Gilmore	Nestande	Mme. Speaker
Coto	Hagman	Nielsen	
Davis	Hall	Pérez, J.	
De León	Hernandez	Pérez, V.M.	

NOES—20

Anderson	DeVore	Hayashi	Ruskin
Berryhill, B.	Evans	Huber	Skinner
Buchanan	Fong	Jeffries	Swanson
Chesbro	Gaines	Logue	Torlakson
De La Torre	Harkey	Miller	Yamada

Bill ordered transmitted to the Senate immediately.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Torrico.

Resolved, That Senate Bill No. 2 presents a case 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 bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—58

Adams	De La Torre	Hall	Pérez, J.
Ammiano	De León	Harkey	Pérez, V.M.
Arambula	Emmerson	Hayashi	Portantino
Beall	Eng	Hernandez	Salas
Blakeslee	Evans	Hill	Saldaña
Block	Feuer	Huffman	Silva
Blumenfield	Fletcher	Krekorian	Smyth
Bradford	Fong	Lieu	Solorio
Brownley	Fuentes	Lowenthal	Strickland
Caballero	Fuller	Ma	Torres
Carter	Furutani	Mendoza	Torrico
Conway	Galgiani	Monning	Tran
Cook	Garrick	Nava	Mme. Speaker
Coto	Gilmore	Nestande	
Davis	Hagman	Nielsen	

NOES—9

Anderson	DeVore	Miller
Berryhill, B.	Huber	Niello
Buchanan	Logue	Yamada

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

Second Reading of Senate Bill No. 2

SENATE BILL NO. 2—An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to a safe drinking water and water supply reliability program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Amendments to Senate Bill No. 2 by Unanimous Consent

Assembly Member Caballero was granted unanimous consent to take up Senate Bill No. 2 without reference to file, for purpose of amendment.

SENATE BILL NO. 2 (Cogdill)—An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to a safe drinking water and water supply reliability program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Caballero

Assembly Member Caballero moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 2, as Amended
by Unanimous Consent**

Assembly Member Caballero was granted unanimous consent to take up Senate Bill No. 2, as amended, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 2 (Cogdill)—An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to a safe drinking water and water supply reliability program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

Assembly Rule 112 Suspended

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

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

Request for Use of Visual Aids

Assembly Member Saldaña was granted unanimous consent to use visual aids on the Floor to assist in debate.

The question being on the adoption of the urgency clause.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 3:33 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE TO SENATE BILL NO. 2**

At 4:20 a.m., on motion of Assembly Member Caballero, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 4:25 a.m.

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

At 4:27 a.m., Speaker pro Tempore Lori Saldaña, 76th District, presiding

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE TO SENATE BILL NO. 2**

At 4:48 a.m., on motion of Assembly Member Caballero, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 2 refused adoption by the following vote:

AYES—2

Bradford

Mendoza

NOES—18

Ammiano

DeVore

Huber

Niello

Anderson

Evans

Jones

Torlakson

Berryhill, B.

Fong

Logue

Yamada

Buchanan

Gaines

Miller

Chesbro

Hill

Monning

ACTION RESCINDED ON SENATE BILL NO. 2

Assembly Member Torrico was granted unanimous consent that the action be rescinded whereby the bill was read a third time, and whereby the urgency clause was refused adoption.

**Consideration of Amendments to Senate Bill No. 2
by Unanimous Consent**

Assembly Member Caballero was granted unanimous consent to take up Senate Bill No. 2 without reference to file, for purpose of amendment.

SENATE BILL NO. 2 (Cogdill)—An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to a safe drinking water and water supply reliability program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Caballero

Assembly Member Caballero moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 2, as Amended
by Unanimous Consent**

Assembly Member Caballero was granted unanimous consent to take up Senate Bill No. 2, as amended, without reference to print or file, for purpose of consideration.

SENATE BILL NO. 2 (Cogdill)—An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to a safe drinking water and water supply reliability program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—55

Adams	De La Torre	Harkey	Portantino
Arambula	De León	Hernandez	Ruskin
Beall	Emmerson	Huffman	Salas
Blakeslee	Eng	Jeffries	Saldaña
Block	Feuer	Krekorian	Silva
Blumenfield	Fletcher	Lieu	Smyth
Bradford	Fuentes	Lowenthal	Solorio
Brownley	Fuller	Ma	Strickland
Caballero	Furutani	Mendoza	Torres
Carter	Galgiani	Nava	Torrico
Conway	Garrick	Nestande	Tran
Cook	Gilmore	Nielsen	Villines
Coto	Hagman	Pérez, J.	Mme. Speaker
Davis	Hall	Pérez, V.M.	

NOES—20

Ammiano	DeVore	Huber	Niello
Anderson	Evans	Knight	Skinner
Berryhill, B.	Fong	Logue	Swanson
Buchanan	Gaines	Miller	Torlakson
Chesbro	Hayashi	Monning	Yamada

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—55

Adams	De La Torre	Harkey	Portantino
Arambula	De León	Hernandez	Ruskin
Beall	Emmerson	Huffman	Salas
Blakeslee	Eng	Jeffries	Saldaña
Block	Feuer	Krekorian	Silva
Blumenfield	Fletcher	Lieu	Smyth
Bradford	Fuentes	Lowenthal	Solorio
Brownley	Fuller	Ma	Strickland
Caballero	Furutani	Mendoza	Torres
Carter	Galgiani	Nava	Torrico
Conway	Garrick	Nestande	Tran
Cook	Gilmore	Nielsen	Villines
Coto	Hagman	Pérez, J.	Mme. Speaker
Davis	Hall	Pérez, V.M.	

NOES—20

Ammiano	DeVore	Huber	Niello
Anderson	Evans	Knight	Skinner
Berryhill, B.	Fong	Logue	Swanson
Buchanan	Gaines	Miller	Torlakson
Chesbro	Hayashi	Monning	Yamada

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1
BY UNANIMOUS CONSENT**

Assembly Member Torrico was granted unanimous consent to take up Assembly Concurrent Resolution No. 1 without reference to print or file, for purpose of consideration.

ASSEMBLY CONCURRENT RESOLUTION NO. 1 (Torrico)—Relative to final adjournment of the 2009–10 Seventh Extraordinary Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—73

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

NOES—1

Huber

Resolution ordered transmitted to the Senate immediately.

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. 6, Invoke Constitution: Lowenthal, Mendoza, and Torres—Aye; Gaines and Villines—No.

Senate Bill No. 7, Invoke Constitution: Fuentes, Lowenthal, and Torres—Aye; Anderson, DeVore, Gaines, and Villines—No.

Senate Bill No. 7: Fuentes, Lowenthal, Mendoza, and Strickland—Aye; Gaines, Gilmore, Harkey, Hayashi, Jeffries, Nielsen, and Villines—No.

Senate Bill No. 1, Invoke Constitution: Fuentes, Mendoza, and Skinner—Aye; Anderson, DeVore, and Gaines—No.

Senate Bill No. 1, Lay on the Table: Anderson, Fuentes, Mendoza, and V.M. Pérez—Aye; Ruskin and Skinner—No.

Senate Bill No. 1: Jeffries and Mendoza—Aye; Ammiano, Garrick, and Skinner—No.

Senate Bill No. 6: Harkey, Jeffries, Ruskin, and Skinner—No.

Senate Bill No. 8, Invoke Constitution: Blumenfield, Fuentes, and J. Pérez—Aye.

Senate Bill No. 8: Ma—Aye; DeVore, Hayashi, Ruskin, and Skinner—No.

Senate Bill No. 2, Invoke Constitution: Anderson—No.

Senate Bill No. 2 and Urgency: Bradford and Mendoza—Aye; Anderson—No.

Senate Bill No. 2 and Urgency: Bradford—Aye; Anderson and Skinner—No.

ADJOURNMENT

At 4:56 a.m., pursuant to the provisions of Assembly Concurrent Resolution No. 1, the 2009–10 Seventh Extraordinary Session of the Legislature adjourned *sine die*.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON NOVEMBER 3, 2009

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

SB	RN
1	0925376
6	0925358
7	0925361

Daily Total: 3

Cumulative Total: 11

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

SB

1 (Huber—Set 1, RN0925226, laid upon the table)

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON NOVEMBER 4, 2009**

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

SB RN

2 0925406

8 0925404

Daily Total: 2

Cumulative Total: 13

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