

CALIFORNIA LEGISLATURE
2009–10 FIFTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, December 10, 2009
SIXTH SESSION DAY
ONE HUNDRED 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 Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, December 10, 2009

The Assembly met at 4:58 p.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—75:

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

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Assembly Member Steven Bradford, 51st Assembly District:

Lord, In people's daily encounter with life's challenges and situations, their frailties are as obvious as their virtues. Help us to realize that imperfection is part of human wholeness and that we must accept others as they are, and trust that they will do the same for us. We are called by You, Lord, to be compassionate towards others. You also call us to be compassionate towards ourselves. Compassion is the harmony of interpersonal relationships and inward peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Assembly Member Fuller 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 Krekorian, 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:

On legislative business: Assembly Members Adams and Bill Berryhill.

On personal business, and waiving per diem: Assembly Members DeVore and Harkey.

(NOTE: For explanations of absence of Assembly Members Adams and Bill Berryhill on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

December 8, 2009

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Steve Bradford to fill the Democratic vacancy on the Assembly Appropriations Committee for the 2009–10 Fifth Extraordinary Session.

Sincerely,

KAREN BASS
Speaker of the Assembly

REPORTS OF STANDING COMMITTEES
Committee on Education

Date of Hearing: December 9, 2009

Mme. Speaker: Your Committee on Education reports:

Assembly Bill No. 8

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

BROWNLEY, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: December 9, 2009

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 2

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

BROWNLEY, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: December 10, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 2

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

DE LEÓN, Chair

Above bill ordered to second reading.

**SENATE BILL NO. 2 TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING**

Assembly Member Brownley was granted unanimous consent to take up Senate Bill No. 2 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

SENATE BILL NO. 2—An act to amend Section 1798.24 of the Civil Code, and to amend Sections 10802 and 49076 of, and to add Section 49079.5 to, the Education Code, relating to pupil data.

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

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

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

SENATE BILL NO. 2 (Simitian)—An act to amend Section 1798.24 of the Civil Code, and to amend Sections 10802 and 49076 of, to add Section 49079.5 to, and to add and repeal Section 49079.6 of, the Education Code, relating to pupil data.

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

Bill passed by the following vote:

AYES—69

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

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: December 10, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 8

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

DE LEÓN, Chair

Above bill ordered to second reading.

ASSEMBLY BILL NO. 8 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING

Assembly Member Brownley was granted unanimous consent to take up Assembly Bill No. 8 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

ASSEMBLY BILL NO. 8—An act to amend Sections 14502.1, 47602, 47605, 47605.6, 47607, 60601, 60603, 60604, 60605.6, 60606, 60640, 60643, 60643.1 of, to amend and repeal Section 60605 of, to add Sections 44665.5, 47630.6, and 60604.5 to, to add and repeal Sections 60605.7 and 60605.8 of, and to add and repeal Chapter 18 (commencing with Section 53100) of Part 28 of Division 4 of Title 2 of, the Education Code, relating to public schools.

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

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

Assembly Member Brownley was granted unanimous consent to take up Assembly Bill No. 8 as amended, without reference to file, for the purpose of consideration.

ASSEMBLY BILL NO. 8 (Brownley)—An act to amend Sections 14502.1, 47602, 47605, 47605.6, 47607, 60601, 60603, 60604, 60605.6, 60606, 60640, 60643, 60643.1 of, to amend and repeal Section 60605 of, to add Sections 44665.5, 47630.6, and 60604.5 to, to add and repeal Sections 60605.7 and 60605.8 of, and to add and repeal Chapter 18 (commencing with Section 53100) of Part 28 of Division 4 of Title 2 of, the Education Code, relating to public schools.

Bill read third time.

Request for Use of Visual Aids

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

**At 5:20 p.m., Assistant Speaker pro Tempore Isadore Hall III,
52nd District, presiding**

Assembly Rule 112 Suspended

Assembly Member Garrick was granted unanimous consent that Assembly Rule 112 be suspended to permit him 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 passage of the bill.

Bill passed by the following vote:

AYES—48

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

NOES—25

Anderson	Fletcher	Jeffries	Smyth
Arambula	Fuller	Knight	Strickland
Berryhill, T.	Gaines	Miller	Tran
Blakeslee	Garrick	Nestande	Villines
Conway	Gilmore	Niello	
Cook	Hagman	Nielsen	
Emmerson	Huber	Silva	

Bill ordered transmitted to the Senate.

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. 2: Beall, Conway, Emmerson, Hernandez, Jeffries, Jones, Knight, Mendoza, Niello, Skinner, Torrico, and Villines—Aye.

Assembly Bill No. 8: Torrico—Aye.

RECESS

By unanimous consent, at 5:49 p.m., Assistant Speaker pro Tempore Hall declared the Assembly recessed.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 2—Krekorian. Relative to final adjournment of the 2009–10 Fifth Extraordinary Session of the Legislature.

ADJOURNMENT

At 9:30 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON DECEMBER 10, 2009

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

AB RN

8 0926422

SB RN

2 0926254

Daily Total: 2

Cumulative Total: 5

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